



AGENDA

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

Regular Meeting April 2, 2019

TELECONFERENCE LOCATIONS:

1) Mammoth Lakes CAO Conference Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, Mammoth Lakes, California, 93546; 2) 1243 E. Taft Ave., Orange, CA. 92865.

Board Members may participate from a teleconference location. Note: Members of the public may attend the open-session portion of the meeting from a teleconference location, and may address the board during any one of the opportunities provided on the agenda under Opportunity for the Public to Address the Board.

NOTE: In compliance with the Americans with Disabilities Act if you need special assistance to participate in this meeting, please contact Shannon Kendall, Clerk of the Board, at (760) 932-5533. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at <http://monocounty.ca.gov>. If you would like to receive an automatic copy of this agenda by email, please subscribe to the Board of Supervisors Agendas on our website at <http://monocounty.ca.gov/bos>.

UNLESS OTHERWISE SPECIFIED BY TIME, ITEMS SCHEDULED FOR EITHER THE MORNING OR AFTERNOON SESSIONS WILL BE HEARD ACCORDING TO AVAILABLE TIME AND PRESENCE OF INTERESTED PERSONS. PUBLIC MAY COMMENT ON AGENDA ITEMS AT THE TIME THE ITEM IS HEARD.

9:00 AM Call meeting to Order

Pledge of Allegiance

1. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

2. **RECOGNITIONS**

A. **Sexual Assault Awareness and Child Abuse Prevention Month**

Departments: Clerk of the Board

10 minutes

(Matthew O'Connor, Wild Iris; Michelle Raust, Social Services) - April is nationally recognized as Sexual Assault Awareness Month and Child Abuse Prevention Month. Wild Iris is asking for county-wide participation to prevent sexual violence and child abuse, and is asking the Board of Supervisors to approve official proclamations to recognize April as Sexual Assault Awareness Month and Child Abuse Prevention Month. This is a recurring item, requested by Wild Iris every year.

Recommended Action: Approve proclamations.

Fiscal Impact: None.

3. **COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

4. **DEPARTMENT/COMMISSION REPORTS**

5. **CONSENT AGENDA**

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

A. **Board Minutes**

Departments: Clerk of the Board

Approval of minutes from the Regular meeting on March 8, 2019.

Recommended Action: Approve the minutes of the Regular meeting on March 8, 2019.

Fiscal Impact: None.

B. **Board Minutes**

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on March 12, 2019.

Recommended Action: Approve the minutes of the Regular Meeting held on March 12, 2019.

Fiscal Impact: None.

C. Board Minutes

Approve minutes of the Special Meeting held on March 18, 2019.

Recommended Action: Approve the minutes of the Special Meeting held on March 18, 2019.

Fiscal Impact: None.

D. Megabyte Online Business Property Filing (OBPF)

Proposed amendment to contract with Megabyte Systems pertaining to Online Business Property Filing system which is an add-on to the Megabyte system that enables property owners to file their business property statements online.

Recommended Action: Approve County entry into proposed amendment and authorize Chair to execute said contract on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: The cost of the additional application is \$22,500, which is included in the Assessor's budget for FY 2018-19.

E. Deputy Sheriffs' Association Agreement and Second Amendment to MOU

Departments: Human Resources

Proposed resolution adopting and approving agreement and second amendment to the Mono County Deputy Sheriffs' Association Memorandum of Understanding in order to reinstate the 401(a) deferred compensation plan for classifications represented by the Association and eliminate the provision of an ICMA VantageCare plan.

Recommended Action: Adopt proposed resolution R19-____, Approving the agreement and second amendment.

Fiscal Impact: There is no fiscal impact. Costs for ICMA VantageCare and 401(a) are comparable.

6. CORRESPONDENCE RECEIVED

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

A. United States Fish and Wildlife (USFW) Notice of Proposed Rule to Remove the Gray Wolf from the List of Endangered and Threatened Wildlife and Comment Period

A notice from USFW that on March 15, 2019, it published a proposed rule to remove the gray wolf from the List of Endangered and Threatened Wildlife. This opened a 60-day comment period, which will close on May 14, 2019.

B. California Department of Fish and Wildlife Draft Environmental Document Bighorn Sheep Hunting

The California Department of Fish and Wildlife has prepared a draft environmental document pursuant to the California Environmental Quality Act regarding Nelson Bighorn Sheep Hunting in California.

C. California Department of Fish and Wildlife Draft Environmental Supplemental Document Regarding Elk Hunting

The California Department of Fish and Wildlife has prepared a draft environmental supplemental document pursuant to the California Environmental Quality Act regarding Elk Hunting in California.

D. Proposed Decision Authorizing Liberty Utilities to Recover Costs Recorded in the Catastrophic Event Memorandum Account Related to 2017 Winter Storms

An alert from Charles Mason of the California Public Utilities Commission to affected communities, including Coleville, Walker, and Topaz Lake, of a proposed decision authorizing Liberty Utilities to recover costs related to 2017 winter storms. Opening comments are due no later than March 28, 2019 and reply comments are due 5 days after the last day for filing opening comments (April 2, 2019).

7. REGULAR AGENDA - MORNING

A. Discussion of Phone, Internet, and Power Outage (March 22-24)

Departments: Board of Supervisors

15 minutes

(Sheriff Braun, Nate Greenberg) - A discussion of the phone, Internet, and power outage (including 911 service) that occurred from 3/22 - 3/24/2019 throughout Mono and Inyo Counties, as far south as Ridgecrest. Discussion to include cause(s), response and any follow-up actions the County could take or support others in taking to prevent such outages in the future.

Recommended Action: Provide direction to staff regarding possible follow-up with service providers or others and County response.

Fiscal Impact: None.

B. Appointment of New Member to Tri-Valley Groundwater Management District

Departments: County Counsel

15 minutes

(Jason Canger) - Appoint Ms. Geri Bassett of Bishop, California to fill the current vacancy on the Board of Directors of the Mono County Tri-Valley Groundwater Management District created by the enactment of SB 1084 (Berryhill) pursuant to the recommendation made by the Board of Directors at its March 27, 2019 meeting.

Recommended Action: Appoint Ms. Geri Bassett to the Board of Directors of the Mono County Tri-Valley Groundwater Management District; provide any direction to staff.

Fiscal Impact: None.

C. FY 18-19 Community Development Department Budget Adjustment

Departments: Community Development

10 minutes

(Wendy Sugimura) - Amendments to Contract Services in the Building and Planning & Transportation budgets to provide for the Mono County Civic Center project and the unanticipated volume of development applications.

Recommended Action: 1. Approve a Building Division budget amendment adding \$50,000 of revenue, which will be a transfer in from the Civic Center budget, and \$50,000 in expenditures to Contract Services for the Mono County Civic Center project. 2. Approve a Planning & Transportation budget amendment adding \$230,280 of Planning Permit revenue and \$230,280 in expenditures to Contract Services to provide for consultant costs on development applications. (4/5 vote required).

Fiscal Impact: No impact to the General Fund. Civic Center costs are already budgeted in a separate account under Public Works and funds will be transferred to cover costs incurred by the Building Division. Development application costs for environmental documentation under the California Environmental Quality Act are fully funded by the applicant.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

9. CLOSED SESSION

A. Closed Session - Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. Employee Organization(s): Mono

County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

B. Closed Session - Initiation of Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: One.

C. Closed Session - Exposure to Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1.

D. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: County of Mono v. Amerisourcebergen Drug Corp. Cardinal Health, McKesson Corporation, Purdue Pharma L.P., Purdue Pharma, Inc, The Purdue Frederick Co., Inc. et al., U.S. Dist. Court for Eastern California, Case No. 2:18-cv-00149-MCE-KJN.

E. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer (CAO).

10. BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

ADJOURN



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

Departments: Clerk of the Board

TIME REQUIRED 10 minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

Matthew O'Connor, Wild Iris; Michelle
Raust, Social Services

SUBJECT Sexual Assault Awareness and Child
Abuse Prevention Month

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

April is nationally recognized as Sexual Assault Awareness Month and Child Abuse Prevention Month. Wild Iris is asking for county-wide participation to prevent sexual violence and child abuse, and is asking the Board of Supervisors to approve official proclamations to recognize April as Sexual Assault Awareness Month and Child Abuse Prevention Month. This is a recurring item, requested by Wild Iris every year.

RECOMMENDED ACTION:

Approve proclamations.

FISCAL IMPACT:

None.

CONTACT NAME: Matthew O'Connor

PHONE/EMAIL: 760-873-6601 /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> SAAM Proclamation
<input type="checkbox"/> CAPM Proclamation

History

Time	Who	Approval
3/23/2019 3:49 PM	County Administrative Office	Yes

3/21/2019 1:10 PM

County Counsel

Yes

3/22/2019 1:52 PM

Finance

Yes



MONO COUNTY BOARD OF SUPERVISORS PROCLAMATION SEXUAL ASSAULT AWARENESS MONTH

WHEREAS, rape, sexual assault and sexual harassment harm our community, and statistics show that 1 in 6 women and 1 in 33 men will experience attempted or completed rape during their lifetime;

WHEREAS, child sexual abuse prevention must be a priority to confront the reality that 1 in 5 girls and 1 in 20 boys will experience a sexual assault before age 18;

WHEREAS, young people experience heightened rates of sexual violence, and youth ages 12-17 are 2.3 times as likely to be victims of rape or sexual assault;

WHEREAS, on campus, 1 in 5 women and 1 in 16 men are sexually assaulted during their time in college;

WHEREAS, survivors should have help to find the compassion, comfort, and healing they need, and sexual abusers should be punished to the full extent of the law;

WHEREAS, survivors of violence should have access to medical and legal services, counseling, transitional housing, and other supportive services so that they can heal from the abuse;

WHEREAS, it is important to recognize the compassion and dedication of the individuals who provide services to victims of sexual assault and work to increase public understanding of this significant problem;

WHEREAS, we must work together to educate our community about sexual violence prevention, supporting survivors, and speaking out against harmful attitudes and actions;

WHEREAS, prevention is possible through education, awareness and community involvement;

WHEREAS, it is time for all residents of Mono County to take action to create a safer environment for all and make ending sexual assault a priority;

WHEREAS, Wild Iris requests all residents of Mono County pledge to join advocates and communities across the country in taking action to prevent sexual violence;

NOW, THEREFORE, the Mono County Board of Supervisors, in recognition of the important work done by Wild Iris and all victims' service providers, proclaims April 2019 as Sexual Assault Awareness Month.

APPROVED AND ADOPTED this 2nd day of April, 2019, by the Mono County Board of Supervisors.

Jennifer Halferty, Supervisor District #1

Fred Stump, Supervisor District #2

Bob Gardner, Supervisor District #3

John Peters, Supervisor District #4

Stacy Corless, Supervisor District #5



MONO COUNTY BOARD OF SUPERVISORS PROCLAMATION CHILD ABUSE PREVENTION MONTH

WHEREAS, children are vital to our community's future success and quality of life as well as being our most vulnerable assets;

WHEREAS, all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development;

WHEREAS, child abuse and neglect are community responsibilities affecting both the current and future quality of life of a community;

WHEREAS, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope;

WHEREAS, communities that provide parents with the social support, knowledge of parenting and child development, and concrete resources they need to cope with stress and nurture their children, ensure all children grow to their full potential;

WHEREAS, child abuse and neglect can be reduced in Mono County by making sure each family has the support they need in raising their children in a safe, nurturing environment;

WHEREAS, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community;

WHEREAS, Wild Iris has set an important example of how forging collaborative relationships among service agencies and organizations serves to improve the quality of service for those profoundly and directly affected by child abuse, thus providing a model for how the rest of the community might work together to speak out and find solutions to end child abuse;

WHEREAS, Wild Iris requests public support and assistance as it continues its effort to bring real hope for ending child abuse in Mono County and creating a future where all children can live free from abuse;

NOW, THEREFORE, the Mono County Board of Supervisors, in recognition of the important work done by Wild Iris and all victims' service providers, proclaims April 2019 as Child Abuse Prevention Month.

APPROVED AND ADOPTED this 2nd day of April, 2019, by the Mono County Board of Supervisors.

Jennifer Halferty, Supervisor District #1

Fred Stump, Supervisor District #2

Bob Gardner, Supervisor District #3

John Peters, Supervisor District #4

Stacy Corless, Supervisor District #5



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Approval of minutes from the Regular meeting on March 8, 2019.

RECOMMENDED ACTION:

Approve the minutes of the Regular meeting on March 8, 2019.

FISCAL IMPACT:

None.

CONTACT NAME: Scheereen Dedman

PHONE/EMAIL: x5538 / sdedman@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
3-8-19 Draft Minutes

History

Time	Who	Approval
3/23/2019 3:53 PM	County Administrative Office	Yes
3/26/2019 9:28 AM	County Counsel	Yes
3/22/2019 1:52 PM	Finance	Yes



**DRAFT MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA**

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting
March 8, 2019**

Flash Drive	Board Room Recorder
Minute Orders	M19-43 – M19-51
Resolutions	R19-07, R19-09 – R19-10
Ordinance	ORD19-02 Not Used

9:00 AM Meeting called to order by Chair Peters.
Supervisors Present: Corless, Gardner, Halferty, Peters, and Stump.
Supervisors Absent: None.

Supervisor Corless arrived at 11:51 AM.

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>.

Pledge of Allegiance led by Supervisor Halferty

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2. RECOGNITIONS

A. National Nutrition Month Proclamation

Departments: Public Health

(Amber Hise) - Proposed resolution to proclaim March 2019 National Nutrition Month.

Action: Adopt proposed proclamation.

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Halferty moved; Gardner seconded
Vote: 4 yes; 0 no; 1 absent

M19-43

Amber Hise, WIC Director:

- Introduced item.
- Read the proclamation.

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

Leslie Chapman, CAO:

- Yoko Ono: "A dream you dream alone is only a dream. A dream you dream together is a reality." Happy International Women's Day.
- Dave Butters, HR Director, and I worked on management salaries, along with benefits and compensation policies. Looking at the result of the salary survey and how to apply it within in the departments. Also how to start negotiating contracts.
- Met new Mammoth Hospital CEO Tom Parker. Discussed the Civic Center and the All Hazards Team.
- Budget kick-off meeting. Went over the new OpenGov software, which will completely revolutionize the way we do budgets.
- Social Services put on a Commercial Sexual Exploitation of Children class.
- Wellness Event – cancelled for March 14, will reschedule for Spring.
- Becky Buccowich has been working hard on the census count. She has enlisted a group from Mono County called the Local Complete Count Committee; first meeting will be next Wednesday, March 13. Attendees will include Nate Greenberg, Bentley Regehr, Pat Espinosa from Social Services senior program, Jacinda Croissant from Public Health, and Didi Tergeson from Mono County Office of Education. Trying to get more people involved. Supervisor Gardner asked that the group focus on the PO Box issue.

4. DEPARTMENT/COMMISSION REPORTS

Chris Mokracek, EMS Chief:

- Working with Public Health and hopefully with the fire districts for a Narcan distribution plan. When someone receives the medication, they will see an educational video.
- Incident update: Wednesday Feb 27 at 1:53 PM. Multiple units were dispatched to multi-vehicle accident. Medic 3 parked in a blocking position. A truck came in and struck the ambulance on the passenger side. Crew was not injured. Ambulance currently being repaired.

Sheriff Braun:

- Two weeks ago, attended 911 advisory board. The Governor's budget Trailer bill - \$10 million budget fix for the SETNA (State Emergency Telephone Number Account) fund, which currently only taxes landlines.
- Next Friday, will be doing a St. Baldricks Event. St Baldricks raises money for child cancer. There is a young boy from Mammoth named Bodie being honored at Mammoth Elementary. She is shaving her head along with 5 deputies / PSOs to raise money for cancer. There is a press release with information on where to give donations. Friday, March 15, 1:15 PM.

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Janet Dutcher, Finance Director:

- Received a letter – the County has been awarded a 2018 Home Investment Partnerships HOME grant for \$500,000. Will restart the gap financing program. Need to get an agreement in place to get it started again.
- This is a grant not a loan. 2nd deeds of trust. Not deed restricted. In unincorporated parts of the County.
- Supervisor Halferty: Thanked Megan Mahaffey and Mammoth Lakes Housing. Noticed that there is a maximum purchase price and encourages Megan to work with MLH to see if we can get a change in the maximum home price so that the program will be more viable.

5. CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

A. Board Minutes

Departments: Clerk of the Board

Approval of the Board Minutes for the regular meeting on February 6, 2019.

Action: Approve the Board Minutes for the regular meeting on February 6, 2019.

Halferty moved; Gardner seconded

Vote: 4 yes; 0 no; 1 absent

M19-44

B. Board Minutes

Approval of the Board Minutes for the regular meeting on February 12, 2019.

Action: Approve the Board Minutes for the regular meeting on February 12, 2019.

Halferty moved; Gardner seconded

Vote: 4 yes; 0 no; 1 absent

M19-45

C. Board Minutes

Departments: Clerk of the Board

Approval of the Board Minutes for the regular meeting on February 19, 2019.

Action: Approve the Board Minutes for the regular meeting on February 19, 2019, as amended.

Gardner moved; Halferty seconded

Vote: 3 yes; 0 no; 1 abstain; 1 absent

M19-46

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Supervisor Gardner:

- Page 4, need to correct the vote count to 3 yes, 1 no, 1 absent.

D. Board Minutes

Departments: Clerk of the Board

Approval of the Board Minutes for the special joint meeting on February 19, 2019.

Action: Approve the Board Minutes for the special joint meeting on February 19, 2019.

Gardner moved; Halferty seconded

Vote: 3 yes; 0 no; 1 abstain; 1 absent

M19-47

E. Proposed Resolution Replacing the Juvenile Probation Assistant with a Deputy Probation Officer I/II/III

Departments: Probation

Adopt Resolution Superseding and Replacing Resolution 18-72 and Authorizing the County Administrative Officer to amend the County of Mono List of Allocated Positions to remove One (1) Juvenile Probation Assistant position and add One (1) Deputy Probation Officer I/II/III position in the Department of Probation.

Action: Consider and potentially adopt Resolution R19-07, Superseding and Replacing Resolution 18-72 and Authorizing the County Administrative Officer to amend the County of Mono List of Allocated Positions to remove One (1) Juvenile Probation Assistant position and add One (1) Deputy Probation Officer I/II/III position in the Department of Probation.

Halferty moved; Gardner seconded

Vote: 4 yes; 0 no; 1 absent

R19-07

F. California Statewide Automated Welfare System Joint Powers Authority and Memorandum of Understanding

Departments: Social Services

The Statewide Automated Welfare Systems (SAWS) are the county-managed case management systems that support the State of California's public assistance programs by providing eligibility determination and benefit calculation for program recipients. Currently, there are three separate SAWS, each managed by two separate consortiums of the state's counties. For the state to continue to receive federal financial participation for the SAWS and to comply with State and Federal architectures, the Centers for Medicare and Medicaid

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Services (CMS) and Food & Nutrition Service (FNS) are requiring California to implement a SAWS single statewide automated welfare system ("CalSAWS") by 2023. In moving toward that goal, counties have joined together to form the CalSAWS Consortium. The CalSAWS JPA Agreement and MOU Document, presented with this agenda item, must be approved by all 58 County Boards of Supervisors.

Action: Approve the CalSAWS Consortium JPA Agreement and MOU Document, and authorize the Board Chair to sign on behalf of Mono County.

Halferty moved; Gardner seconded

Vote: 4 yes; 0 no; 1 absent

M19-48

G. 2017-2020 Multi-Year Drug MediCal Amendment for Substance Use Disorder Services

Departments: Behavioral Health

(Robin Roberts) - Proposed amendment to contract with Department of Health Care Services for Substance Use Disorder services.

Action: Approve County entry into proposed contract amendment and authorize Behavioral Health director to execute said amendment on behalf of the County. Provide any desired direction to staff.

Stump moved; Halferty seconded

Vote: 4 yes; 0 no; 1 absent

M19-49

Supervisor Stump:

- There is a list of dates but there doesn't seem to be a pattern to the dates.

Leslie Chapman:

- Robin Roberts, Behavioral Health Director, is unexpectedly gone due to a death in the family so there is no one to answer. She will come back with an answer.

H. Workforce Development Budget Amendment

Departments: CAO

Workforce Development Budget Amendment to correct omission from midyear budget by increasing expenditures equal to revenue that was approved.

Recommended Action: Approve budget amendment to increase expenditures in Workforce Development budget to increase

Action: Approve budget amendment to increase expenditures in Workforce Development budget to increase Contract Services by \$100,000 and increase Special Department expense by \$100,000. (4/5ths vote required)

Gardner moved; Halferty seconded

Vote: 4 yes; 0 no; 1 absent

M19-51

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Item was moved to the regular agenda.

Leslie Chapman:

- Explained item.

6. CORRESPONDENCE RECEIVED

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

A. Federal Energy Regulatory Commission (FERC) Letter to Southern California Edison (SCE) - Environmental Inspection Follow-Up Items

A letter from FERC to SCE in response to SCE's September 25, 2018 letter regarding the status of various follow-up items from FERC's August 20-22, 2018 environmental inspection of the Lee Vining, Rush Creek, Lundy, and Bishop Creek Projects.

B. Inyo-Mono 4-H Road Runner Newsletter

The Inyo-Mono 4-H Road Runner Newsletter.

C. State of California Wildlife Conservation Board Letter Advising of Acquisition Consideration in Mono County

The California Department of Fish and Wildlife, through the Wildlife Conservation Board is considering the acquisition of wildlife habitat (Assessor's Parcel Nos. 064-100-027-000 and 064-090-020, 064-090-030, and 064-230-012). The proposal is schedule to be presented at the March 7, 2019 Wildlife Conservation Board meeting. Attachments: Examples of purchases by the Wildlife Conservation Board; Mono County General Plan Policies regarding land purchases and preservation.

7. REGULAR AGENDA - MORNING

A. County Support Letter for the Governor's In-Home Supportive Services Maintenance of Effort Proposal

Departments: Social Services

(Kathryn Peterson) - The Governor's In-Home Supportive Services (IHSS) Maintenance of Effort (MOE) proposal is scheduled to be heard by the Budget Subcommittees on Health and Human Services. The Senate is set to examine this proposal on March 14 and the Assembly will follow on March 20. Attached is a draft letter of support for the Governor's IHSS MOE proposal, as requested by the California State Association of Counties (CSAC). This letter focuses on and indicates strong support for the core provisions of the Governor's proposal that revise the MOE by lowering the MOE base, reducing the inflation factor,

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

and ending the redirection of health and mental health growth. These revisions will result in an increased State General Fund commitment to IHSS statewide of \$241.7 million in 2019-20, growing to \$547.3 million in 2022-23.

Action: Approve and authorize the Chair to sign a letter of support for the Governor's IHSS MOE proposal on behalf of Mono County.

Halferty moved; Gardner seconded

Vote: 4 yes; 0 no; 1 absent

M19-50

Supervisor Peters:

- CSAC requested letters of support for Governor's proposed budget.
- Serve on the working group for this with CSAC.
- Provided information regarding the program.

Supervisor Stump:

- Asked to include Assemblyman Bigelow and Senator Borgeas to the CC list.

B. Resolution Ratifying and Continuing Declaration of Emergency

Departments: Sheriff

(Sheriff Braun or Leslie Chapman) - Adopt proposed resolution ratifying and continuing the declaration of emergency made by the Mono County Director of Emergency Services on March 1, 2019, related to recent storms affecting Mono County which have resulted in excessive snow accumulation on roadways, roofs and other locations which threaten structures, vehicles and pedestrians and create conditions of peril and demands which are beyond the control, services, personnel, equipment and facilities of the County or other local governments to address.

Action: Adopt proposed resolution R19-09, Ratifying and continuing the declaration of emergency made by the Mono County Director of Emergency Services on March 1, 2019, related to recent storms affecting Mono County which have resulted in excessive snow accumulation on roadways, roofs and other locations which threaten structures, vehicles and pedestrians and create conditions of peril and demands which are beyond the control, services, personnel, equipment and facilities of the County or other local governments to address.

Stump moved; Halferty seconded

Vote: 4 yes; 0 no; 1 absent

R19-09

Sheriff Braun:

- Felt it was necessary to announce for the County because the Town had declared one and the state declared one that included Mono County.

C. Revision of MCC Chapter 7.08; Food Handling Establishments

Departments: Health

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

(Louis Molina) - Presentation by Louis Molina regarding the proposed revision/repeal and replacement of Chapter 7.08 of the MCC, and discussion regarding proposed changes to the updated ordinance.

Action: Board concurrence and direction on items discussed in the workshop, so that these issues can be adequately addressed in the draft ordinance that will be brought back to the Board at a later date for approval.

Louis Molina:

- Introduced item, went through presentation.
- Only applies to new facilities.
- Board consensus for 15 seats.
- Does not support AB 626.

Supervisor Peters:

- Suggested waiting for the cleanup language to see how well the law will be defined.

Break: 10:31 AM

Reconvene: 10:39 AM

D. Summary Road Vacation – Excess Right-of-Way on a Portion of Bramlette Ranch Road

Departments: Public Works - Engineering Division

(Garrett Higerd) - Adoption of resolution summarily vacating approximately 4,500 feet (the eastern and northeasterly portions) of Bramlette Ranch Road that was never constructed, maintained, or included in Mono County's official road "Maintained Mileage" as excess right-of-way and not necessary for current or prospective public use in conjunction with Coyote Springs owners request for lot line adjustment.

Action: Adopt proposed resolution R19-10, Summarily vacating approximately 4,500 feet (the eastern and northeasterly portions) of Bramlette Ranch Road that was never constructed, maintained, or included in Mono County's official road "Maintained Mileage" as excess right-of-way and not necessary for current or prospective public use in conjunction with Coyote Springs owners request for lot line adjustment.

Stump moved; Gardner seconded

Vote: 4 yes; 0 no; 1 absent

R 19-10

Garrett Higerd:

- Introduced item. Proposing that a portion of the right of way that is no longer necessary be vacated. County is vacating its right to develop a road on this undeveloped portion of the road.
- The owners of the properties have a lot line adjustment request, makes the right of way a road to nowhere.

Supervisor Stump:

- Coyote Springs property.
- There has been controversy regarding Water exportation from coyote springs.

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

E. 2019-2027 Housing Element Draft

Departments: Community Development

(Bentley Regehr) - Presentation by Bentley Regehr regarding the 2019-2027 Mono County Housing Element draft.

Action: None (informational only). Provide any desired direction to staff.

Wendy Sugimura, Community Development Director:

- Introduced item.

Bentley Regehr:

- Went through presentation.
- This is a State mandated element of the general plan.

Supervisor Stump:

- Old small motels that have converted over to full time rentals - comment was that those should be identified as MFR.

F. FY 2019-2020 Budget Update

Departments: Finance, CAO

(Janet Dutcher) - CAO and Finance will update the Board about the FY 2019-2020 budget development and process.

Action: Receive information and provide direction to staff, if desired.

Janet Dutcher:

- Provided update.

G. Power Outage Communications

Departments: Board of Supervisors

(Chair Peters) - A discussion of communication from the local utility companies regarding their power outages.

Action: Provide any direction to staff.

Supervisor Peters:

- Would like to get Board consensus for the best way to advocate for effective communication from the utility companies regarding planned power outages.

Moved to item 5h.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

9. CLOSED SESSION @ 11:56 AM

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

A. Closed Session - Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

B. Closed Session - Initiation of Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1.

C. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Michael Hallum v. County of Mono (CV170088).

D. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: County of Mono v. Amerisourcebergen Drug Corp. Cardinal Health, McKesson Corporation, Purdue Pharma L.P., Purdue Pharma, Inc, The Purdue Frederick Co., Inc. et al., U.S. Dist. Court for Eastern California, Case No. 2:18-cv-00149-MCE-KJN.

E. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: County of Mono, et al. v. City of Los Angeles, et al. (Alameda Superior Court Case No. RG18923377).

Reconvene: 1:05 PM

As to Item 9D, County of Mono v. Amerisourcebergen Drug Corp. Cardinal Health, McKesson Corporation, Purdue Pharma L.P., Purdue Pharma, Inc, The Purdue Frederick Co., Inc. et al., U.S. Dist. Court for Eastern California, Case No. 2:18-cv-00149-MCE-KJN, direction was given to staff to file an amended complaint adding Amneal Pharmaceuticals, LLC, Par Pharmaceutical and SpecGX LLC as additional defendants.

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

10. BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

Supervisor Corless:

- Feb. 20 - RCRC Executive Committee meeting in Sacramento.
- Left Feb. 25 for several days of advocacy with RCRC – will agendize a report.
- NACO Legislative Conference – full day of public lands steering committee work. Met with Mono County's legislators.
- Went to Folsom for Sierra Nevada Conservancy Watershed Improvement Program Summit and Board meeting. Presentations about the Tahoe Central Sierra Initiative.
- Butte County Supervisor Doug Teeter did a presentation about lessons learned from the Camp Fire.
- The SNC Board approved an unprecedented number of grants from Prop. 1 and Prop. 68. \$26 million in grants. Including Mammoth Lakes Basin Fuels Reduction and TOML - Prop 68 funded program called Vibrant rec and tourism.

Supervisor Gardner:

- No report.

Supervisor Halferty:

- February 20th I attended the Inyo National Forest Objection.
- February 21st & 22nd I attended the second of three parts to the CSAC New Supervisors Institute.
- On February 25, I had the pleasure to meet with Department of Social Services Director Kathy Peterson for a tour and importation about the department.
- Later that day I met with Town of Mammoth Lakes Public Works Director and Planning Director to discuss snow removal concerns within District 1 and housing programs at the Mammoth Mall and the Parcel.
- I attended the Mono County Sponsored event at the Mountain Ventures Summit
- On March 1 I traveled to Washington D.C. to attend the National Association of Counties Legislative Conference.

Supervisor Peters:

- 13th & 14th CSAC BOD
- IHSS Working Group CO-Chair
- 4th Fire Chief AV Paramedics
- 5th Human Trafficking – Kathy Peterson
- 7th AV RPAC Hospice
- GBUAPCB in Mammoth
- Chuck Mairs new Commander CHP

Supervisor Stump:

- 2-2: Attended the CSA 1 meeting. They are moving ahead with improvement planning focused on the Crowley Community Center
- 2-27: Community Meeting in Crowley. Primary topic was the Housing Plan
- 3-4: Attended the presentation put on by Social Services on exploited children. The day of the presentation an arrest was made in Mammoth involving a minor child being used.
- 3-4: Attended the LDTAC meeting
- 3-7: Attended the Great Basin Air District meeting in Mammoth. Budget approved. Excellent update on the Keeler Dunes control project. Only one like it in the world. Mono Board alternate may be needed at the 5-2 AQMD meeting which is scheduled for

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

- Bridgeport.
- On 3-4 I was made aware of a press release from the Sierra Spirit Foundation Inc. soliciting interest in a "Business Opportunity" to operate a fish hatchery on Conway Ranch. All listening need to be aware that the uses and / or disposition of the County Property at Conway Ranch have not been decided by this Board of Supervisors. The Sierra Spirit release is not endorsed, approved, or supported by Mono County. Potential investors should beware (available in additional documents).

ADJOURNED at 1:23 PM

ATTEST

**JOHN PETERS
CHAIR OF THE BOARD**

**SCHEEREEN DEDMAN
SR. DEPUTY CLERK OF THE BOARD**



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Approve minutes of the Regular Meeting held on March 12, 2019.

RECOMMENDED ACTION:

Approve the minutes of the Regular Meeting held on March 12, 2019.

FISCAL IMPACT:

None.

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Draft Minutes 3-12-19

History

Time	Who	Approval
3/13/2019 7:46 PM	County Administrative Office	Yes
3/26/2019 9:30 AM	County Counsel	Yes
3/14/2019 9:59 AM	Finance	Yes



**DRAFT MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA**

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting
March 12, 2019**

Flash Drive	Board Room Recorder
Minute Orders	M19-52 – M19-53
Resolutions	R19-11 Not Used
Ordinance	ORD19-02 Not Used

9:00 AM Meeting called to order by Chair Peters.

Supervisors Present: Corless, Gardner, Halferty, Peters, and Stump.

Supervisors Absent: None.

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>.

Pledge of Allegiance led by Supervisor Stump.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

Leslie Chapman:

- Went over proposed schedule for Governance Meeting on 3/19 and Strategic Planning meeting on April 11th (will begin on 8:00 a.m.).
- Mentioned Management Strategic meeting and further compensation meeting, both on 3/22.

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

- Management compensation meeting yesterday; productive.
- Had Strategy meeting yesterday regarding Mono/Madera County Line Adjustment.
- Compensation study is moving forward. Has met with a few Department Heads and is encouraged by feedback.
- Leslie read statement about her resignation which will be effective May 3rd.
- Board Members said a few words regarding Leslie's departure.

4. DEPARTMENT/COMMISSION REPORTS

Louis Molina (Environmental Health):

- Update on AB626 – Micro Enterprise Home Kitchens: discussion is still ongoing for updating this. Once complete he will come back to board and present new language. He will then ask for a letter of support.

Sheriff Braun:

- The St. Baldrick's event (head shaving for a cause) is set for February 15th, 3:00 p.m. at Mammoth Fire Station 1. There will be a press release out shortly with additional details.
- Lt. Craft, a Marine, has been missing for couple weeks. There is a multi-agency effort to try to find him.

Stacey Simon:

- Update regarding Mono County/Sierra Club litigation against LADWP
 - LADWP had requested that the court dismiss the case through filing of a demurrer, court overruled the demurrer so the case will proceed to the hearing on the merits.
 - Separately, LADWP announced Friday that it will release 30,000 AF of water in Long Valley and Little Round Valley. This is commensurate with historic amounts. What we don't know yet is the timing and location of deliveries to know whether it will be done in a manner that will sustain the habitat
 - LADWP's decision was clearly influenced by the amount of snowpack. They have little choice but to release the water.

5. CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

A. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 1/31/2019.

Action: Approve the Treasury Transaction Report for the month ending 1/31/2019.

Gardner moved; Halferty seconded

Vote: 5 yes; 0 no

M19-52

6. CORRESPONDENCE RECEIVED

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

A. Agricultural Commissioner's Office Department Update March 2019

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

March 2019 department update from the Counties of Inyo and Mono Agricultural Commissioner's office.

B. Letter re: Inyo National Forest Plan

A letter from Betsy McDonald thanking the Board for its work towards the Inyo National Forest Plan.

Pulled by Supervisor Stump:

- Feels that the Board's involvement in this issue made for a semi-favorable outcome.

The board acknowledged receipt of the correspondence.

7. REGULAR AGENDA - MORNING

A. Eastern Sierra Continuum of Care

Departments: Inyo Mono Advocates for Community Action (IMACA)

(Larry Emerson, Housing and Planning Director for IMACA) - The Eastern Sierra Continuum of Care (ESCOC) is a coalition of service providers in Alpine, Inyo and Mono Counties that works to coordinate services for homeless families and individuals, including the use of federal homeless assistance funds. ESCOC stakeholders collaborate on an annual point-in-time (PIT) count; an unduplicated count on a single night in January of the people who are experiencing homelessness that includes both sheltered and unsheltered populations. Mr. Emerson will provide results of the January 2019 PIT count, and an overview the California Emergency Solutions and Housing (CESH) Program and Homeless Emergency Aid Program (HEAP).

Action: None.

Kathy Peterson:

- Introduced item; also introduced Larry Emerson, the Housing and Planning Director for IMACA.
- Here to generate any and all thoughts.
- They don't get any additional money through doing the summer count.
- Looking to get contract executed with the State.

Larry Emerson (IMACA):

- Gave information regarding (COC) Continuum of Care; Coalitions of Homeless Service providers.
- Provided results of annual point-in-time (PIT) count.
- Also gave overview of the California Emergency Solutions and Housing Program (CESH) as well as Homeless Emergency Aid Program (HEAP).

General Board Discussion:

- Asked various questions regarding identifying the housing needs in our community, services and programs available, funding available,

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

how to measure and monitor progress, logistics of summer counts and more.

B. Memorandum of Understanding (MOU) with the Mono County Library Authority for Minor Maintenance of Bridgeport Library

Departments: Public Works - Facilities

(Joe Blanchard) - Presentation of a MOU with the Mono County Library Authority for minor repairs of the Bridgeport library.

Action: Execute attached MOU for Minor Maintenance and Report of the Bridgeport Library between Mono County ("County") and the Mono County Library Authority ("Authority") for the County's provisions of minor maintenance and repairs of the Bridgeport library.

Halferty moved; Corless seconded

5 yes; 0 no

M19-53

Joe Blanchard:

- Gave overview and specifics of item.
- Outlined staff report (submitted with packet).
- Asking for permission to assist library in getting some minor maintenance and repair done.
- Feels that protocol will be followed in the future regarding maintenance requests.
- Probably need to create this with the other libraries as well; Bridgeport is a test.

Supervisor Stump:

- Concerned about library staff continuing to contact public works directly for fixing things. There are a lot of other libraries that are not as staffed.
- Prefers to see a workflow (request, etc.)

BREAK: 10:04 a.m.

RECONVENED: 10:15 a.m.

C. Future Solid Waste Services Presentation

Departments: Public Works - Solid Waste

(Justin Nalder) - Presentation by Justin Nalder, Solid Waste Superintendent, regarding an approach to addressing future solid waste services.

Action: None.

Justin Nalder:

- Gave overview/explanation of item.
- Went over history of contracts, taskforce, etc.
- Here to explore possibilities for future services for our county.
- One option is to combine majority of services offered on one larger contract. Operations of equipment might be hurdle.
- Listed recommendations are ones that were brought about by Taskforce; reviewed all recommendations.

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

- What about the services Mono County currently maintains? Keep or contract out?

Tony Dublino:

- He thinks it's appropriate for us to look into matching the program so that the county remains involved.
- No idea if we'd come out as low bidder; but thinks there are still benefits to county running certain programs itself

Public Comment:

Kevin Brown (D&S Waste Removal):

- Spoke to Board about possibilities.
- Feels county should have a role in taking care of some of the waste issues.
- Went over his letter to the board (which he handed to Board and which will later be included as additional documents).
- Feels the public needs to be involved in what happens in the county through outreach.

Board Discussion:

Supervisor Stump:

- Asked about recommended action: coming from Taskforce or County?
- If we lock into private providers, we're limited and at the whim of whatever they decide to charge.
- In looking at recommendations, if Mammoth Waste Connections were to submit RFP, it could include the Town?
- Concurs with all other Supervisors but feels County needs to keep some involvement.

Supervisor Corless:

- If we were to issue RFP, wouldn't D&S submit same proposal?
- Supports doing comprehensive RFP to get information needed.
- There are unknowns with Town; need to ask them for information if it's needed.

Supervisor Peters:

- Could county now consider in-house solid waste program?
- Feels we're at a crossroads; we need to look at all the options.
- Agrees with other Supervisors on doing comprehensive RFP and on collaborating with Town.

Supervisor Gardner:

- Concerned about bandwidth of county.
- Worried about another project, another thing on the plate.
- With a negotiated contract, it's not really a "whim". There is certainly the prospect of increased costs but it's not uncontrolled
- Concurs with Halferty and Corless.

Supervisor Halferty:

- Worried about workload; might make sense to use other providers with expertise.
- Appreciates that staff wants/needs to do final analysis to determine how to proceed. There are pros and cons on both sides. Nothing is perfect.
- Supports comprehensive RFP; would be helpful to compare what county does now vs. contracting those out. Cannot ignore recommendations of Taskforce.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

9. CLOSED SESSION: 11: 24 A.M.

A. Closed Session - Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

B. Closed Session - Performance Evaluation, County Administrative Officer

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

RECONVENED: 12:40 P.M.

There was nothing to report out of closed session.

10. **BOARD MEMBER REPORTS**

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

Supervisor Corless:

- Shared meeting packet from Sierra Nevada Conservancy—26 million dollars in grants awarded for forest-management/health related projects
- Listened in to State Forest Management Task Force meeting 2/11; Placer County Supervisor Jennifer Montgomery will take over leadership of the Task Force next month.

Supervisor Gardner:

- On Feb. 19 attended a meeting sponsored by the County behavioral Health Dept. in June Lake. This meeting was part of the Dept's overall effort to assess community concerns regarding mental and substance abuse health concerns and resident awareness of County programs and services.
- On Feb. 20 attended with Supervisor Halferty the US Forest Service Objectors Meeting in Bishop. We presented Mono County's objections to the proposed USFS Management Plan, specifically in the areas of Wild and Scenic Rivers and Streams, and Wilderness Areas. The USFS officials at the meeting were receptive to our request for inclusion of additional streams in the Management Plan and indicated they would review their methodology and decisions on the Wilderness areas.
- On Feb. 21 attended a Strategic Planning session for the Mono County First 5 Commission. Discussed several issues related to the overall well-being and health of children 0 to 5 in Mono County. While we have made good progress with our First 5 programs, there is more we can do to

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

ensure all children in our County receive adequate child care, are healthy, and are ready for school. He will be bringing some of these opportunities to the Board later this year.

- As stated last week, he attended with Supervisors Corless and Halferty the NACO Legislative Conference from March 1 to March 6 in Washington, DC. He will prepare an overall report for the Board and staff with information from the meetings and sessions attended.
- Last night attended the Mono Basin Fire Safe Council meeting. This group continues to work on various projects aimed at building increased fire ecology awareness and prevention. He again reminded the County that it needs to work closely with all the Fire Districts and Fire Safe Councils to make sure our efforts are coordinated, especially grant requests, so that we maximize our overall success and effectiveness.

Supervisor Peters:

- 8th Cattleman's – Alex Perez and Dave Martin 30,000-acre feet email press release from Richard Harsick.
- Thanked Christy Milovich, Jason Canger, Lynn Boulton, Fran Hunt, Michael Draper.
- BLM, Inyo Forest.
- 8th Bill Chiat interview
- 11th LTC.
- Interview panel ESUSD Principal.

Upcoming:

- NMCC Tonight
- CSAC Regional Meeting on Homelessness

Supervisor Halferty:

- Yesterday, Monday, March 11th attended the Local Transportation Commission meeting. There was a long discussion around EV charging stations - their placement and funding opportunities through the local electricity providers.

Supervisor Stump:

- 3-11 : Attended LTC. Received an update on EV Charging Station policy development. A first look at the Work Program (OWP) categories for next year.
- A reminder to Supervisor Gardner that he needs to get briefed on the Owens Valley Groundwater Authority in case Supervisor Stump is not available for a meeting.

ADJOURN 12:47 p.m.

ATTEST

**JOHN PETERS
CHAIR OF THE BOARD**

**SHANNON KENDALL
CLERK OF THE BOARD**

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Approve minutes of the Special Meeting held on March 18, 2019.

RECOMMENDED ACTION:

Approve the minutes of the Special Meeting held on March 18, 2019.

FISCAL IMPACT:

None.

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[3-18-19 Special Draft Minutes](#)

History

Time	Who	Approval
3/27/2019 4:20 AM	County Administrative Office	Yes
3/26/2019 2:26 PM	County Counsel	Yes
3/27/2019 3:09 PM	Finance	Yes



**DRAFT SPECIAL MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA**

June Lake Community Center: 90 W. Granite Ave., June Lake, CA., 93529

**Special Meeting
March 18, 2019**

Flash Drive	Portable Recorder
Minute Orders	M19-54 Not Used
Resolutions	R19-11 Not Used
Ordinance	ORD19-02 Not Used

9:15 AM Meeting called to order by Chair Peters.
Supervisors Present: Corless, Gardner, Halferty, Peters, and Stump.
Supervisors Absent: None.

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>.

Pledge of Allegiance led by Supervisor Stump.

1 OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2. CLOSED SESSION at 3:35 pm

A. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer (CAO).

Reconvene 4:16 PM
Nothing to report out of closed session

3. AGENDA ITEMS

A. Board Governance Workshop

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Departments: CAO

(Bill Chiat) - Board governance workshop facilitated by Bill Chiat of the Alta Mesa Group, LLC beginning with a review of progress since the last workshop followed by discussion and goal setting regarding the characteristics of a highly functioning board and how its members interact with one another, staff and the community, including addressing issues related to vacancy and transition in the office of the County Administrator.

Action: Conduct workshop and provide direction to staff.

Workshop began at 9:16 AM

Bill Chiat:

- Introduced himself.
- (Agenda available in additional documents)

Discussed “the path not taken.”

What is the Board happy about as it reflects on its own governance?

- Ambulance expansion.
- Working together better as a Board.
- Using the Strategic Plan as a guide.
- Make big capital improvement investments.
- Blending the entire County and needs; manage district hats.
- Groups coming together that have not typically met; Board modeling.
- Cannabis, rentals – major issues addressed.
- Build the trust of the public.
- Solid financial base – eases decision making.
- The ability to say “no.”
- The ability to listen.
- Commitment to transparency.
- Labor negotiations.

Improving Governance Practice

- Exercise patience.
- Efficiency and better time management, separate “urgent” from “important.”
- Make our time effective.
- How do we hold ourselves accountable? Are we managing our capacity well?
- How do we best support key staff?
- Recognize impact of Board priorities versus on the fly assignments.

Action

- The ability to ask if we are at a point to make a decision – “Are we ready?”
- Us being prepared
- Staff prepared on presentations.
- Respectful / mindful use of our time.
- How do we best support staff?
- Ability to say we can’t meet expectations.
- Linking resources to results.

Break: 10:51 AM

Reconvene: 11:01 AM

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Expectations of a CAO

- Clear: two-way accountability between CAO and Board.
- Quarterly process for CAO Review.
- CAO Bring feedback for DH on Board performance.
- Expectation of an executive team
- Emphasis on fiscal sustainability.
- Strong responsiveness to the Board
- Will make decisions that need to be made.
- Compassion: Emp / Board / Community
- Visionary: build excitement
- Live and work in the community
- Give complete information to Board
- Make recommendations when appropriate.
- Enable productivity
- Balance out workload from Board
- Improve communication - internal and external
- Able to engage every employee in their work.

Break: 12:00 PM

Reconvene: 12:31 PM

What are the Strengths of Mono County?

- Handed out the Strategic Priorities (available in additional documents).
- Strong leadership team – knowledgeable, motivated, compassionate.
- Able to be reflective.
- Integrity.
- Inclusive.
- Skilled and knowledgeable staff.
- Solid finance.
- Scrappy – we do it, no procrastinating.
- Accessible and responsive.
- Embody public service.
- Try new initiatives.
- Value autonomy.
- Beautiful place – love it here, want to be here.
- Board engages the public.
- Teamwork / collaborate across departments.
- Creative with minimal resources.
- Caring amongst staff.
- Pay attention: impact legislation.
- Mindful impacts on the community
- Also are patrons of the County.
- Small size – able implement quickly.

Worked in small groups.

Vision into the next 10 years:

- Team 1: Fiscally resilient and sustainable.
- Solid systems.
- Addressed affordable housing problems.
- Diverse economic base.
- New jail / balance O&M.
- Quality and modern infrastructure and systems.
- Resilient workplace.

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

- Seamless connectivity: Bridgeport – Mammoth
- EMS Stability
- More collaborative and cooperative.
- Team 5: Keeping current with community needs.
- Good services for seniors.
- Streamlined and accessible services.
- Continued emphasis on preserving the natural environment.
- Diversified economy – more than what we have now.
- Technological adaptability.
- Fostering regional and cross-agency collaboration and connection.
- Positive and motivated workforce.
- Team 4: Improved infrastructure and staffing (recruitment, morale).
- More financially resilient.
- Efficiency and accountability across departments.
- Daycare / childcare opportunities. Better support of staff, families, work / life balance.
- Increased efficiency of systems. Data use / knowledge / understanding.
- Quality assurance across departments.
- Measurements, metrics.
- Team 2: Year-round countywide sustainable economy (living wage, housing, broadband diversification, resilience).
- Staff's ability to maintain work / life balance while delivering high performance.
- Support sustainable natural resources for communities, quality of life, and economy.
- Sufficient financial resources to support safety net and other essential services.
- Better employee and citizen environment.
- A reduced carbon footprint.
- Increased self-sufficiency. Food security. Income security. Health insurance. Adequate housing.
- Improved recreational opportunities. More and improved trails / facilities. Sustainable and responsible, and maintenance of pristine environment. Visitor ownership.
- Creative financial solutions to resource needs.
- Streamlined, simplified processes.

Break: 2:11 PM

Reconvene: 2:21 PM

Goals for the next five years:

- Team 5: Support County Workforce.
- Completion of Salary and Benefit Philosophy (Tied to performance).
- 75% of cohort competitive compensation.
- Clearly articulated and understood priorities (effective management systems).
- Succession planning for each department / key position (internship program).
- Stable leadership: retention of key positions.
- Training and leadership development program.
- Employee recognition: Quarterly service awards; advancement opportunities; strength-based growth and cross-training.
- Modernized evaluation systems and review: 360 evaluations at all levels; clear goals; anonymous reporting and feedback; building a culture around feedback and growth.
- Team 3: Co-locating similar departments.
- Co-locating similar departments (Civic Center).
- Use of modern technology: similar integrated systems; community outreach; data collection, analysis, implementation.
- Reduce maintenance and liability of existing infrastructure (Jail).
- Emphasis on collaboration and coordination: Internally and externally; building better

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

- relationships for better results.
- Team 5: Improve Public Health and Safety.
 - Emergency response available to all citizens.
 - Progress / completion of new jail.
 - Infrastructure available to address substance abuse.
 - Better process to identify people in need of services and connect with them through education and outreach.
 - Adequate resources and staffing to achieve the above.
 - Team 4: 120-160 affordable housing units developed / provided.
 - 250 – 300 spaces for childcare.
 - 100% resilient families (home visits, services available).
 - Reduced carbon footprint.
 - Increased quality of experiences: stewardship and ownership; education of visitors.
 - Team 3:
 - Sage Grouse are not listed as endangered; Sustainable fisheries; Integrated recreation system.
 - Existing storefronts are filled with thriving business and attracting new businesses; revitalized 395 corridor and Main streets; capital is accessible to businesses; trainings and TA available for all businesses; Live and work in Mono County (including remote workers); new revenue streams (TBID, TOT, Sales Tax, Grants).
 - Year-round tourism throughout the County; preventing attention.
 - Maintain a structurally balanced budget; funding aligns with mandates, core functions, and strategic priorities.

What do Dept Heads need in a CAO?

- Turned in answers which were discussed during Closed Session.

Moved to item 2a, Closed Session.

ADJOURNED at 4:16 PM

ATTEST

**JOHN PETERS
CHAIR OF THE BOARD**

**SCHEEREN DEDMAN
SR. DEPUTY CLERK OF THE BOARD**



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

TIME REQUIRED

SUBJECT Megabyte Online Business Property Filing (OBPF)

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed amendment to contract with Megabyte Systems pertaining to Online Business Property Filing system which is an add-on to the Megabyte system that enables property owners to file their business property statements online.

RECOMMENDED ACTION:

Approve County entry into proposed amendment and authorize Chair to execute said contract on behalf of the County. Provide any desired direction to staff.

FISCAL IMPACT:

The cost of the additional application is \$22,500, which is included in the Assessor's budget for FY 2018-19.

CONTACT NAME: Barry Beck

PHONE/EMAIL: 760-932-5510 / bbeck@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p> Contract Addendum</p>
--

History

Time	Who	Approval
3/28/2019 11:55 AM	County Administrative Office	Yes
3/28/2019 10:47 AM	County Counsel	Yes
3/28/2019 10:58 AM	Finance	Yes

**AGREEMENT AND SECOND ADDENDUM TO AGREEMENT FOR SERVICES
BY MPTS PROPERTY TAX SYSTEM**

THIS AGREEMENT AND SECOND ADDENDUM is to that Agreement effective July 1, 2018 between the County of MONO (County) and Megabyte Systems Inc. (Contractor) for MPTS Property Tax System Maintenance (Agreement).

WHEREAS, the cost of services to be provided under the Agreement is expected to exceed the amount provided in the Agreement; and the scope of services need to be modified; and

WHEREAS, the parties desire to increase the amount of compensation payable under the Agreement and to broaden the scope of services needed.

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

Exhibit A of the Agreement, Scope of Service, shall be amended to add the following:

- Contractor shall provide the following to the County, MTPS Online Business Property Filing Module (OBPF) Version 2.0:

- Provide for the ability for County business taxpayers to file their 571A, 571F and 571L personal property forms via the web. The features include: previous year costs & net change, View/Print of completed form, extraction of data for web access, audit reports, import/merge of filed data to the personal property system, and images/pdf retained of the filed statements with access via the personal property subsystem.

Exhibit B of the Agreement, Payment for Services Rendered, shall be amended to add an additional Twenty Two Thousand, Five Hundred Dollars (\$22,500.00).


All other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement and Addendum on the _____ day of _____ 2019.

COUNTY OF MONO

CONTRACTOR

By: _____

By: 
Sharon A. Zachte
Megabyte Systems, Inc.
Taxpayer ID No. 77-0547969



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

Departments: Human Resources

TIME REQUIRED

SUBJECT Deputy Sheriffs' Association
Agreement and Second Amendment
to MOU

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution adopting and approving agreement and second amendment to the Mono County Deputy Sheriffs' Association Memorandum of Understanding in order to reinstate the 401(a) deferred compensation plan for classifications represented by the Association and eliminate the provision of an ICMA VantageCare plan.

RECOMMENDED ACTION:

Adopt proposed resolution R19-___, Approving the agreement and second amendment.

FISCAL IMPACT:

There is no fiscal impact. Costs for ICMA VantageCare and 401(a) are comparable.

CONTACT NAME: Dave Butters

PHONE/EMAIL: 7609325413 / dbutters@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff Report_DSA Agreement and 2nd Amendment to MOU
<input type="checkbox"/> Resolution_DSA_2nd Amendment
<input type="checkbox"/> Agreement and Second Amendment to DSA MOU

History

Time	Who	Approval
3/27/2019 4:23 AM	County Administrative Office	Yes

3/26/2019 6:28 PM

County Counsel

Yes

3/27/2019 3:08 PM

Finance

Yes



County of Mono

County Administrative Office

Leslie L. Chapman
County Administrative Officer

Dave Butters
Human Resources Director

Jay Sloane
Risk Manager

To: Honorable Board of Supervisors

From: Dave Butters

Date: April 2, 2019

Re: Agreement and Second Amendment to Memorandum of Understanding Between Mono County and the Deputy Sheriffs' Association

Recommendation: Adopt proposed resolution approving Agreement and Second Amendment to Memorandum of Understanding (MOU) between the County of Mono and the Mono County Deputy Sheriffs' Association (DSA).

Fiscal Impact: There is no fiscal impact to approving this amendment to the MOU with the DSA related to the implementation the previous 401(a) deferred compensation. This amendment returns to the deferred compensation model which existed prior to the current MOU. Throughout this process the County modeled similar costs for the 401(a) as compared to the ICMA Vantage Care plan.

Discussion: When the Memorandum of Understanding (MOU) between the County of Mono (County) and the Mono County Deputy Sheriffs' Association (Association) for the term of January 1, 2017 through December 31, 2021 was negotiated, it was agreed that the County would implement a Retiree Health Saving Program to be administered by ICMA Vantage Care.

The first amendment to the MOU modified the contribution model to better align with IRS discrimination testing requirements for this type of plan and pushed back the implementation date until January 1, 2019.

Support for ICMA Vantage Care plan among Association members was divided from the beginning but as it was only one component of many within an MOU which was agreeable to the membership it was adopted as part of the total package. During the implementation process a series of delays were experienced which increased Association member frustration with the process. Association leadership requested a pause in the implementation process so they could vote on whether to continue with the ICMA implementation or return to the 401(a) deferred compensation model that existed prior to the current MOU, effective as of January 1, 2017. The Association vote was overwhelming in support of returning to the 401(a) deferred compensation plan.

All Association members have had pretax deductions from payroll earnings taken since January 1, 2019 for the purpose of contributing to the ICMA plan, when implemented. Since the plan was never fully implemented those deductions are available for investment into a 401(a) plan with County match up to 3% of employee earnings or be returned to the employee as taxable income.



R19-15

**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS ADOPTING AND APPROVING
AGREEMENT AND SECOND AMENDMENT TO THE MEMORANDUM OF
UNDERSTANDING BETWEEN THE COUNTY OF MONO AND
THE MONO COUNTY DEPUTY SHERIFFS' ASSOCIATION**

WHEREAS, the Mono County Board of Supervisors has the authority under section 25300 of the Government Code to prescribe the compensation, appointment, and conditions of employment of County employees; and

WHEREAS, the County is required by the Meyers-Milias-Brown Act (sections 3500 et seq. of the Government Code) to meet and confer with recognized employee organizations before changing the terms and conditions of employment applicable to the employee classifications represented by those organizations; and

WHEREAS, following a meet-and-confer process, the County and the Mono County Deputy Sheriffs' Association (the "Association") entered into a Memorandum of Understanding governing the terms and conditions of employment for employee classifications represented by the Association, which is effective January 1, 2017 through December 31, 2021, and which was first amended on November 6, 2018 (the "MOU"); and

WHEREAS, County representatives and the Association met, conferred, and reached mutually-acceptable terms for a proposed second amendment to the MOU to replace provisions in Article 14 of the MOU regarding the establishment of an ICMA VantageCare account with provisions reinstating an Internal Revenue Code section 401(a) Plan consistent with the 401(a) Plan provided pursuant to the prior MOU between the County and the Association;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES that:

SECTION ONE: The Agreement and Second Amendment to the Memorandum of Understanding between the County of Mono and the Mono County Deputy Sheriffs' Association for the period of January 1, 2017 through December 31, 2021, which is attached hereto as an Exhibit and incorporated by this reference, is hereby ratified, adopted and approved.

SECTION TWO: The terms and conditions of employment set forth in the MOU, as modified by the Second Amendment, are hereby prescribed. The Chair of the Board of Supervisors shall execute said Agreement and Second Amendment to the MOU on behalf of the County.

1 **PASSED, APPROVED and ADOPTED** this 2nd day of April, 2019, by the following
2 vote, to wit:

3 **AYES:**

4 **NOES:**

5 **ABSENT:** Supervisor Stump.

6 **ABSTAIN:**

7
8
9

John Peters, Chair
Mono County Board of Supervisors

10 **ATTEST:**

APPROVED AS TO FORM:

11
12

Shannon Kendall
Clerk of the Board

13

Jason Canger
Deputy County Counsel

**AGREEMENT AND SECOND AMENDMENT TO MEMORANDUM OF
UNDERSTANDING BETWEEN THE COUNTY OF MONO AND THE MONO
COUNTY DEPUTY SHERIFF'S OFFICERS' ASSOCIATION (DSA)**

This Agreement and Second Amendment between the County of Mono (County) and the Mono County Deputy Sheriff's Officers' Association (DSA) modifies the current Memorandum of Understanding between the County and the DSA, effective January 1, 2017 through December 31, 2021, and first amended on November 6, 2018 (the "MOU").

The purpose of this Agreement and Second Amendment is to effectuate the parties' intent to eliminate the ICMA VantageCare account described in Article 14 of the MOU, reinstate provisions providing an Internal Revenue Code section 401(a) Plan as a vehicle for retirement savings and provide options for employees to redirect payroll deductions made since January 1, 2019, previously intended for deposit into the ICMA VantageCare account, to taxable income or into the County 457 Plan.

In furtherance of these goals, the parties agree to amend Paragraph 14 of the MOU to read as follows:

ARTICLE 14. 401(a) PLAN

A. Employees hired on or after May 1, 2001, are not eligible to earn or receive post-retirement health benefits provided by paragraph A of Article 15 but shall instead be eligible to receive County contributions into an Internal Revenue Code Section 401(a) Plan ("401(a) Plan") established by the County, as described more fully below. Any active Employee of the unit who was hired prior to May 1, 2001, may also elect to receive County contributions into a 401(a) Plan under this Article, if he or she waives and relinquishes any present or future rights to receive the post-retirement health benefits provided by paragraph A of Article 15.

B. The County shall contribute into the 401(a) Plan an amount on behalf of each Employee participating under this Article equal to the amount contributed by that Employee from his or her own pre-tax salary into one of the County's Section 457 deferred compensation plans ("457 Plan") or into the 401(a) Plan directly (if made available to Employee contributions) but not to exceed three percent (3%) of the Employee's base rate of pay. Accordingly, if an Employee contributes a total of one to three percent (1- 3%) of his or her base rate of pay to a 457 Plan, then the dollar amount of the County's 401(a) contribution would fully match the Employee's 457 contribution; if an Employee contributes more than three percent (3%) of his or her base rate of pay to a 457 Plan, then the dollar amount of the County's 401(a) Plan contribution would be three percent (3%) (and not more) of the Employee's base rate of pay and would not fully match the Employee's 457 contribution. The Employee may direct the investment of said contributions in accordance with the options or limitations provided by the 401(a) Plan. The Employee's ability to withdraw the County's contributions into the 401(a) Plan is set forth in paragraph C.

C. The 401(a) Plan has the following vesting schedule for participating Employees to earn and be eligible to withdraw or otherwise receive a portion (or in some cases all) of his or her total account value at the time of termination:

<u>Years of County Service</u>	<u>Portion of Account Value Vested</u>
Less than 1 year	0 percent
1 year plus 1 day to 2 years	10 percent
2 years plus 1 day to 3 years	20 percent
3 years plus 1 day to 4 years	40 percent
4 years plus 1 day to 5 years	60 percent
5 years plus 1 day but less than 6 years	80 percent
6 years or more	100 percent

D. In addition to and notwithstanding the foregoing, Employees' options for withdrawing, "rolling over," and otherwise using account money -- and the tax consequences of such withdrawals and use -- shall be subject to any legal requirements or limitations of Internal Revenue Code Section 401(a) and any other applicable laws with which the County and the 401(a) Plan must comply.

E. Since January 1, 2019 (the "withholding period"), the County has deducted one percent (1%) of Employees' base rate of pay each payroll period for the purpose of contribution to an ICMA VantageCare account. The amounts withheld shall not be deposited into an ICMA VantageCare account and shall instead be redirected in accordance with one of the following options:

Option 1- Return to the Employee through payroll as taxable income.

Option 2 – Contribution to an existing or new County 457 Plan. Such contribution would be matched by the County with a contribution to the 401(a) Plan as described in paragraph B of this Article. Additionally, the Employee may elect, by authorizing a payroll deduction, to contribute an amount greater than 1% of base pay to a County 457 Plan for the withholding period, in order to increase the amount of the County's matching contribution to the 401(a) Plan, up to the maximum match amount described in paragraph B for the withholding period.

No later than by April 12, 2019, Employees shall select one of the above options and notify the Finance Director, or designee, in writing of the election and of any additionally authorized payroll deduction. In the event the Employee does not make a timely election, the County shall implement Option 1 for that Employee.

In witness thereof, the parties hereto, acting by and through their duly authorized representatives have executed this Side Letter this 2nd day of April, 2019.

 JOHN PETERS, CHAIR
 Mono County Board of Supervisors

 BRENT GILLESPIE, PRESIDENT
 Mono County Deputy Sheriffs' Association

 Date

 Date

Approved as to Form:

Approved as to Form:

 Jason Canger, Deputy County Counsel

 Robb McCandlish, Association Negotiator



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

TIME REQUIRED

SUBJECT United States Fish and Wildlife
(USFW) Notice of Proposed Rule to
Remove the Gray Wolf from the List
of Endangered and Threatened
Wildlife and Comment Period

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

A notice from USFW that on March 15, 2019, it published a proposed rule to remove the gray wolf from the List of Endangered and Threatened Wildlife. This opened a 60-day comment period, which will close on May 14, 2019.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Notice

History

Time	Who	Approval
3/26/2019 4:03 AM	County Administrative Office	Yes
3/26/2019 9:18 AM	County Counsel	Yes
3/27/2019 2:53 PM	Finance	Yes

Good Afternoon:

On March 15, 2019, the U.S. Fish and Wildlife Service (Service) published a proposed rule to remove the gray wolf (*Canis lupus*) from the List of Endangered and Threatened Wildlife.

The Endangered Species Act (ESA) requires the U.S. Fish and Wildlife Service (Service) to notify appropriate counties or equivalent jurisdictions when we publish a proposed rule to list/delist a species. The proposed rule can be accessed here: <https://www.fws.gov/home/wolfrecovery/>

Publication of the proposed rule in the Federal Register on March 15, 2019, opened a 60-day public comment period which will close on May 14, 2019.

If your county officials would like to submit formal comments on the proposal, please use one of the following methods:

(1) Electronically: Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. In the Search box, enter FWS-HQ-ES-2018-0097, which is the docket number for this rulemaking.

(2) By hard copy: Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: Docket No. FWS-HQ-ES-2018-0097; U.S. Fish & Wildlife Service Headquarters, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

Additional information about the proposal can be found online at: <http://www.fws.gov/home/wolfrecovery>.

If you have questions about this action, please do not hesitate to contact Elizabeth Willy, Wolf Coordinator for the Service's Pacific Southwest Region, at Elizabeth_Willy@fws.gov or by telephone at (541) 885-2525.

Pam Bierce
USFWS Pacific Southwest Region
External Affairs
(916) 414-6542 office
(916) 207- 8385 cell

"Learn more about [Diversity Change Agents](#)"



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

TIME REQUIRED

SUBJECT California Department of Fish and
Wildlife Draft Environmental
Document Bighorn Sheep Hunting

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

The California Department of Fish and Wildlife has prepared a draft environmental document pursuant to the California Environmental Quality Act regarding Nelson Bighorn Sheep Hunting in California.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Letter to County Clerk
<input type="checkbox"/> Draft Environmental Document
<input type="checkbox"/> CEQA Receipt

History

Time	Who	Approval
3/27/2019 4:18 AM	County Administrative Office	Yes
3/26/2019 9:25 AM	County Counsel	Yes
3/27/2019 2:53 PM	Finance	Yes



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Wildlife Branch
P.O. Box 944209
Sacramento, CA 94244-2090
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



March 21, 2019

ATTN: County Clerk-Recorder

The California Fish and Game Commission is the lead agency for a project to modify existing hunting regulations for Nelson bighorn sheep. The Department of Fish and Wildlife has prepared a draft environmental document pursuant to the California Environmental Quality Act (CEQA).

CEQA §15087 (d) provides direction to lead agencies to provide draft environmental documents to the office of the county clerk where the project is located. Please find attached a copy of the Draft Environmental Document Regarding Nelson Bighorn Sheep Hunting in California prepared by the California Department of Fish and Wildlife in compliance with CEQA. This document was filed through the state Clearinghouse (please also see the attached receipt from the Clearinghouse).

To provide the public with an opportunity to review and comment on the proposals contained in this document, please post it and make available for public review until **May 8, 2019**.

If you have any questions regarding this request, please contact Mr. Brad Burkholder, Game Program Manager, at the letterhead address or by telephone at (916) 445-1829.

Sincerely,

A handwritten signature in blue ink that reads "Kari Lewis".

Kari Lewis
Wildlife Branch Chief

Enclosures

DRAFT ENVIRONMENTAL DOCUMENT

Section 362, Title 14, California Code of Regulations

Regarding



Bighorn Sheep Hunting

SCH 2018112036



February 14, 2019
STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
On behalf of the FISH AND GAME COMMISSION

TABLE OF CONTENTS

LIST OF TABLES.....	iii
LIST OF FIGURES.....	iv
LIST OF APPENDICES.....	v
CHAPTER 1. SUMMARY.....	1
PROPOSED PROJECT AND ALTERNATIVES	1
AREAS OF CONTROVERSY	4
RESOURCE AREAS ANALYZED IN THIS DOCUMENT	4
ISSUES TO BE RESOLVED	5
FUNCTIONAL EQUIVALENCY	5
CHAPTER 2. THE PROPOSED ACTION	6
BACKGROUND AND EXISTING CONDITIONS	10
<i>Historical Perspective of Bighorn Sheep Management in California</i>	10
<i>Contemporary Management of Bighorn Sheep in California</i>	12
EXISTING CONDITIONS	17
POLICY CONSIDERATIONS	18
CHAPTER 3. POTENTIAL FOR SIGNIFICANT EFFECTS.....	20
THE SPECIES.....	21
<i>Population</i>	21
<i>Social Structure</i>	23
<i>Genetics</i>	24
<i>Habitat</i>	27
OTHER WILDLIFE AND PLANT SPECIES	28
RECREATIONAL OPPORTUNITIES.....	29
<i>Hunting Opportunities</i>	29
<i>Nonhunting Opportunities</i>	29
ECONOMICS	30
PUBLIC SAFETY.....	30
SHORT-TERM USES AND LONG-TERM PRODUCTIVITY	31
CHAPTER 4. CUMULATIVE IMPACTS	31
HABITAT LOSS OR DEGRADATION	32
DROUGHT	32
WILDFIRES	33
ILLEGAL HARVEST	33

DEPREDATION.....	34
THE INDIVIDUAL ANIMAL.....	34
GLOBAL CLIMATE CHANGE	34
CHAPTER 5. ALTERNATIVES TO THE PROJECT.....	36
ALTERNATIVE 1 – NO CHANGE.....	36
ALTERNATIVE 2 – INCREASED HARVEST	36
LITERATURE CITED	38

LIST OF TABLES

Table 1: Effects on the Environment of Limited Public Hunting of Bighorn Sheep	3
Table 2: Proposed 2019 Tag Allocation	7

LIST OF FIGURES

Figure 1: Desert Bighorn Sheep Hunt Zones	9
Figure 2: Bighorn Sheep Distribution in California.....	13

LIST OF APPENDICES

Appendix 1: Existing Regulatory Language for Bighorn Sheep Hunting with Proposed 2019 Changes	A-1
Appendix 2: California Fish and Game Code, Chapter 11, Bighorn Sheep	A-6
Appendix 3: Public Comments Received	A-9
Appendix 4: Environmental Checklist Form	A-12
Appendix 5: Desert Bighorn Sheep Survey Results	A-29

CHAPTER 1. SUMMARY

Existing law (Section 4902, California Fish and Game Code (FGC)) allows the Fish and Game Commission (Commission) to authorize sport hunting of mature Nelson bighorn rams in geographic areas for which management plans have been developed.

Section 4901 of the FGC directs the Department of Fish and Wildlife (Department) to develop management plans for each Nelson bighorn sheep unit. These plans guide conservation actions and support recreational harvest opportunities established by the Commission. Appendix 1 includes FGC sections pertinent to Nelson bighorn sheep management.

State law requires the Commission to review the mammal hunting regulations, and the Department to present its recommendations for changes to the mammal hunting regulations to the Commission at a public meeting. Mammal hunting regulations adopted by the Commission provide for hunting Nelson bighorn sheep in specific areas of the State (Section 362, Title 14, California Code of Regulations (CCR)). The full text of Section 362 with proposed changes appears in Appendix 2.

In adopting regulations for limited hunting of mature Nelson bighorn sheep rams, the Commission would implement Section 4902 of the FGC, which is consistent with the wildlife conservation policy adopted by the California Legislature (Section 1801, FGC). The State's wildlife conservation policy, among other things, includes an objective of providing hunting opportunities when such use is consistent with maintaining healthy wildlife populations.

PROPOSED PROJECT AND ALTERNATIVES

The proposed project involves modifications to the current bighorn sheep hunting regulations for the 2019/2020 hunting season and continuing until the Commission adopts subsequent regulations modifying the tag limits. The tag limits will be consistent with statutory limitations (sections 4900 to 4904, FGC) on mature ram harvest within each hunt zone. Specifically, the Department proposes to:

- Increase the tag quota range in the Marble Mountains Zone by one tag, the Clark/Kingston Mountain Ranges Zone by two tags, and the White Mountains Zone by one tag

- Increase the individual tag quotas in other zones within previously analyzed quota ranges
- Establish a new hunt zone in the Newberry, Rodman, and Ord Mountains;
- Reallocate the Kelso and Old Dad Peak Fund-Raising Tag to the Cady Mountains Fund-Raising tag (see full regulatory text in Appendix 2).

In total, the project would increase the total availability of tags by ten, for a statewide total of up to 42 tags. Because final tag allocations are not established until survey results are completed and analyzed, the Commission, based on a recommendation from the Department, is evaluating a potential range of proposed hunting tag quotas. Upon completion of the aforementioned analyses, the Department will provide the Commission with an updated recommendation to evaluate as it makes a final decision on hunting tag allocations.

The Commission is also considering two alternatives to the proposed project that could feasibly attain the objectives of the project. Alternative 1 (no change) would maintain the existing tag quotas and zone without change. Alternative 2 (increased harvest) involves increasing tag quotas in the existing hunt zones by 50 percent. Current and proposed harvest strategies generally allow for continued population growth through time while remaining consistent with the statutory limitations. The Increased Harvest alternative may not affect population growth over time but would likely exceed the statutory limit of mature ram harvest in most hunt zones.

SUMMARY OF IMPACTS AND MITIGATION

Table 1 summarizes Commission findings that there are no significant long-term adverse impacts associated with the proposed project or any of the project alternatives considered for the 2019 Nelson bighorn sheep hunting regulations.

Table 1: Effects on the Environment of Limited Public Hunting of Bighorn Sheep

Alternative	Significant Impact	Nature of Impact	Mitigation Available	Nature of Mitigation
Proposed Project: Modify number of tags, establish a new hunt zone, and reallocate a fund-raising tag	No	None	N/A	N/A
Alternative 1: No change	No	None	N/A	N/A
Alternative 2: Increased harvest of mature rams	No	None	N/A	N/A

It is anticipated the number of tags issued will fall near the upper end of the proposed ranges (Table 2). Given the low number of tags in each zone, the resulting harvest for 2019 will likely be similar to that of 2018. On a statewide basis, the total hunter harvest will likely exceed that of previous years due to high hunter success (generally approaching 100 percent), the increased number of tags and addition of one new hunt zone. Based on success rates from previous years, the actual harvest is anticipated to be approximately 95 percent of the bighorn sheep tags allocated for 2019.

TRIBAL COORDINATION

The Department is committed to developing and maintaining an effective, positive and cooperative relationship with California federally recognized Tribes (Tribes) regarding Nelson bighorn sheep management. In order to achieve the goals regarding California’s bighorn sheep populations, innovative management actions and collaboration will be required, and guidance from a statewide management plan (management plan) for Nelson bighorn sheep currently in development is necessary to help mediate competing and conflicting interests and assure the conservation, protection, restoration, enhancement and reestablishment of California’s bighorn sheep populations and habitat. This is critical to providing cultural, scientific, educational, recreational, aesthetic and economic benefits for present and future generations of Californians.

A letter to Tribal Representatives on November 7, 2018 provided notification of the Department’s proposal to amend hunting regulations for Nelson bighorn sheep pursuant

to the California Environmental Quality Act (CEQA), Public Resources Code Section 21080.3.1. The letter described opportunities to provide input to the proposed regulations through consultation pursuant to Public Resources Code sections 21080.3.1 and 21030.3.2, or during the public comment period for release of this Draft Environmental Document.

AREAS OF CONTROVERSY

A Notice of Preparation was filed with the State Clearinghouse on November 13, 2018. Pursuant to Section 21080.3.1 of the California Environmental Quality Act (CEQA), in a joint letter, the Commission and Department informed Tribal Representatives of the proposed project. One Tribe has requested to review the Draft Environmental Document (DED).

Both the Commission and the Department have encouraged public input regarding the nature and scope of the environmental impacts to be addressed in the DED. The Department presented information on potential changes to bighorn sheep hunting regulations at the September 20, 2018 Wildlife Resources Committee (WRC) meeting held in Sacramento. A scoping session to discuss documents prepared in support of mammal hunting and trapping regulations was held in Sacramento, CA on November 30, 2018. No areas of controversy regarding nelson bighorn sheep hunting were identified at either meeting. Written comments have been submitted regarding specific hunting regulation changes (Appendix 3); no comments were received related to the scope of the analysis on environmental impacts under the CEQA.

RESOURCE AREAS ANALYZED IN THIS DOCUMENT

This DED analyzes the potential for significant impacts to Biological Resources and Recreation, as well as Cumulative Impacts. After completing an initial study (Appendix 4), reviewing the comments received during the scoping period, and evaluating the potential environmental impacts of the project, the other resource areas were eliminated based on the Commission's determination that there was no potential for significant impact in those areas.

ISSUES TO BE RESOLVED

As provided by existing law, the Commission is the decision-making body (lead agency) considering the proposed project, while the Department has the responsibility for conducting management activities, such as resource assessments, preparing management plans, operating public hunting opportunities, and enforcing laws and regulations. The primary issue for the Commission to resolve is whether to change Nelson bighorn sheep hunting regulations as an element of bighorn sheep management. If such changes are authorized, the Commission will specify the areas, seasons, methods of take, number of bighorn sheep tags to be allocated, and other special conditions.

FUNCTIONAL EQUIVALENCY

CEQA requires all public agencies in the State to evaluate the environmental impacts of projects they approve, including regulations, which may have a potential to significantly affect the environment. CEQA review of the proposed project will be conducted in accordance with the Commission's Certified Regulatory Program (CRP) approved by the Secretary for the California Resources Agency pursuant to Public Resources Code Section 21080.5 (See generally CCR, Title 14, sections 781.5 and 15251(b)). The Department has prepared this DED, which is the functional equivalent of an Environmental Impact Report, on behalf of the Commission in compliance with this requirement. The DED provides the Commission, other agencies, and the general public with an objective assessment of the potential effects of the proposed action.

In addition, pursuant to Section 15087 of the CEQA Guidelines, this DED is available for public review for 45 days. During the review period, the public is encouraged to provide written comments regarding the environmental document to the Department of Fish and Wildlife, Wildlife Branch, 1812 9th Street, Sacramento, CA 95811. Comments must be received by the Department by April 5, 2019. This DED and any documents incorporated by reference will be available for inspection at: 1812 9th Street, Sacramento, CA 95811.

Written and oral comments received in response to the DED will be addressed in a Response to Comments document, which, together with the DED, will constitute the Final Environmental Document. In addition, the Commission will consider the comments

received pursuant to the Administrative Procedure Act addressing the proposed regulations. The rulemaking process under the Administrative Procedure Act to promulgate regulations is running concurrently with this environmental review pursuant to CEQA. Once completed, the Final Environmental Document will inform the Commission's exercise of discretion as lead agency under CEQA in deciding whether or how to approve the proposed project as described in this document and the proposed regulations.

CHAPTER 2. THE PROPOSED ACTION

The Commission, based on a recommendation from the Department, is considering the following modifications to existing Nelson bighorn sheep hunting regulations.

1. Increase the Tag Range in the Marble Mountains Zone, the Clark/Kingston Mountain Ranges Zone, and the White Mountains Zone

In order to maintain management goals and objectives, it is periodically necessary to modify quotas in response to dynamic environmental and biological conditions. This proposed project modifies Nelson bighorn sheep tag ranges to account for fluctuations in populations of bighorn sheep (Table 2).

The increased tags will allow the Department to increase opportunity while providing a biologically appropriate harvest within the Marble Mountains, Clark/Kingston Mountain Ranges, and White Mountains zones. The new tag ranges would be 0-5, 0-4, and 0-6 respectively for the general draw hunts in those zones.

Section 4902, FGC limits the number of hunting tags for mature Nelson bighorn sheep rams to no more than 15 percent of the number of such males estimated to occur in each geographic area for which an approved management plan has been prepared. Annual population estimates are based on aerial surveys carried out by Department biologists, or on models developed from data obtained during those aerial surveys. Annual survey data or resulting models of population size upon which tag allocations are based are available from the Wildlife Branch, California Department of Fish and Wildlife, Sacramento, California.

2. Establish a New Hunt Zone

There are currently 9 bighorn sheep hunting zones in California. As a result of successful Nelson bighorn sheep conservation and management efforts in the Newberry, Rodman and Ord Mountains in San Bernardino County, a new hunt zone with a tag range of 0-6 is proposed. The new Nelson bighorn sheep hunt zone would be called the Newberry, Rodman and Ord Mountains bighorn sheep hunt and be added to the list of areas open to hunting of Nelson bighorn sheep (Figure 1). The number of tags (range 0-6) to be issued would be restricted to no more than 15 percent of the number of mature Nelson bighorn rams estimated to occur in the hunt zone, as stipulated by state law. Tags would be available to the general public during a season beginning on the first Saturday in December 2019, and continuing through the first Sunday in February 2020. This opportunity complies with sections 4900 to 4904 of the FGC and recommendations provided in a management plan for the Newberry, Rodman and Ord Mountains Unit, forthcoming in March 2019.

3. Reallocate a Fund-raising Tag

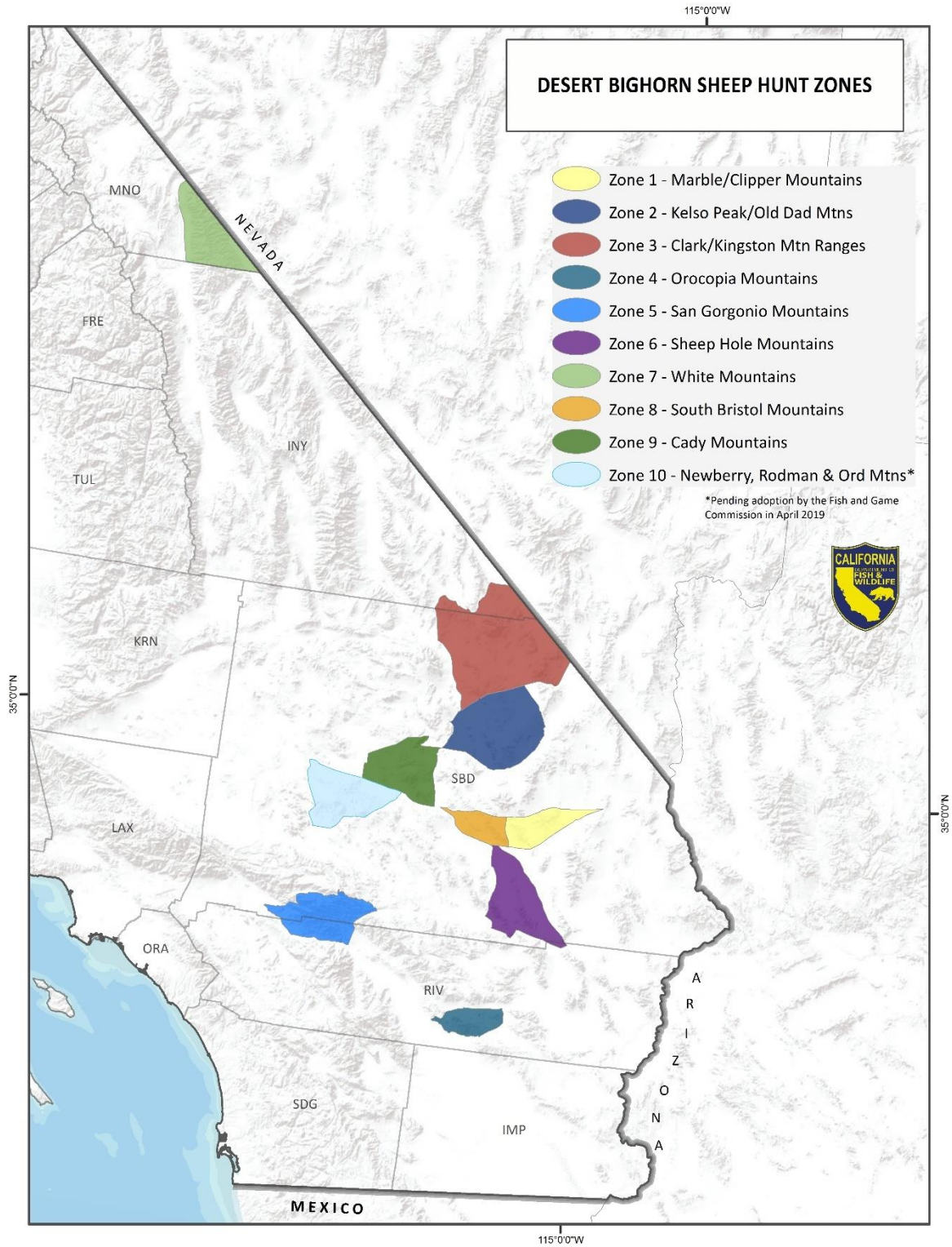
The proposed project would reallocate the Kelso and Old Dad Peak fund-raising tag to the Cady Mountains. This tag shall be valid from the first Saturday of November 2019 through the first Sunday of February 2020.

Table 2: Proposed 2019 Tag Allocation

Hunt Zone or Tag	2018 Tag Allocation	2018 Tag Range	2019 Tag Range (Proposed)
Zone 1 - Marble Mountains	4	0-4	0-5
Zone 2 - Kelso Peak/Old Dad Mountains	0	0-4	0-4
Zone 3 - Clark/Kingston Mountain Ranges	2	0-2	0-4
Zone 4 - Orocopia Mountains	1	0-2	0-2
Zone 5 - San Gorgonio Wilderness	2	0-3	0-3
Zone 6 - Sheep Hole Mountains	0	0-2	0-2
Zone 7 - White Mountains	3	0-5	0-6
Zone 8 - South Bristol Mountains	1	0-3	0-3
Zone 9 - Cady Mountains	4	0-4	0-4
Zone 10 - Newberry, Rodman, Ord Mountains (New)	-	-	0-6

Open Zone Fund-Raising Tag	1	0-1	0-1
Marble/Clipper/South Bristol Mountains Fund-Raising Tag	1	0-1	0-1
Kelso and Old Dad Peak Fund-Raising Tag	0	0-1	-
Cady Mountains Fund-Raising Tag (New)	-	-	0-1
TOTAL	19	0-32	0-42

Figure 1: Desert Bighorn Sheep Hunt Zones



BACKGROUND AND EXISTING CONDITIONS

Historical Perspective of Bighorn Sheep Management in California

Bighorn sheep existing today probably are the descendants of similar animals that entered North America via the Bering land bridge during the Illinoian glaciation, at least 150,000 years ago (Cowan 1940, Geist 1970). Wild sheep spread across the glaciated mountains of western North America during the Sangamon interglacial period. The Wisconsin glaciation, 10,000 to 125,000 years ago, then separated the animals into two populations that persisted in unglaciated areas. Subsequently, Dall's sheep (*Ovis dalli*) evolved from populations in the Alaska-Yukon region, and bighorn sheep (*Ovis canadensis*) evolved in a region south of glaciated mountains and forests in what is now the continental United States (as summarized by Bailey 1980). Following the Wisconsin glaciation, wild sheep radiated into dry, mountainous terrain.

Geist (1971) tied the evolution of Asiatic and North American sheep to the expanding availability of favorable habitat, an occurrence concomitant with receding glaciers. The races, or subspecies, of *Ovis canadensis* currently recognized as desert bighorn sheep evolved from wild sheep that persisted in the southern region despite climatic changes. In part, they may have persisted because of the lack of competition with other large, native herbivores (Bailey 1980).

In California, bighorn sheep are found primarily in the southeastern part of the State in numerous Mojave and Sonoran desert mountain ranges. They also occur in several populations in the eastern Sierra Nevada; and, in three populations, in the Transverse Ranges of Ventura, Los Angeles, and San Bernardino counties. The probable historical and current distributions of bighorn sheep in California are illustrated in Figure 2.

Until recently, taxonomists have recognized three subspecies of mountain sheep in the state, including *O. c. californiana* (which was thought to occur throughout the Sierra Nevada and historically in northeastern California), *O. c. nelsoni* (which occurs throughout the majority of the Mojave and Sonoran deserts and in the transverse ranges of southwest California), and *O. c. cremnobates* (which occupied the peninsular ranges located primarily near the border with Mexico) (Cowan 1940). There have, however, been recent changes in nomenclature with respect to bighorn sheep inhabiting the Sierra Nevada and the peninsular ranges. Indeed, bighorn sheep occupying the

Sierra Nevada were designated *O. c. californiana* and are the only representative of that taxon; at the same time, all other wild sheep formerly designated as *O. c. californiana* were synonymized with *O. c. canadensis*, and are now recognized as the Rocky Mountain subspecies (Wehausen and Ramey 2000). Moreover, bighorn sheep inhabiting the peninsular ranges and formerly recognized as the subspecies *cremnobates*, were synonymized with *O. c. nelsoni*, and no longer are considered a distinct subspecies (Wehausen and Ramey 1993).

To further complicate nomenclature, Joseph Grinnell (1912) had assigned the subspecific epithet *sierrae* to those animals he described from the Sierra Nevada before Cowan (1940) published his revision of the taxonomy of North American mountain sheep and, obviously, before Wehausen and Ramey (2000) synonymized *californiana* with *canadensis*. Because sheep in the Sierra Nevada warrant subspecific recognition (Wehausen and Ramey 2000), judicious application of the rule of priority as it appears in the International Code of Zoological Nomenclature dictates that those animals are once again assigned to the subspecies *sierrae* (Wehausen et al. 2005).

Throughout much of the range occupied by bighorn sheep, the downward trend in numbers began with the human settlement of vast, uninhabited areas (Buechner 1960). Although a great deal of attention has been paid to the potential impacts of unregulated market hunting associated with the influx of gold mining during the 1850s (Buechner 1960) another likely factor was the introduction of livestock, primarily domestic sheep, throughout much of the range of bighorn sheep (Buechner 1960). Indeed, Francisco Garces, who chronicled the expeditions of Father Anza as he traveled from what is now Arizona north and west toward the Pacific coast of California, described dead and dying bighorn sheep in the Santa Rosa Mountains of southern California as early as 1776 (Bolton 1930). Garces described dead and moribund animals in association with livestock being herded northward by the Anza Expedition (Bolton 1930). Further evidence persists in the form of a legend among the Kaliwa Indians of Baja California, which describes a pestilence that killed many wild sheep in northern Mexico following the arrival of Spaniards and their livestock (Tinker 1978).

Historically, bighorn sheep were more numerous than they are today (Buechner 1960); a reasonable estimate for California is about 10,000 individuals in 1800 (Bleich 2006). These animals were distributed among approximately 100 populations at that time (Wehausen et al. 1987a).

In the decades immediately following the discovery of gold in California, several populations of bighorn sheep in the Sierra Nevada were eliminated, likely as a result of diseases contracted from domestic sheep that were grazed in that mountain range. The reduction in bighorn sheep, and wildlife populations in general, resulted in the first legal protection for bighorn sheep and other species of large mammals in California. At that time, it was believed that wildlife populations protected from hunting would flourish and recolonize former ranges and, in 1872, the California Legislature passed a law protecting deer (*Odocoileus hemionus*), elk (*Cervus elaphus*), and pronghorn (*Antilocapra americana*) for eight months of the year. In 1878, the Legislature amended the act to establish a four-year moratorium on the taking of any elk, pronghorn antelope, bighorn sheep, or female deer and, in 1883, the moratorium on taking bighorn sheep was extended indefinitely. In 1933, bighorn sheep became the first species in California to be classified as "fully protected" by the California Legislature (California Department of Fish and Game 2005a).

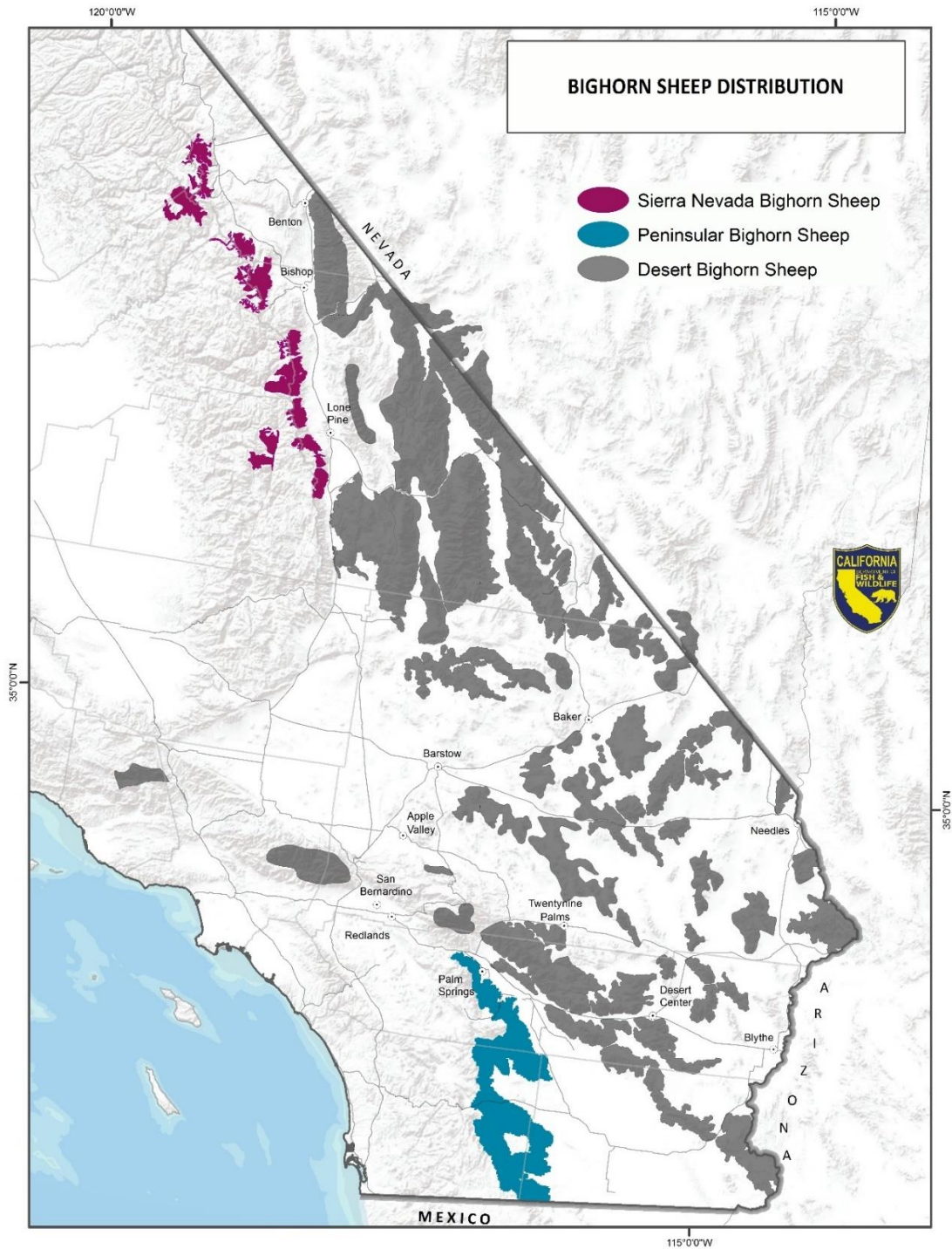
Despite the well-intentioned efforts of the California Legislature, total protection did not halt the loss of bighorn sheep in California (Wehausen et al. 1987a, Bleich 2006), and populations of bighorn sheep continued to disappear (Epps et al. 2003). Historic surveys and population estimates suggest that diseases, habitat changes, and competition for forage, rather than illegal take, resulted in the elimination of bighorn sheep in some areas, of which the most recent examples were the losses of translocated populations of bighorn sheep at Lava Beds National Monument in Siskiyou County (Weaver 1983), and in the Warner Mountains of Modoc County (Weaver and Clark 1988), both of which are thought to have resulted from respiratory disease contracted from domestic sheep in those areas (Foreyt and Jessup 1982, Weaver and Clark 1988).

Contemporary Management of Bighorn Sheep in California

Currently, bighorn sheep occupy about 60 mountain ranges in California (Wehausen et al. 1987a, Abella et al. 2011); these populations are distributed primarily in the Sierra Nevada and desert regions of eastern and southern California (Epps et al. 2003). About 600 bighorn sheep occupy the Sierra Nevada, 800 occupy the peninsular ranges, and the remainder (about 4,000) occur in the transverse ranges, the Mojave Desert, and the Sonoran Desert. There are more populations than there are mountain ranges

supporting bighorn sheep, because some larger mountain ranges contain multiple populations based on distinct ranges of females (Bleich et al. 1996).

Figure 2: Bighorn Sheep Distribution in California



As a result of the aforementioned taxonomic and nomenclatural revisions, two subspecies of bighorn sheep currently are recognized in California. *Ovis canadensis nelsoni* occurs in suitable habitat in the Transverse Ranges, the Mojave Desert, and the Sonoran Desert; *O. c. sierrae* is restricted to the Sierra Nevada. Since 1998, bighorn sheep occupying the peninsular ranges have been afforded protection under the federal Endangered Species Act (U.S. Fish and Wildlife Service 2000), and bighorn sheep occupying the Sierra Nevada have been afforded similar protection since 2000 (U.S. Fish and Wildlife Service 2008). The California Fish and Game Commission has classified bighorn sheep inhabiting the peninsular ranges as threatened, and those inhabiting the Sierra Nevada are classified by the Commission as endangered.

Although the Department has supported an active management program for many years, contemporary management of bighorn sheep began with the passage of Senate Resolution 43 in 1963 (Bleich 2006). Input from interested conservation groups was instrumental in the passage of that resolution, which resulted in funding for the most detailed survey of bighorn sheep yet conducted in California; until that time, basic inventory data consisted only of cursory surveys that occurred in 1940, 1946, and 1957. Survey work completed during 1968-1972 as a result of Senate Resolution 43 yielded an estimate of 3,700 bighorn sheep in California (Weaver 1972). More importantly, however, was the fact that for the first time ever the management needs of bighorn sheep, including land-use conflicts, water developments, and re-introductions, were addressed.

As a result of management recommendations resulting from implementation of Senate Resolution 43, the Department of Fish and Game (now Fish and Wildlife) implemented an ambitious program to acquire habitat for bighorn sheep occupying the peninsular ranges. Additionally, the Volunteer Desert Water and Wildlife Survey (VDWWS) was founded to help carry out recommendations for water developments put forth by Weaver (1972), and to assist the Department with census efforts and other work related to bighorn sheep and other desert wildlife. Since 1970, volunteers have contributed thousands of hours of labor to the program, resulting in dozens of habitat enhancement projects directed specifically at conserving populations of bighorn sheep (Bleich et al. 1982, Bleich 1990).

An effort to reestablish bighorn sheep on historical ranges also occurred as a result of Senate Resolution 43. The first such effort took place in 1971 at Lava Beds National

Monument, and in 1980 a similar effort was initiated in the Warner Mountains. Both of those attempts ultimately were unsuccessful.

In 1979, translocation of California bighorn sheep from the Mount Baxter herd in the Sierra Nevada was initiated, largely as a result of research conducted by Wehausen (1979) in combination with recommendations by the Department (Leach 1974) that the subspecies be introduced to areas from which it had been eliminated. Since then, a total of 118 animals have been translocated, 108 of which were used to reestablish bighorn sheep populations in three areas of the Sierra Nevada: Wheeler Crest, Mount Langley, and Lee Vining Canyon or to augment other extant populations in that range, and 10 of which were translocated to the Warner Mountains of Modoc County, California. These translocations took place in 1979, 1980, 1982, 1986, 1987, 1988, 2001, 2005, and 2009.

In 1981, Assembly Concurrent Resolution 41 was passed and directed the Department to prepare a study plan to investigate population status, competition, diseases, and the potential to introduce bighorn sheep to historically occupied areas in California. Funding was allocated from the California Environmental License Plate Fund for the purpose of carrying out the investigations outlined by the Department's study plan (Weaver 1983).

In 1983, the Department completed a statewide management plan for bighorn sheep (California Department of Fish and Game 1983). The plan identified a number of specific management programs, designed to help meet statewide goals for the management and restoration of bighorn sheep populations. Goals specifically listed in the statewide plan are to: (1) maintain, improve, and expand bighorn sheep habitat where possible or feasible; (2) reestablish bighorn sheep populations on historic ranges where feasible; (3) increase bighorn sheep populations so that all races become numerous enough to no longer require classification as threatened or fully protected; and (4) provide for aesthetic, educational, and recreational uses of bighorn sheep. Aside from the specific recommendations of Leach et al. (1974) regarding California bighorn sheep, this was the first official Department document to advocate the reintroduction of all subspecies of bighorn sheep in California.

Subsequently, in 1983 a series of translocation projects involving Nelson bighorn sheep (*O. c. nelsoni*) from two large Mojave Desert mountain ranges began. To date, 230 animals have been removed from Old Dad Peak for translocation to the Whipple

Mountains, Sheep Hole Mountains, Eagle Crags, Argus Mountains, Avawatz Mountains, Chuckwalla Mountains, Bristol Mountains, and Bullion Mountains. A total of 55 animals have been removed from the Marble Mountains for translocation to the Whipple Mountains and Eagle Crags (Bleich et al. 1990, Torres et al. 1994).

By 1983, it was determined that the population of Nelson bighorn sheep in the San Gabriel Mountains was large enough to support removals for translocation (Holl and Bleich 1983), and in 1983, 1985, and 1987, a total of 71 animals were removed from winter ranges in the South Fork of Lytle Creek and Cattle Canyon. Those animals were translocated to a vacant, historical winter range in the Prairie Fork of the San Gabriel River (within the San Gabriel Mountains) and to historical habitat near San Rafael Peak, in Ventura County (Bleich et al. 1990). In 1988, 10 sheep were captured in Lone Tree Canyon of the White Mountains, Mono County, and translocated to Silver Canyon, also in the White Mountains, Inyo County. Since 1979, the Department has reestablished 11 new populations and augmented four small populations through translocation projects.

In 1986, the enactment of Assembly Bill 3117 (Chapter 745) created a series of laws which comprised the most significant legislation affecting bighorn sheep management in California since the 1878 legislation that established the initial moratorium on the taking of bighorn sheep. This law contained language that directed the Department to prepare management plans for each population of bighorn sheep in California. In addition, Assembly Bill 3117 differed from previous legislation that would have authorized hunting in that it: (1) made bighorn sheep a game mammal in only two areas (Old Dad Peak and the Marble Mountains); (2) provided for one hunting tag to be available for fund-raising purposes each year with the revenues from bighorn sheep hunting to be put in an account set aside solely for the benefit of bighorn sheep; (3) set a biologically conservative limit on the number of tags which could be offered each year, not to exceed 15 percent of the mature males counted annually in each population; and (4) contained an expiration date of December 31, 1992, unless the Legislature extended it beyond that date. In 1990, the Legislature removed the expiration date.

Implementation of Section 4902 of the FGC (Appendix 2) has involved hunting of a limited number of mature Nelson bighorn rams since 1987, when specific regulations similar to the proposed action were initially adopted by the Commission. Hunts have been conducted annually since then, pursuant to Section 362 of Title 14, CCR.

Assembly Bill 977 amended sections 4902 and 4903, FGC, and thereby (1) permitted the Commission to authorize hunting of Nelson bighorn rams in management units for which plans have been developed pursuant to Section 4901, FGC; (2) increased to three the permissible number of fund-raising license tags to be available for programs and projects to benefit bighorn sheep (the number of these authorized, if more than one, would not be permitted to exceed 15 percent of the total number of tags authorized generally); and (3) specified that any use of those revenues for the Department's administrative overhead shall be limited to the reasonable costs associated with direct administration of the program.

The Department's Bighorn Sheep Management Program is currently revising the statewide management plan for Nelson bighorn sheep in California. This planning effort will identify and prioritize actions to ensure the long-term viability of bighorn sheep populations, consistent with existing State policy. Protection of important habitats and inter-mountain movement corridors, identification of future introduction sites, and habitat enhancements will be addressed. The planning effort is occurring in cooperation with the Bureau of Land Management, California Department of Parks and Recreation, Department of Defense (Military), and National Park Service (NPS).

Intensive data collection continues to provide basic information for updating and preparing additional management plans, as required by the FGC. These efforts include assessing habitat and potential movement corridors, and surveys to estimate population sizes, age class structure, sex ratios, sampling individual animals for the prevalence of diseases and parasites, and implementing strategies to stabilize or enhance individual populations of Nelson bighorn sheep.

EXISTING CONDITIONS

Regulated public hunting for Nelson bighorn sheep began in 1987 in California with passage of AB 3117, and has occurred without interruption since that date. Additional public hunts for Nelson bighorn sheep have been established subsequent to 1987 and annual hunts for Nelson bighorn sheep have been part of the existing conditions in California for the last 24 years. Appendix 1 lists the verbatim for the current and proposed conditions for hunting Nelson bighorn sheep in California.

POLICY CONSIDERATIONS

The Legislature formulates laws and policies regulating the management of fish and wildlife in California. The general wildlife conservation policy of the State is to encourage the conservation and maintenance of wildlife resources under the jurisdiction and influence of the State (Section 1801 of the California Fish and Game Code). The policy includes the following objectives (which are also the objectives for this proposed project):

1. To provide for the beneficial use and enjoyment of wildlife by all citizens of the State;
2. To perpetuate all species of wildlife for their intrinsic and ecological values, as well as for their direct benefits to man;
3. To provide for aesthetic, educational, and non-appropriative uses of the various wildlife species;
4. To maintain diversified recreational uses of wildlife, including hunting, as proper uses of certain designated species of wildlife, subject to regulations consistent with the maintenance of healthy, viable wildlife resources, the public safety, and a quality outdoor experience;
5. To provide for economic contributions so the citizens of the State through the recognition that wildlife is a renewable resource of the land by which economic return can accrue to the citizens of the State, individually and collectively, through regulated management. Such management shall be consistent with the maintenance of healthy and thriving wildlife resources and the public ownership status of the wildlife resource;
6. To alleviate economic losses or public health and safety problems caused by wildlife; and
7. To maintain sufficient populations of all species of wildlife and the habitat necessary to achieve the above-stated objectives.

With respect to Nelson bighorn sheep, the Legislature has established the State's policy regarding management in sections 4900 to 4904 of the FGC (Appendix 2). Section 4900 declares that bighorn sheep are an important wildlife resource of the state to be managed and maintained at sound biological levels, and that it is the policy of the state to encourage the preservation, restoration, utilization, and management of California's bighorn sheep populations, and that such management shall be in accordance with the

policy set forth in Section 1801 of the FGC. Section 4901 directs the Department to determine the status and trend of bighorn sheep populations by management units, and to prepare plans for each of the management units. Each plan is to address (a) the numbers, age, sex ratios, and distribution of bighorn sheep within the management unit; (b) range conditions and any competition that may exist as a result of human, livestock, wild burro, or any other mammal encroachment; (c) the need to relocate or reestablish bighorn populations; (d) the prevalence of disease or parasites within the population; and (e) recommendations for achieving the policy objective of Section 4900.

Section 4902 provides that the Commission (a) may adopt all regulations pertaining to biologically sound management of Nelson bighorn sheep (*O. c. nelsoni*), including sport hunting of mature Nelson bighorn rams; (b) may not authorize permits in a single year within a single management unit in excess of the Department's annual estimate of the population in that management unit; (c) may determine the fee for a tag to take a Nelson bighorn ram, but restricts that amount to five hundred dollars; (d) shall annually direct the department to authorize not more than three of the tags available for issuance that year to take Nelson bighorn rams for the purpose of raising funds for programs and projects to benefit Nelson bighorn sheep, that those tags may be sold to residents or nonresidents for fund-raising purposes and shall not be subject to any fee limitation as described in Section 4902(c), specifies certain non-profit organization(s) as the seller(s) of not less than one of those tags if more than one fund-raising tag is authorized, restricts the number of fund-raising tags, if more than one, to no more than 15 percent of the total number of tags authorized to hunt Nelson bighorn rams in any given year, and mandates that all successful applicants complete a hunter familiarization and orientation conducted by the Department prior to hunting.

Section 4903 states that revenue from the sale of bighorn sheep tags for hunting Nelson bighorn sheep rams shall be deposited into the Big Game Management Account established in Section 3953 and, upon appropriation, shall be made available for programs and projects to benefit bighorn sheep and other big game as defined in that section.

CHAPTER 3. POTENTIAL FOR SIGNIFICANT EFFECTS

Hunting of bighorn sheep will result in the deaths of individual animals. The removal of individual male animals from only 10 populations (Marble Mountains, Old Dad Peak/Kelso Mountains, Clark/Kingston Mountains, Orocopia Mountains, San Gorgonio Wilderness, Sheep Hole Mountains, White Mountains, South Bristol Mountains, Cady Mountains, and Newberry, Rodman and Ord Mountains) is not expected to significantly reduce herd size, or to affect the reproductive base of the population. The proposed action (modification of hunting tag ranges in three existing hunt zones, the addition of one hunt zone, and reallocation of one fund-raising tag) and adjusting tag quotas within previously analyzed tag ranges will result in maintaining these herds at or above approved management plan objectives and will maintain the ratio of male to female bighorn sheep at levels adequate to insure reproduction.

The approximately 60 herds of Nelson bighorn sheep in California occur from Mono County in the north, to the Mexican border in the south (Torres et al. 1996, Abella et al 2011). These populations are widely distributed, primarily throughout the southeastern part of the State and in the Sierra Nevada. Nelson bighorn sheep populations currently being considered in the proposed action, number about 4,000 and occur in Mono, Inyo, San Bernardino, Riverside, Ventura, Imperial, and Los Angeles counties. Ten hunting zones for Nelson bighorn sheep have been identified and cover only a portion of the entire range of Nelson bighorn sheep. Therefore, entire portions of the range and population will not be influenced by that activity.

Assuming the maximum number of tags is issued and all holders of bighorn sheep tags are successful, a maximum of 42 mature Nelson bighorn rams could be removed in 2019 from the statewide estimated population of 4,000 Nelson bighorn sheep. This short-term reduction of one percent of the total statewide population of Nelson bighorn sheep is well within the ability of the statewide population to maintain or increase in size over the long-term. The ability of bighorn sheep populations to experience a given level of hunting mortality without decreasing in health or vitality is described by Savidge and Ziesenis (1980) as sustained-yield management. It is reasonable that a removal of less than one percent of the statewide population is compatible with the long-term conservation of the subspecies. Thus, the removal of up to 42 mature male Nelson bighorn sheep is not expected to have a measurable impact on regional or statewide populations.

Pursuant to Section 4902, FGC, the number of tags allocated will not exceed more than 15 percent of the mature rams estimated in any management unit. Depending on the management unit, assessment of aerial or ground survey data will ensure that harvest will not exceed 15 percent of the mature rams in each management unit, as provided for by State law.

Before taking action regarding this proposal, the Commission will consider Nelson bighorn sheep populations, social structure, genetics, habitat, food supplies, the welfare of individual animals, impacts to other wildlife and plant species, impacts to recreational opportunities, public safety, the potential for cumulative impacts, and other pertinent facts and testimony. Although not a resource category where CEQA requires analysis, for informational value the Commission has also analyzed the potential for effects on economics from the proposed project. Each of these areas is discussed in more detail below.

THE SPECIES

Population

Under the proposed hunting programs, it is expected that a segment of the mortality previously identified as "natural" mortality will be shifted to hunting mortality. To a degree, hunting mortality will be substituted for, rather than added to, natural mortality. This follows the concept of compensatory mortality as described by Peek (1986) who noted that, "If hunting is a compensatory form of mortality then populations may be presumed to fluctuate in response to other factors, and stocks are little affected by exploitation. However, if hunting is additive to other forms of mortality then it serves as a depressant."

According to the concept of compensatory mortality, the production and survival of young animals within each population are ultimately expected to replace the animals removed by hunting. At the low level of proposed harvest, when combined with differential use of habitats by males and females during the birthing season (Bleich et al. 1997), influences of compensatory mortality are not expected to be measurable. Ongoing long-term demographic research on bighorn sheep populations has identified the primary factors influencing the abundance of those specialized herbivores. Given

the importance and significant variation in annual precipitation in these desert ecosystems, and the associated variation in diet quality, density-dependent mechanisms are difficult to observe (Wehausen 1992), but increased recruitment of young should compensate for increased rates of death resulting from harvest.

Since the hunting of Nelson bighorn sheep will occur, at most, in only ten of the State's approximately 60 populations of bighorn sheep under the alternatives considered, the removal of individual animals is not expected to have a significant effect on the statewide population of bighorn sheep. The existing populations of bighorn sheep in California are geographically separated and widely distributed, yet capable of moving among and between mountain ranges (Bleich et al. 1996). Therefore, the proposed action of providing opportunities to harvest up to 6 mature male Nelson bighorn sheep in the Newberry, Rodman and Ord Mountains, where a minimum of 62 mature males are estimated to occur, and an increase of 23 tags to the total potential statewide harvest, for a maximum of up to 42 mature Nelson bighorn rams from an estimated population of 4,000 total Nelson bighorn sheep will not have a significant adverse impact on any specific population to be hunted or on the statewide population of bighorn sheep.

The Department is committed to long-term demographic investigations of bighorn sheep populations. This research is particularly important in management units for which individual bighorn sheep are removed for translocation or harvest. To facilitate this research, animals have been telemetered and monitored in each proposed hunt zone.

The Department annually conducts fall/winter aerial surveys to count bighorn sheep within the majority of the management units being considered in this assessment, and ground counts are conducted during summer in the White Mountains Management Unit (Appendix 5). These surveys result in minimum population estimates, because many animals are missed during such surveys. Several published articles (Caughley 1974, Samuel et al. 1987, Graham and Bell 1989, Bodie et al. 1995, Bleich et al. 2001, Bernatas and Nelson 2004) have demonstrated that significant portions of populations being surveyed using aerial census techniques are not observed because of "visibility bias".

In some of the proposed hunt zones, aerial survey data are supplemented with independent ground surveys to record numbers of marked and unmarked sheep, which

are used to generate additional information on population size. This synthesis of data has made it possible to accurately assess the changes in bighorn sheep numbers, ratios of males to females or young to females, and to monitor the impacts of hunting and relocation (Wehausen 1992). Additionally, these aerial and ground survey results are used to determine tag allocations, and to ensure the proposed harvest does not exceed 15 percent of the mature rams in any of the respective management units.

Tag allocations have historically been determined by computing 15 percent of the mature rams observed during the annual surveys. These data are used to modify the range of tags to be allocated to ensure no more than 15 percent of the minimum number of mature males known to be present are harvested. The results of such surveys represent the minimum number of bighorn sheep, including mature males, present in a given population, and result in under-estimates of the true population of males and the total population. This procedure will continue to be used to generally assign tag allocations.

Independent estimates of population size and demographic parameters of bighorn sheep populations are derived using a combination of aerial census and ground observations of marked and unmarked animals in the hunt zones, and intensive ground surveys are conducted in the White Mountains. Wehausen (1990) and Jaeger et al. (1992) refer to this method as Multiple Direct Sampling (MDS). This method estimates population parameters from cumulative (or repeated) surveys that record the number of marked and unmarked animals observed, and assumes binomial sampling probabilities with replacement (Wehausen 1992).

Social Structure

Bighorn sheep demonstrate pronounced sexual segregation (rams and ewes separate) during the majority of the year (Bleich et al. 1997). During periods of segregation, competition between the sexes for food and water is limited or nonexistent. In order for density-dependent responses to occur, a reduction in competition between males and females and the offspring of those females must occur if the population size is limited by the habitat. The removal of so few rams, that likely do not compete with females and young to any appreciable extent, is unlikely to result in substantial increases in recruitment of young animals into any population. Nevertheless, enhanced body condition among males, decreased consumption of available resources by bighorn

sheep throughout the management unit, and decreased energetic costs resulting from fewer potential interactions among mature males, would be among the compensatory responses expected to occur as a result of the removal of less than 15 percent of mature Nelson bighorn rams from any particular hunt zone, as specified by State law.

The proposed action has the potential to increase the current hunter harvest by one ram each in the Marble and Clipper Mountains, and White Mountains, and by two rams in the Clark and Kingston Range, as well as establish a new hunt zone in the Newberry, Rodman, and Ord Mountains with up to six tags (up to 10 additional tags in four hunt zones). The additional harvest in the existing zones and new harvest on a previously unharvested population may alter the ratio of males to females in each of those zones. It is unlikely, however, that the proposed action will affect the survivorship of young in those populations, given that males and females live separately for the majority of the year. Moreover, removal of 55 bighorn sheep from the Marble Mountains for translocation during 1983-85 did not result in measurable responses in recruitment rates (Wehausen 1988). Thus, it is unlikely that the removal of a small number of males from the proposed hunt zones will result in a detectable increase in recruitment rates of young.

Genetics

Apollonio et al. (1989) reported that the removal of the majority of successfully breeding males from a population of lek-breeding fallow deer (*Dama dama*) resulted in a decrease of the overall productivity of the lek. Byers and Kitchen (1988) reported that in pronghorn (*Antilocapra americana*), the deaths of all mature males during a severe winter storm was followed by a mating system change from territoriality to harem defense, apparently because no males were sufficiently dominant to exclude other males from a territory. Speculation regarding the removal of large, old males of bighorn sheep, a species in which males form a tending bond with estrous females, thus warrants some consideration (Festa-Bianchet 1989).

It has been hypothesized that harvesting older males may remove the “best genes” from populations of bighorn sheep subject to “trophy hunting”. Fitzsimmons et al. (1995) reported that horn growth was higher in males with greater genetic diversity, or heterozygosity, than in less heterozygous rams for the 6th, 7th, and 8th years of life, and that by the end of the 8th year males exhibiting the greatest heterozygosity had higher horn volumes than males exhibiting lower heterozygosity.

The unregulated harvest of male bighorn sheep from a small, isolated population of Rocky Mountain bighorn sheep reportedly resulted in significant declines in body size and horn size (Coltman et al. 2003). Moreover, severe rates of selective harvesting (that are unlikely to be implemented by management agencies) potentially elicit an undesired evolutionary response when the targeted trait is heritable, as are size of horns or antlers (Hartl et al. 1991, 1995; Williams et al. 1994, Lukefar and Jacobson 1998, Kruuk et al. 2002). Nevertheless, the only example demonstrating the negative effects of selective harvest of ungulates in North America is that of Coltman et al. (2003), who investigated this phenomenon at Ram Mountain, Alberta, Canada. That population of Rocky Mountain bighorn sheep was small and isolated, but harvest was regulated only by a 4/5 curl regulation, and hunter opportunity essentially was unlimited. As a result, nearly every male was harvested upon attaining legal size, thereby allowing males with slow-growing horns to reach older age classes and do a disproportionate amount of the breeding. As a result, Coltman et al. (2003) concluded that the harvest rate in their study population resulted in selection against the fastest growing males before they reached their reproductive peak, and thereby reduced their genetic contribution to the population. Conversely, Coltman (2008) recognized that the selective effect reported by Coltman et al. (2003) may have been overestimated because it was not possible to account for the confounding effects of changes in population density during their study, a phenomenon that affected nutrient availability among animals in that population. Garel et al. (2007) concluded that selective harvest in a bottlenecked and genetically mixed population of mouflon (*Ovis* spp.) reduced the reproductive contribution of males that possessed a horn conformation desirable to hunters, which ultimately resulted in a selective advantage for smaller-horned males in that population. Neither of the situations described by Coltman et al. (2003) or Garel et al. (2007) are applicable to the harvest of bighorn sheep in California because of the very limited (less than 15 percent) potential harvest of mature males resulting from carefully regulated hunting opportunities.

Despite these observations, selection of large males by hunters may facilitate copulations by younger, smaller-horned males that may not encounter breeding opportunities in the presence of larger males (Hogg 1984). Resultant breeding by subdominant, smaller-horned males has the potential to increase the ratio of effective population size to census population size and, thereby, the potential to increase total genetic diversity within some populations (Singer and Zeigenfuss 2002). The effect of

an increase in the ratio of effective population size to census population size would, thus, offset the potential effects of the removal of some dominant males.

The consequences of declines in genetic diversity have also been questioned with respect to their demographic influences. Nevertheless, bighorn sheep that have been severely impacted by population bottlenecks and have resultant low genetic diversity appear not to be impacting the potential of those populations to recover in size (Wehausen and Ramey 2004). In contrast to the essentially unlimited harvest rates described by Coltman et al. (2003), harvest proposals considered in this document are extremely restricted, and remove but a very small proportion (less than 15 percent) of the minimum number of mature males from any single population, and less than 1 percent of the statewide population as a whole. As a result, the limited harvests proposed by the Department will not result in the small population sizes described by Wehausen and Ramey (2004).

Geist (1971) suggested that, if mortality of older males was related to rutting activity, younger males should be expected to suffer greater mortality if allowed to participate in the rut because of the absence of older males. Indeed, Heimer (1980), Heimer et al. (1984), and Heimer and Watson (1986) suggested that the removal of older and larger males by hunters would result in lowered survival of young males. Moreover, Heimer et al. (1984) reported that natural survival of Dall's sheep (*Ovis dalli*) males aged four to eight years was lower in areas with greater hunting pressure and a less restrictive definition of legal males.

In a specific test of Heimer's predictions, Murphy et al. (1990) reported no support for the hypothesis that reducing the number of older males had an adverse effect on the survival rate of young males. Similarly, other studies of *Ovis spp.* (Stewart 1980, Hoefs and Barichello 1984) have failed to demonstrate evidence of depressed survival of young rams in heavily hunted populations. The strongest support for the hypothesis is Heimer et al.'s (1984) study of the high rate of disappearance of young rams that had been trapped and marked, and were part of a hunted population. Murphy et al. (1990) concluded, however, that the disappearance of those young rams could be explained by dispersal and reduced sightability, rather than by reduced survivorship. Males tend to move over larger areas than do females, and their absence in areas they occupied as lambs does not mean they died. Further, Whitten (2001) concluded that sheep harvest trends were driven largely by weather patterns that affected sheep productivity, survival,

and abundance, rather than by horn curl regulations. In populations of Rocky Mountain bighorn sheep and desert bighorn sheep in which removal rates were carefully regulated and very low, Singer and Zeigenfuss (2002) concluded that young rams did not expend greater energy than young rams in non-hunted populations. Those authors concluded that there was no detectable effect on survivorship of those young rams and that harvesting of mature males did not lower survivorship of young males.

In the ten populations under consideration in the project, low harvest rates proposed should not disrupt the age structure and, hence, the social structure of these populations. An analysis of the hunter harvest indicates that the average age of all rams taken through the 2016/2017 hunting season was approximately 7 years. This mean age is lower than the life expectancy of a desert bighorn sheep, suggesting that harvests are not particularly concentrated on the oldest or largest males; hence, selective removal of the fastest growing males is an unlikely consequence of the limited opportunities being proposed.

The extremely conservative harvest rates in populations dominated by mature males have likely precluded any shift in the age structures or genetic diversity of these populations. An increase of up to 23 tags from current levels of hunting is not anticipated to have any impact on the age structure of the populations. Even with the combined removal of up to 42 mature Nelson bighorn sheep rams from ten proposed hunt zones, and with a maximum potential of 7 in any single zone, no changes in the age structure of the populations are anticipated, nor are any other adverse effects.

Habitat

As proposed by the project, the removal of up to 42 rams will slightly reduce the total number of bighorn sheep in each of the hunt zones, as well as the statewide population, until the birth of young the following spring. Under the proposed regulations, the maximum number of bighorn sheep that could be removed from any single zone is seven (the Open Zone fund-raising tag may potentially remove a ram from this zone), and that take would be limited to the Newberry, Rodman and Ord Mountains. The maximum number of mature male Nelson bighorn sheep that could be removed from any other zone ranges from three to six, and would only reflect an increase of two to four rams above current levels of hunting. Those rates of harvest could yield slight improvement in habitat conditions, particularly in areas of those hunt zones that are

utilized primarily by adult males. It is unlikely, however, that any substantial improvement in habitat conditions will result, nor that any increase in recruitment rate, will be realized. The maximum number of mature Nelson bighorn rams that would be removed during the 2019 hunting season would be 42. The proposed removal rate and the distribution of animals to be removed among 10 separate hunt zones is expected to be too low to result in any measurable change in habitat conditions.

Wehausen et al. (1987b) demonstrated a strong relationship between precipitation and recruitment rates in a Sonoran Desert bighorn sheep population. Similarly, Monson (1960) noted the relationship between precipitation and bighorn sheep populations. Beatley (1974) emphasized the relationship between precipitation and phenological events in Mojave Desert ecosystems, and Wehausen (1988, 1990) noted the apparent relationship between high recruitment in the Marble Mountains in the late 1970s and early 1980s and levels of precipitation. Thus, it is likely that timing and amount of precipitation, rather than population levels of bighorn sheep, are the primary factors determining habitat conditions in the proposed hunt zones.

A maximum of 42 hunters, their guides, and selected individuals will participate in the bighorn sheep hunt. Given the low densities of human use, any habitat loss and degradation attributable to the proposed project would be negligible. Therefore, the cumulative environmental impact of habitat loss and the proposed project will not be significant

OTHER WILDLIFE AND PLANT SPECIES

The results of the Department's previous determination that no significant impacts would be incurred by other wildlife or plant species as a result of bighorn sheep hunting, as published in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b) are hereby incorporated by reference. Several plant and wildlife species listed as threatened or endangered can be found within the proposed project area. Because these areas are open year-round for public uses not limited to hiking, horseback riding, camping, hunting, photography, and bird watching, the low number of bighorn sheep hunters resulting from the proposed project is unlikely cause impacts to sensitive plant and wildlife species.

RECREATIONAL OPPORTUNITIES

Hunting Opportunities

The proposed action would authorize up to 23 additional tags, for a maximum of 42 opportunities for hunters to participate in this unique outdoor experience. This will be the 33rd such hunt in as many years. The demand for bighorn sheep hunting opportunities in California, and worldwide, is extremely high, as described in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b), and hereby incorporated by reference.

In 2018, all applicants for bighorn sheep tags paid a \$7.50 nonrefundable application fee to enter a drawing, and they must possess a California hunting license. Additionally, a total of approximately \$ 8.4 million has been received through the auction of fundraising tags from 1987 to 2018. The proposed action will positively impact the hunting public of the State by providing hunting opportunities consistent with sections 203.1 and 4902, FGC, and the State's wildlife conservation policy in Section 1801 of the FGC, and will provide funds specifically for conservation and restoration of bighorn sheep in California, consistent with sections 4902 and 4903 of the FGC.

As noted in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b) and incorporated herein by reference, there will be overlap of upland game (quail and chukar), rabbit, predator, and deer hunting seasons in two additional hunt areas for a portion of the year. However, due to the low numbers of sheep hunters in each area, coupled with the large areas open to hunting, it is unlikely that sheep hunters will affect the success or quality of the experience for hunters of other species of wildlife.

Because it would increase the hunting opportunity, the proposed project is not anticipated to have a significant impact on recreational hunting opportunities.

Nonhunting Opportunities

As noted in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005) and incorporated herein by reference, the non-

hunting users of the bighorn sheep resource (viewing, nature study, research, photography) are not expected to be significantly impacted by the hunting of mature bighorn sheep rams, including Nelson Bighorn Sheep (in the peninsular ranges, transverse ranges, the Mojave Desert, and the Sonoran Desert) and Sierra Nevada bighorn sheep, from a statewide population that now numbers approximately 5,400 animals. The proposed action is not expected to impair the ability of non-consumptive users to enjoy the outdoors, the bighorn sheep resource or its habitat because the non-hunting user will have opportunities to view bighorn sheep in un hunted situations indefinitely. No populations of bighorn sheep occurring in the other mountain ranges will be exposed to sheep hunting as a result of this project and, as a result, opportunities for non-hunting uses of those populations will not be affected.

ECONOMICS

Under the proposed alternative, hunters from outside the local areas would continue to visit the region and purchase goods and services from local merchants. This additional spending will generate retail sales, income, and possibly employment in businesses such as motels, restaurants, and retail stores. Spending effects would be minor, because of the small number of tags sold. Any potential effects would likely be distributed among those communities located nearest to the sheep hunt areas, including Barstow, Baker, Blythe, Cadiz, Ludlow, Indio, Morongo Valley, Desert Center, Needles, Twenty-Nine Palms, and Amboy, in Riverside, San Bernardino, Inyo, and Imperial counties. These economic effects are likely to be an insignificant positive effect on the communities. More detail is available in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b).

PUBLIC SAFETY

Since 1987, the Department has not received reports of bighorn sheep hunting related casualties in California, as discussed in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b) and incorporated herein by reference. As with any outdoor activity, there is always risk of injury or death, however the probability of being injured while bighorn sheep hunting is extremely low. This good safety record is due, in part, to the requirement that all hunters must successfully pass a hunter safety education course prior to receiving a license. Since completion of the 2005 Environmental Document for Bighorn Sheep Hunting (California Department of

Fish and Game 2005b) the Department has not received any reports of sheep hunting related casualties in California. The Commission does not anticipate any significant adverse impacts to public safety with the proposed project

SHORT-TERM USES AND LONG-TERM PRODUCTIVITY

The proposed project allows an increase of up to 23 bighorn sheep hunters, bringing the potential harvest to a total of 42 animals distributed across 10 hunt zones, assuming the maximum number of tags is allocated. As noted in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b) and incorporated herein by reference, this short-term use could enhance long-term productivity by reducing competition for forage. However, given the extremely limited harvest, any reduction in intraspecific competition would be negligible and likely undetectable.

If the proposed project were delayed for any reason, no significant long-term impact on the population would be expected. However, this delay would eliminate the proposed allocation of additional hunting opportunities as per the Department's bighorn sheep management program and would not address the high demand for more recreational hunting opportunities involving bighorn sheep or be consistent with State policy regarding bighorn sheep management, or with project objectives.

The proposed increase of 23 tags, for a maximum of 42 mature Nelson bighorn sheep rams removed by hunting will not have a significant long-term adverse impact on either the specific populations to be hunted or on the statewide population of bighorn sheep.

CHAPTER 4. CUMULATIVE IMPACTS

The Commission could consider and may approve additional hunts in the future. The Commission has concluded that there will be no significant adverse cumulative effects on the State's Nelson bighorn sheep resource if the proposed project is implemented. The statutorily mandated regulation process involves review at least once every three years, Proposed recommendations for regulatory changes would be presented by the Department to the Commission along with supporting data and analysis prior to consideration of any future hunt. As with potential changes to hunting regulations for

deer, elk, and pronghorn antelope, the Commission receives recommendations regarding mammal hunting regulations from Commission members, its staff, the Department, other public agencies, and the public. More detail on this analysis is contained in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b) and incorporated herein by reference.

HABITAT LOSS OR DEGRADATION

As noted in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b) and incorporated herein by reference, the proposed project, in combination with current bighorn hunts and other factors, is not likely to cause habitat loss and degradation. Changes in habitat are not expected to be significant in the project areas in the foreseeable future, as many of the designated hunt zones and part of the proposed new hunt zone are within wilderness areas. Areas designated as wilderness have their habitat protected in perpetuity, or until Congress determines other values exceed those associated with wilderness classification

DROUGHT

As noted in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b) and incorporated herein by reference, drought can have an impact on local populations of bighorn sheep, and droughts are a natural occurrence faced by bighorn sheep throughout their evolutionary history. Further, drought conditions are generally localized, both spatially and temporally. The removal of an additional 23 mature Nelson bighorn sheep rams, for a maximum of 42 rams, would, in fact, decrease competition among males for available forage within hunt zones, but the effects of such a reduction in competition would be difficult to detect. The possibility of drought impairing the bighorn sheep population on a statewide basis is unlikely. It is anticipated that the statewide population will remain in a healthy, viable condition, even though dynamic weather patterns may affect some populations in some years. Therefore, the Commission does not anticipate any significant adverse cumulative impacts resulting from drought.

WILDFIRES

As noted in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b) and incorporated herein by reference, the sparse vegetation and lack of fuel in bighorn sheep habitat makes it unlikely that wildfires have the potential to adversely affect bighorn sheep in the majority of the hunt zones. However, the San Geronio Wilderness occurs in an area of potential wildfires. Most research has shown burning, especially prescribed burning, to be favorable to bighorn sheep and deer. These fires maintain movement corridors, escape terrain, and provide new herbaceous vegetation, which is higher in nutrition than decadent vegetation and, ultimately, enhance nutrient availability to animals foraging in newly burned areas. Therefore, the Commission does not anticipate any significant adverse cumulative impacts resulting from wildfires.

DISEASE, ROAD KILLS AND OTHER MORTALITY

As noted in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b) and incorporated herein by reference, no data available indicate road kills, disease, predation, or natural mortality factors will act as additive impacts which, along with the mortalities associated with the limited hunting program, will have significant adverse cumulative impacts on local, regional or statewide bighorn sheep populations. The Commission does not anticipate any significant cumulative impacts resulting from disease in combination with the proposed hunting project.

ILLEGAL HARVEST

As noted in the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b) and incorporated herein by reference, illegal take does not appear to be a significant factor affecting the population. The Department has documented annually approximately one to three cases of bighorn sheep being killed illegally statewide. The verified illegal take involves an extremely low proportion of the State's approximately 5,400 bighorn sheep and is widely distributed. Illegal take does not appear to be a significant factor affecting the population and, even with the potential harvest of up to 42 bighorn sheep statewide, the cumulative impacts of illegal harvest are not expected to be significant. Since the bighorn sheep outside the hunt zones are

either fully protected or State-listed species, detecting and preventing illegal take is a high priority for the Department.

DEPREDATION

The Department does not have the authority to issue kill permits for bighorn sheep causing property damage (Section 4181, Fish and Game Code). As a result, depredation does not affect the population of bighorn sheep and no potential exists for any cumulative impact with the proposed project

THE INDIVIDUAL ANIMAL

The proposed project will result in the deaths of individual bighorn sheep, and wounding losses could occur as a result of implementation of the proposed project. However, the Department is aware of only one animal having been lost after being wounded in 32 hunting seasons. Thus, the rate of wounding is extremely low, and the cumulative impacts of the potential harvest increase of 23 rams statewide, for a maximum of 42 mature Nelson bighorn sheep statewide, combined with the exceedingly low rate of wounding, would not result in an impact that could be considered to significantly impact the population of bighorn sheep inhabiting any hunt zone, or the state of California as a whole. For more discussion of wounding losses, see the Environmental Document for Bighorn Sheep Hunting (California Department of Fish and Game 2005b) and incorporated herein by reference.

GLOBAL CLIMATE CHANGE

Climate change caused by increasing atmospheric concentrations of greenhouse gases are expected to result in marked changes in climate throughout the world (deVos and McKinney 2005). Although many wildlife habitats in North America have become progressively warmer and drier in the last 12,000 years (Lane et al. 1994, Ball et al. 1998), the greatest rate of change has occurred during the last 150 years (Fredrickson et al. 1998). Predicted changes due to continued warming include increased frequency and severity of wildfires, increased frequency of extreme weather events, regional variation in precipitation, northward and upward shifts in vegetative communities, and modifications to existing biotic communities (Bachelet et al. 2001, McCarty 2001, Walther et al. 2002). These changes are expected to affect abundance, distribution, and

structure of vegetative and animal communities (Kappelle et al. 1999).

Local and specific regional changes in climate and associated changes in vegetative communities will be the determining factors regarding the distribution and abundance of bighorn sheep in California and elsewhere. Although research specific to bighorn sheep responses to climate change is limited, available information indicates those populations inhabiting the hottest, low-lying mountain ranges will be among the first to be impacted (Epps et al. 2004), but those populations inhabiting the highest and most botanically diverse desert ranges may be less affected, and serve as refugia for the species (Epps et al. 2006). Moreover, some areas occupied by bighorn sheep may experience increases in the quality of habitat (Epps et al. 2006).

Populations of bighorn sheep in California are vulnerable to any decrease in habitat quality as mediated by climate change (Epps et al. 2006, Stewart et al. 2016) For example, higher spring and summer temperatures will result in reduced diet quality for bighorn sheep (Epps 2004), and extended droughts and drying of water sources may produce die-offs of adult animals (Allen 1980). Among bighorn sheep inhabiting desert environments, diet quality or forage availability influence body condition, which affects reproduction and recruitment rates (Wehausen 2005) and, ultimately, population size. Thus, future changes in climate that result in warmer temperatures or greater aridity have the potential to result in fewer bighorn sheep in desert ecosystems (Epps et al. 2006). Nevertheless, habitat conditions in some areas currently occupied by bighorn sheep, for example the San Gabriel Mountains and other transverse ranges of California, may experience changes that will be of benefit to bighorn sheep (Epps et al. 2006) as a result of lower densities of vegetation (Epps et al. 2006). Thus, available information indicates global climate change portends both adverse and beneficial effects to bighorn sheep habitat and, ultimately, bighorn sheep populations.

Bighorn sheep hunting in California is regulated by the California Fish and Game Commission. Hunting seasons and tag quotas are proposed to the Commission for adoption on an annual basis. These seasons and quotas are based on annual population estimates as dictated by the California Legislature (Fish and Game Code Section 4902) and are adjusted each year as needed. Although the impacts of climate change on bighorn sheep in California could be positive in some instances, they most certainly will be negative in others. Nevertheless, the Department and the Commission have the ability to quickly respond to population fluctuations by increasing or decreasing

hunter opportunity in accordance with current and future management objectives for this species. Reducing one mortality factor, for example sport hunting, will not alone mitigate for impacts associated with global climate change. The ability to manage and provide adequate amounts of resources, both nutritional and otherwise, will be the factor that ultimately dictates persistence of populations. Therefore, the Commission does not anticipate that global climate change will have a significant cumulative impact on the bighorn sheep populations.

CHAPTER 5. ALTERNATIVES TO THE PROJECT

The Commission considered two alternatives to the proposed project, which would modify tag quotas, create one additional hunt zone for bighorn sheep, and reallocate a fund-raising tag.

ALTERNATIVE 1 – NO CHANGE

The "no-change" alternative would continue to provide hunting opportunities for mature Nelson bighorn rams in the nine hunt zones that currently are open to that activity. The range of tags available to hunt bighorn sheep in each of those zones would remain the same, and would not be subject to adjustment as determined by the Department's annual population estimates as specified in Section 4901 of the Fish and Game Code. One fund-raising tag, currently designated in the Kelso and Old Dad Peak Hunt Zone, would remain in place, and not used for fund-raising purposes given the disease impacts that herd unit has sustained. In short, there would be no change from the 2018 bighorn sheep hunting regulations. Because there would be no change in existing conditions or current levels of hunting activity and bighorn sheep harvest, the no-project alternative would not lead to any potential significant impacts on the environment.

ALTERNATIVE 2 – INCREASED HARVEST

The ranges of potential hunting tags available for each zone is intentionally conservative. Tag allocation is based on the number of mature rams known to exist in each zone, or on the number of mature rams estimated to be present following application of an extremely conservative correction factor ($n/0.80$) that assumes aerial surveys account for 80 percent of the animals present. However, Wehausen and Bleich (2007) reported aerial surveys in an ecologically similar mountain range produced

observations of less than 50 percent of the total number estimated compared to mark-resight methods.

To increase the tag range by 50 percent in the existing nine zones beyond the range of tags proposed by the Department (Appendix 2 and Table 2) could result in a violation of state law if the end result exceeded more than 15 percent of the total number of mature Nelson bighorn sheep rams known or estimated to be present in any single hunt zone. Increasing tags beyond current levels needs to be carefully considered for consistency with statutory requirements. Under the "increased harvest" alternative, it is possible that support for bighorn sheep management programs among interested conservation groups and hunters could decline, because conservation has been at the forefront of issues affecting bighorn sheep. An increased rate of harvest would not likely be supported among bighorn sheep advocacy groups.

Because neither the proposed project nor the alternatives are anticipated to cause any significant impacts on the environment, there is no environmentally superior alternative. However, the proposed project most closely meets the objectives of Section 1801 of the FGC.

LITERATURE CITED

NOTE: these documents are generally available through university libraries. Documents prepared by governmental agencies can be obtained through those agencies.

- Abella, R. K., V. C. Bleich, R. A. Botta, B. J. Gonzales, T. R. Stephenson, S. G. Torres, J. D. Wehausen. 2011. Desert Bighorn Council Transactions 51:54-68
- Allen, R. W. 1980. Natural mortality and debility. *in* G. Monson and L. Sumner, editors. The desert bighorn: its life history, ecology, and management. University of Arizona Press, Tucson, Arizona, USA.
- Apollonio, M., M. Festa-Bianchet and F. Mari. 1989. Effects of removal of successful males in a fallow deer lek. *Ethology*, 83: 320-325.
- Bachelet, D., R. P. Neilson, J. M. Lenihan, and R. J. Drapek. 2001. Climate change effects on vegetation and carbon budget in the United States. *Ecosystems* 4:164-185.
- Bailey, J. A. 1980. Desert bighorn, competition, and zoogeography. *Wildlife Society Bulletin* 8:208-216.
- Ball, R., D. D'Amours, K. Duncan, et al. 1998. North America. *in* R. T. Watson, M. C. Zinyowera, R. H. Moss, and D. J. Dokken, editors. The regional impacts of climate change: an assessment of vulnerability. Cambridge University Press, Cambridge, United Kingdom.
- Beatley, J. C. 1974. Phenological events and their environmental triggers in Mojave Desert ecosystems. *Ecology*. 55:856-863.
- Bernatas, S., and L. Nelson. 2004. Sightability model for California bighorn sheep in canyonlands using forward-looking infrared (FLIR). *Wildlife Society Bulletin* 32:638-647.
- Bleich, V. C. 1983. Big game guzzlers and mountain sheep. *Outdoor California* 44(6):10.
- Bleich, V. C. 1986. Early Breeding in Free-ranging Mountain Sheep. *Southwest. Natur.* 31:530-531.
- Bleich, V. C. 1990. Affiliations of volunteers participating in California wildlife water development projects. Pages 187-192 in G. K. Tsukamoto and S. J. Stiver, editors. *Wildlife water development*. Nevada Department of Wildlife, Reno, USA.
- Bleich, V. C. 2006. Mountain sheep in California: perspectives on the past, and prospects for the future. *Biennial Symposium of the Northern Wild Sheep and Goat Council* 15:1-13.
- Bleich, V. C., L. J. Coombes, and G. W. Sudmeier. 1982. Volunteer participation in California wildlife habitat management projects. *Desert Bighorn Council Transactions* 26:56-58.

- Bleich, V. C., J. D. Wehausen, R. R. Ramey II, and J. L. Rechel. 1996. Metapopulation theory and mountain sheep: implications for conservation. Pages 353-373 in D. R. McCullough, editor. *Metapopulations and wildlife conservation*. Island Press, Washington D.C., USA.
- Bleich, V. C., R. T. Bowyer, and J. D. Wehausen. 1997. Sexual segregation in mountain sheep: resources or predation? *Wildlife Monographs* 134:1-50.
- Bleich, V. C., C. S. Y. Chun, R. W. Anthes, T. E. Evans, and J. K. Fischer. 2001. Visibility bias and development of a sightability model for tule elk. *Alces* 37:315-327.
- Bleich, V. C., A. M. Pauli, S. G. Torres. 2010. Bighorn Sheep Management Plan: Cady Mountains. California Department of Fish and Game. <http://dfg.ca.gov/wildlife/hunting/sheep/dates.html>
- Bleich, V. C., S. G. Torres. 2010. Bighorn Sheep Management Plan: South Bristol Mountains. California Department of Fish and Game. <http://dfg.ca.gov/wildlife/hunting/sheep/dates.html>
- Bodie, W. L., E. O. Garton, E. R. Taylor, M. McCoy. 1995. A sightability model for bighorn sheep in canyon habitats. *Journal of Wildlife Management* 59:832-840.
- Bolton, H. E. 1930. Anza's California expeditions. Volume IV. Font's complete diary of the second Anza expedition. University of California Press, Berkeley, California, USA.
- Buechner, H. K. 1960. The bighorn sheep in the United States, its past, present, and future. *Wildlife Monographs* 4:1-174.
- Byers, J. A. and D. W. Kitchen. 1988. Mating system shift in a pronghorn population. *Behav. Ecol. Sociobiol.* 22:355-360.
- California Department of Fish and Game. 1983. A plan for bighorn sheep. California Department of Fish and Game, Sacramento, California, USA.
- California Department of Fish and Game. 2005a. The status of rare, threatened, and endangered plants and animals of California 2000-2005. California Department of Fish and Game, Sacramento, USA.
- California Department of Fish and Game. 2005b. Environmental document for bighorn sheep hunting. California Department of Fish and Game, Sacramento, California, USA. State Clearinghouse Number 2005012078.
- Caughley, G. 1974. Bias in aerial survey. *Journal of Wildlife Management* 38:921-933.
- Coltman, D. W. 2008. Molecular ecological approaches to studying the evolutionary impacts of selective harvesting in wildlife. *Molecular Ecology* 16:221-235.
- Coltman, D. W., P. O'Donoghue, J. T. Jorgenson, J. T. Hogg, C. Strobeck, and M. Festa-Bianchet. 2003. Undesirable evolutionary consequences of trophy hunting. *Nature* 426:655-658.
- Cowan, I. McT. 1940. Distribution and variation in the native sheep of North America. *American Midland Naturalist* 24:505-580.

- deVos, J. C., Jr., and T. McKinney. 2005. Recent trends in North American mountain lion populations: a hypothesis. Pages 297-307 in C. van Riper III and D. J. Mattson, editors. The Colorado Plateau II. University of Arizona Press, Tucson, USA.
- Epps, C. W. 2004. Population processes in a changing climate: extinction, dispersal, and metapopulation dynamics of desert bighorn sheep in California. Unpublished Ph.D. dissertation, University of California, Berkeley, California, USA.
- Epps, C. W., V. C. Bleich, J. D. Wehausen, and S. G. Torres. 2003. Status of bighorn sheep in California. *Desert Bighorn Council Transactions* 47:20-35.
- Epps, C. W., D. R. McCullough, J. D. Wehausen, V. C. Bleich, and J. L. Rechel. 2004. Effects of climate change on population persistence of desert-dwelling mountain sheep in California. *Conservation Biology* 18:102-113.
- Epps, C. W., P. J. Persboll, J. D. Wehausen, G. K. Roderick, and D. R. McCullough. 2006. Elevation and connectivity define genetic refugia for mountain sheep as climate warms. *Molecular Ecology* 15:4295-4302.
- Festa-Bianchet, M. 1989. Survival of male bighorn sheep in southwestern Alberta. *Journal of Wildlife Management*, 53: 259-263.
- Fitzsimmons, N. N., S. W. Buskirk, and M. H. Smith. 1995. Population history, genetic variability, and horn growth in bighorn sheep. *Conservation Biology* 9:314-323.
- Foreyt, W. J., and D. A. Jessup. 1982. Fatal pneumonia of bighorn sheep following association with domestic sheep. *Journal of Wildlife Diseases* 18:163-168.
- Fredrickson, E., K. M. Havstad, R. Estell, and P. Hyder. 1998. Perspectives on desertification: south-western United States. *Journal of Arid Environments* 39:191-207.
- Garel, M., J. M. Cugnasse, D. Maillard, J.-M. Gaillard, A. J. M. Hewison, and D. Dubray. 2007. Selective harvesting and habitat loss produce long-term life history changes in a mouflon population. *Ecological Applications* 17:1607-1618.
- Geist, V. 1970. Mountain sheep. University of Chicago Press, Chicago, Illinois, USA.
- Graham, A., R. Bell. 1989. Investigating observer bias in aerial survey by simultaneous double-counts. *Journal of Wildlife Management* 53: 1009-1016.
- Grinnell, J. 1912. The bighorn of the Sierra Nevada. University of California, Publications in Zoology 10:143-153.
- Hartl, G. B., F. Klein, R. Willing, M. Apollonio, and G. Lang. 1995. Allozymes and the genetics of antler development in red deer (*Cervus elaphus*). *Journal of Zoology* 237:83-100.
- Hartl, G. B., G. Lang, F. Klein, and R. Willing. 1991. Relationships between allozymes, heterozygosity and morphological characters in red deer (*Cervus elaphus*), and the influence of selective hunting on allele frequency distributions. *Heredity* 66:343-350.
- Heimer, W. E. 1980. Can population quality be related to population density through nutrition? *Proceedings of the Biennial Symposium of the Northern Wild Sheep and Goat Council* 2:288-309.

- Heimer, W. E., S. M. Watson, and T. C. Smith III. 1984. Excess ram mortality in a heavily hunted Dall sheep population. *Proceedings of the Biennial Symposium of the Northern Wild Sheep and Goat Council* 4:425-432.
- Heimer, W. E., and S. M. Watson. 1986. Time and area specific variations in Dall sheep lamb production: an explanatory hypothesis. *Proceedings of the Biennial Symposium of the Northern Wild Sheep and Goat Council* 5:78-101
- Hoefs, M., and N. Barichello. 1984. Comparison between a hunted and an unhunted Dall sheep population – a preliminary assessment of the impacts of hunting. *Proceedings of the Biennial Symposium of the Northern Wild Sheep and Goat Council* 4:433-466.
- Hogg, J. T. 1984. Mating in bighorn sheep: multiple creative male strategies. *Science* 225:526–529.
- Holl, S. A., and V. C. Bleich. 1983. San Gabriel mountain sheep: biological and management considerations. USDA Forest Service, San Bernardino National Forest, San Bernardino, California, USA.
- Jaeger, J. R., J. D. Wehausen, and V. C. Bleich. 1992. Evaluation of time-lapse photography to estimate population parameters. *Desert Bighorn Council Transactions* 35:5-8.
- Kapelle, M., M. M. I. Van Vuuren, and P. Baas. 1999. Effects of climate change on biodiversity: a review and identification of key research issues. *Biodiversity and Conservation* 8:1383-1397.
- Kruuk, L. E. B., J. Slate, J. M. Pemberton, S. Brotherstone, F. Guinness, and T. Clutton-Brock. 2002. Antler size in red deer: heritability and selection but no evolution. *Evolution* 56:1683-1695.
- Lane, L. J., M. H. Nichols, and H. B. Osborn. 1994. Time series analysis of global change data. *Environmental Pollution* 83:63-68.
- Leach, H. R. 1974. *At the crossroads: a report on California's endangered and rare fish and wildlife*. California Department of Fish and Game, Sacramento, California, California, USA.
- Lukefar, S. D., and H. A. Jacobson. 1998. Variance component analysis and heritability of antler traits in white-tailed deer. *Journal of Wildlife Management* 62:252-268.
- McCarty, J. P. 2001. Ecological consequences of recent climate change. *Conservation Biology* 15:320-331.
- Monson, G. 1960. Effects of climate on bighorn numbers. *Desert Bighorn Council Transactions* 4:12-14.
- Peek, J. M. 1986. *A review of wildlife management*. Prentice-Hall, Englewood Cliffs, New Jersey, USA.
- Samuel, M. D., E. O. Garton, M. W. Schlegel, and R. G. Carson. 1987. Visibility bias during aerial surveys of elk in northcentral Idaho. *Journal of Wildlife Management* 51:622-630.

- Savidge, I. R., and J. S. Ziesenis. 1980. Sustained yield management. Pages 405-410 *in* S. D. Schemnitz, editor. Wildlife management techniques manual. The Wildlife Society, Washington, D.C., USA.
- Singer, F. J., and L. C. Zeigenfuss. 2002. Influence of trophy hunting and horn size on mating behavior and survivorship of mountain sheep. *Journal of Mammalogy* 83:682-698.
- Stewart J. A. E., J.H. Thorne, M. Gogol-Prokurat and S.D. Osborn. 2016. A climate change vulnerability assessment for twenty California mammal taxa, Information Center for the Environment, University of California, Davis, CA.
- Stewart, S. T. 1980. Mortality patterns in a bighorn sheep population. *Proceedings of the Biennial Symposium of the Northern Wild Sheep and Goat Council* 2:313-331.
- Tinker, B. 1978. Mexican wilderness and wildlife. University of Texas Press, Austin, Texas, USA.
- Torres, S. G., V. C. Bleich, and J. D. Wehausen. 1994. Status of bighorn sheep in California, 1993. *Desert Bighorn Council Transactions* 38:17-28.
- Torres, S. G., V. C. Bleich, and J. D. Wehausen. 1996. Status of bighorn sheep in California, 1995. *Desert Bighorn Council Transactions* 40:27-34.
- Walther, G. R., E. Post, P. Convery, et al. 2002. Ecological response to recent climate change. *Nature* 416:389-395.
- Weaver, R. A. 1972. California's bighorn management plan. *Desert Bighorn Council Transactions* 17:22-42.
- Weaver, R. A. 1983. The status of bighorn sheep in California. *Desert Bighorn Council Transactions* 27:44-45.
- Weaver, R. A., and R. K. Clark. 1988. Status of bighorn sheep in California, 1987. *Desert Bighorn Council Transactions* 32:20.
- Wehausen, J. D. 1979. Sierra Nevada bighorn sheep: history and population ecology. Ph.D. Dissertation, University of Michigan, Ann Arbor, USA.
- Wehausen, J. D. 1988. Cattle impacts on mountain sheep in the Mojave Desert: report II. Administrative Report. California Department of Fish and Game, Bishop, USA. Contract 85/86c - 1492.
- Wehausen, J. D. 1990. Cattle impacts on mountain sheep in the Mojave Desert: report III. Interagency Agreement FG 7468-A1. California Department of Fish and Game, Sacramento, USA.
- Wehausen, J.D. 1992. Demographic studies on mountain sheep in the Mojave Desert: report IV. Interagency agreement FG 1411. California Department of Fish and Game, Sacramento, USA.

- Wehausen, J. D. 2005. Nutrient predictability, birthing seasons, and lamb recruitment for desert bighorn sheep. *in* J. Goerrissen and J. M. Andre, editors. Symposium Proceedings for the Sweeney Granite Mountains Desert Research Center 1978-2003: A Quarter Century of Research and Teaching. University of California Natural Reserve Program, Riverside, California, USA.
- Wehausen, J. D., and V. C. Bleich. 2007. The effect of survey intensity on bighorn sheep helicopter counts. *Desert Bighorn Council Transactions* 49:23-29.
- Wehausen, J. D., and R. R. Ramey II. 1993. A morphometric reevaluation of the peninsular bighorn subspecies. *Desert Bighorn Council Transactions* 37:1-10.
- Wehausen, J. D., and R. R. Ramey II. 2000. Cranial morphometric and evolutionary relationships in the northern range of *Ovis canadensis*. *Journal of Mammalogy* 81:145-161.
- Wehausen, J. D., and R. R. Ramey II. 2004. Microsatellite diversity in Sierra Nevada mountain sheep herds. Unpublished Contract Report, Sierra Nevada Bighorn Sheep Recovery Program, California Department of Fish and Game, Bishop, California.
- Wehausen, J. D., V. C. Bleich, and R. A. Weaver. 1987a. Mountain sheep in California: a historical perspective on 108 years of full protection. *Western Section of The Wildlife Society Transactions* 23:65-74.
- Wehausen, J. D., V. C. Bleich, B. Blong, and T. L. Russi. 1987b. Recruitment dynamics in a southern California mountain sheep population. *Journal of Wildlife Management* 51:86-98.
- Wehausen, J. D., V. C. Bleich, and R. R. Ramey II. 2005. Correct nomenclature for Sierra Nevada bighorn sheep. *California Fish and Game* 91:216-218.
- Williams, J. D., W. F. Krueger, and D. H. Harmel. 1994. Heritabilities for antler characteristics and body weight in yearling white-tailed deer. *Heredity* 73:78-83.

Appendix 1. Existing Regulatory Language for Bighorn Sheep Hunting with Proposed 2019 Changes

§362. Nelson Bighorn Sheep.

(a) Areas:

(1) Zone 1 - Marble/Clipper Mountains: 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: 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: 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 California/Nevada state line; southeast on 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: 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: 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: 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.

(7) Zone 7 - White Mountains: 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: 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: 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 on 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: That portion of San Bernardino County beginning at the junction with 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 and continue on Transmission Line Road to the

intersection with Interstate 40, West along Interstate 40, to the point of the beginning

(b) Seasons:

(1) Open Zone Fund-raising Tag: The holder of the fund-raising license tag issued pursuant to subsection 4902(d) of the Fish and Game Code may hunt:

(A) Zones 1 through 4, 6, 8 and 9: 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.

(2) Marble/Clipper/South Bristol Mountains Fund-raising Tag: The holder of the fund-raising 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.

(3) ~~Kelso Peak and Old Dad Mountains~~ Cady Mountains Fund-raising Tag: The holder of the fund-raising license tag issued pursuant to subsection 4902(d) of the Fish and Game Code may hunt:

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

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

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

(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:

	<i>Tag</i>
<i>Nelson Bighorn Sheep Hunt Zones</i>	<i>Allocation</i>
Zone 1 - Marble/Clipper Mountains	-4[<u>0-5</u>]
Zone 2 - Kelso Peak/Old Dad Mountains	-0[<u>0-4</u>]
Zone 3 - Clark/Kingston Mountain Ranges	-2[<u>0-4</u>]
Zone 4 - Orocopia Mountains	-1[<u>0-2</u>]
Zone 5 - San Gorgonio Wilderness	-2[<u>0-3</u>]
Zone 6 - Sheep Hole Mountains	-0[<u>0-2</u>]
Zone 7 - White Mountains	-3[<u>0-6</u>]
Zone 8 - South Bristol Mountains	-1[<u>0-3</u>]
Zone 9 - Cady Mountains	-4[<u>0-4</u>]
<u>Zone 10 – Newberry, Rodman, Ord Mountains</u>	[<u>0-6</u>]
Open Zone Fund-Raising Tag	1
Marble/Clipper/South Bristol Mountains Fund-Raising Tag	1
Kelso Peak/Old Dad Mountains <u>Cady Mountains</u> Fund-Raising Tag	-0 <u>1</u>
Total:	-19[<u>0-42</u>]

(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) 413-9596~~ (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, 265, 1050 and 4902, Fish and Game Code.

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

Appendix 2.

California Fish and Game Code

Chapter 11. Bighorn Sheep [4900-4903]

4900. Legislative Declaration of Policy to Encourage Preservation, etc.

The Legislature declares that bighorn sheep are an important wildlife resource of the state to be managed and maintained at sound biological levels. Therefore, it is hereby declared to be the policy of the state to encourage the preservation, restoration, utilization, and management of California's bighorn sheep population. The management shall be in accordance with the policy set forth in Section 1801.

(Added by Stats. 1986, Ch. 745, Sec. 3.)

4901. Determining Status and Trend

The department shall determine the status and the trend of bighorn sheep populations by management units. A plan shall be developed for each of the management units. The plan for each management unit shall include all of the following:

- (a) Data on the numbers, age, sex ratios, and distribution of bighorn sheep within the management unit.
- (b) A survey of range conditions and a report on the competition that may exist as a result of human, livestock, wild burro, or any other mammal encroachment.
- (c) An assessment of the need to relocate or reestablish bighorn populations.
- (d) A statement on the prevalence of disease or parasites within the population.
- (e) Recommendations for achieving the policy objective of Section 4900.

(Added by Stats. 1986, Ch. 745, Sec. 3.)

4902. Nelson Bighorn Rams; Management, Hunting, Fees, etc.

(a) The commission may adopt all regulations necessary to provide for biologically sound management of Nelson bighorn sheep (subspecies *Ovis canadensis nelsoni*).

(b) (1) After the plans developed by the department pursuant to Section 4901 for the management units have been submitted, the commission may authorize sport hunting of mature Nelson bighorn rams. Before authorizing the sport hunting, the commission shall take into account the Nelson bighorn sheep population statewide, including the population in the management units designated for hunting.

(2) Notwithstanding Section 219, the commission shall not, however, 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, based on the department's annual estimate of the population in each management unit.

(c) The fee for a tag to take a Nelson bighorn ram shall be four hundred dollars (\$400) for a resident of the state, which shall be adjusted annually pursuant to Section 713. On or before July 1, 2015, the commission shall, by regulation, fix the fee for a nonresident of the state at not less than one thousand five hundred dollars (\$1,500), which shall be adjusted annually pursuant to Section 713. Fee revenues shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(d) The commission shall annually direct the department to authorize not more than three of the tags available for issuance that year to take Nelson bighorn rams for the purpose of raising funds for programs and projects to benefit Nelson bighorn sheep. These tags may be sold to residents or nonresidents of the State of California at auction or by another method and shall not be subject to the fee limitation prescribed in subdivision (c). Commencing with tags sold for the 1993 hunting season, if more than one tag is authorized, the department shall designate a nonprofit organization organized pursuant to the laws of this state, or the California chapter of a nonprofit organization organized pursuant to the laws of another state, as the seller of not less than one of these tags. The number of tags authorized for the purpose of raising funds pursuant to this subdivision, if more than one, shall not exceed 15 percent of the total number of tags authorized pursuant to subdivision (b). All revenue from the sale of tags pursuant to this subdivision shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section.

(e) No tag issued pursuant to this section shall be valid unless and until the licensee has successfully completed a prehunt hunter familiarization and orientation and has demonstrated to the department that he or she is familiar with the requisite equipment for participating in the hunting of Nelson bighorn rams, as determined by the commission. The orientation shall be conducted by the department at convenient locations and times preceding each season, as determined by the commission.

(Amended by Stats. 2014, Ch. 467, Sec. 4. (AB 2105) Effective January 1, 2015.)

4903. Revenues From Fees and Expenditures

Revenue from the fees authorized by this chapter shall be deposited in the Big Game Management Account established in Section 3953 and, upon appropriation by the Legislature, shall be expended as set forth in that section. Administrative overhead shall be limited to the reasonable costs associated with the direct administration of the program. These funds shall be used to augment, and not to replace, moneys appropriated from existing funds available to the department for the preservation, restoration, utilization, and management of bighorn sheep. The department shall maintain internal accountability necessary to ensure that all restrictions on the expenditure of these funds are met.

4904. Annual Report; Content

[Repealed Stats. 2012]

Appendix 3: Public Comments Received

Name and Date	Comment
<p>Andy Nickell 11/30/2018 Submitted via e-mail</p>	<p>Hello</p> <p>These are my comments on the bighorn sheep program in California:</p> <p>Because of limited numbers of bighorn sheep statewide I believe tag allocation should be based on providing maximum hunter opportunity to the greatest number of hunters.</p> <p>The majority of bighorn tags should be awarded in a random draw instead of using preference points. New hunters and young hunters will likely never catch up to the maximum point holders of today due to sheer numbers of hunters and low numbers of sheep, awarding 90% of sheep tags to max point holders only serves to discourage new hunters from even bothering to apply as well as driving hunters to apply out of state taking their conservation dollars elsewhere.</p> <p>Lack of hunter recruitment is one of many factors that will negatively impact conservation efforts in the future, and lack of opportunity is the leading cause of lack of hunter retention.</p> <p>Any new hunter who runs the numbers will see that with the current preference point system they have virtually no chance of hunting bighorn sheep in the state of California.</p> <p>To increase numbers of bighorn sheep we should look to Nevada's sheep program for guidance which has been extremely successful in restoring sheep populations statewide from a low point in the 1960s.</p> <p>Domestic sheep cause conflicts with bighorn sheep. Native wildlife should be given greater priority than agriculture. If this means cutting domestic grazing allotments then so be it.</p>

	Thank you
<p>Cliff St. Martin Dry Creek Outfitters 12/6/2018 Submitted via email</p>	<p>Dry Creek Outfitters and crew spend countless days every year in the desert observing BHS and working closely with California Fish and Wildlife, SCBS, and California Wild Sheep.</p> <p>In doing so, we see the populations of BHS throughout different units. Few units are struggling with very low lamb recruitment and also populations doing very well. I would like to recommend below, harvest numbers in each unit that would be very conservative but yet an overall increase in most units but not all units. Obviously each year this quota needs be revisited.</p> <p>I apologize for not listing each unit by their individual “zone number” but I’m in the field and trying to stumble through this by phone.</p> <p>Kelso/ Old Dads - 0 tags again this season</p> <p>White Mountains- 4 tags total Even though the Whites are a large unit access is limited. As a result all four tags could at the same time could be somewhat crowded. Also in the past there is interference with the sheep season opener the same date as the archery deer season. It would make for a much more enjoyable hunt for everyone to have it a split season with two tags for sheep beginning around August 1st. And running approx. 30days until first of Sept. The second season beginning the next day and running approx. 30 days until the first of October.</p> <p>Marble/ Clippers- 5 tags Again with a split season. Starting the first Saturday in December and splitting it in half with the second half ending as usual.</p> <p>Clark/Kingston’s - 2 tags Cady’s- 4 tags Orocopias-1 tag Sheep Holes- 1 tag</p>

San Gorgonios- 4 tags
South Bristol's- 0

Also with the possibility of additional unit or units opening and having an additional auction tag (zone specific)

We need to be sure the fund raising tag and zone specific tags are in separate units. The open zone tag should hold priority over all tags thus keeping the zone specific holder and the fund raising holder unable to hunt the two premier units in Calif. (Orocopias and San Gorgonios)

I strongly believe we need to lengthen the season dates for the auction hunters. The auction hunter pays a great deal of money to have a great hunt and this year was not good. Sheep were scattered throughout the unit where a specific ram was being hunted just two weeks before the opener. That along with the deer season opening the same day ruined the hunters opportunity at a great ram. This particular family has purchased this tag twice in the past three years spending approx. \$400,000.00 on the two tags.

I think that opening the season for the zone specific and open zone tag holder could begin as early as Sept. 1 and run through March or April at least. There should be no issues about this. Only one ram will be harvested and this would be a great incentive to more potential bidders.

Appendix 4: Environmental Checklist Form

Environmental Checklist form

NOTE: The following is a sample form and may be tailored to satisfy individual agencies' needs and project circumstances. It may be used to meet the requirements for an initial study when the criteria set forth in CEQA Guidelines have been met. Substantial evidence of potential impacts that are not listed on this form must also be considered. The sample questions in this form are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance.

1. Project title: Bighorn Sheep Hunting
2. Lead agency name and address:
California Fish and Game Commission
1416 9th Street
Sacramento, CA 95814
3. Contact person and phone number: Melissa Miller-Henson, Acting Executive Director, Fish and Game Commission,
(916) 653-4389
4. Project location: Statewide
5. Project sponsor's name and address:
California Department of Fish and Wildlife
Wildlife Branch, 1812 9th Street
Sacramento, CA 95811
6. General plan designation: N/A
7. Zoning: N/A
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.) The proposed project would modify bighorn sheep hunting tag quotas, establish a new hunt zone, and reallocate a fund-raising tag.
9. Surrounding land uses and setting: Briefly describe the project's surroundings:
The project occurs in areas in Mono, San Bernardino, and Riverside Counties.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)
N/A
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?
No.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT equivalent under the Commission's Certified Regulatory Plan is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

2/19/19

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>I. AESTHETICS.</u> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the [California Agricultural Land Evaluation and Site Assessment Model \(1997\)](#) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the [Forest and Range Assessment Project](#) and the [Forest Legacy Assessment project](#); and forest carbon measurement methodology provided in [Forest Protocols](#) adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. AIR QUALITY. Where available, the significance criteria established by the applicable [air quality management or air pollution control district](#) may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. BIOLOGICAL RESOURCES:
Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan , Natural Community Conservation Plan , or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>V. CULTURAL RESOURCES.</u> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>VI. GEOLOGY AND SOILS.</u> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42 .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil , as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>IX. HYDROLOGY AND WATER QUALITY.</u> Would the project:				
a) Violate any water quality standards or waste discharge requirements ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. PUBLIC SERVICES.				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
recreational facilities which might have an adverse physical effect on the environment?				
c) Does the project have the potential to impact recreational activities dependent on wildlife, such as hunting or wildlife viewing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XVI. TRANSPORTATION/TRAFFIC.

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. TRIBAL CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape,

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. UTILITIES AND SERVICE SYSTEMS.				
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal , state , and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIX. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Authority cited: Sections [21083](#) and [21083.05](#), [21083.09](#) Public Resources Code. Reference: [Section 65088.4](#), Gov. Code; Sections [21073](#), [21074](#) [21080\(c\)](#), [21080.1](#), [21080.3](#), [21083](#), [21083.05](#), [21083.3](#), [21080.3.1](#), [21080.3.2](#), [21082.3](#), [21084.2](#), [21084.3](#), [21093](#), [21094](#), [21095](#), and [21151](#), Public Resources Code; [Sundstrom v. County of Mendocino, \(1988\) 202 Cal.App.3d 296](#); [Leonoff v. Monterey Board of Supervisors, \(1990\) 222 Cal.App.3d 1337](#); [Eureka Citizens for Responsible Govt. v. City of Eureka \(2007\) 147 Cal.App.4th 357](#); [Protect the Historic Amador Waterways v. Amador Water Agency \(2004\) 116 Cal.App.4th at 1109](#); [San Franciscans Upholding the Downtown Plan v. City and County of San Francisco \(2002\) 102 Cal.App.4th 656](#).

Appendix 5: Desert Bighorn Sheep Surveys

Zone	Year	Survey Type	Number of Lambs	Number of Ewes	Number of Rams	Number of Unclassified	Total Counted
Marble Mountains & Clipper Mountains	2007	Helicopter	12	84	46	0	142
	2009	Helicopter	34	88	65	0	187
	2015	Helicopter	8	48	23	5	84
	2016	Ground	42	73	35	2	152
	2018	Ground	18	78	35	1	132
	2007	Helicopter	0	8	11	0	19
	2009	Helicopter	4	13	16	0	33
	2015	Helicopter	4	20	22	0	46
Clark Mountain Kingston Range	2007	Helicopter	0	31	18	0	49
	2009	Helicopter	0	12	8	0	20
	2015	Helicopter	0	1	3	0	4
	2016	Helicopter	1	31	13	5	50
	2007	Helicopter	3	27	21	0	51
	2009	Helicopter	6	33	20	0	59
	2015	Helicopter	9	25	14	0	48
	2016	Helicopter	3	31	19	2	55
	2018	Helicopter	5	80	34	0	119
White Mountains	2008	Helicopter	16	59	52	0	127
	2009	Helicopter	16	60	29	2	107
	2015	Ground	46	69	82	20	217
	2016	Ground	26	43	9	22	100
	2018	Ground	36	124	62	1	223
Cady Mountains	2007	Helicopter	12	59	38	0	109
	2009	Helicopter	37	92	38	0	167
	2010	Helicopter	23	102	49	0	174
	2018	Helicopter	8	58	27	0	93
Newberry, Rodman and Ord Mountains	2016	Helicopter	49	70	52	0	171
	2018	Helicopter	35	95	72	0	202

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2018112036

Project Title: Bighorn Sheep Hunting

Lead Agency: Fish and Game Commission Contact Person: Regina Vu
Mailing Address: 1416 9th Street, 13th floor Phone: 916-445-3728
City: Sacramento Zip: 95814 County: Sacramento

Project Location: County: Statewide City/Nearest Community: _____
Cross Streets: _____ Zip Code: _____
Longitude/Latitude (degrees, minutes and seconds): _____° _____' _____" N / _____° _____' _____" W Total Acres: _____
Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base: _____
Within 2 Miles: State Hwy #: _____ Waterways: _____
Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA: NOP Draft EIR equivalent NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: _____ FONSI

Governor's Office of Planning & Research

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Risk Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: _____

FEB 19 2019 1:40

STATE CLEARINGHOUSE

Development Type:

Residential: Units _____ Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____
 Educational: _____
 Recreational: _____
 Water Facilities: Type _____ MGD _____
 Transportation: Type _____
 Mining: Mineral _____
 Power: Type _____ MW _____
 Waste Treatment: Type _____ MGD _____
 Hazardous Waste: Type _____
 Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: _____

Present Land Use/Zoning/General Plan Designation:

Project Description: (please use a separate page if necessary)
The project involves bighorn sheep hunting for 2019 (Section 332, Fish and Game Code). Specifically, the Department of Fish and Wildlife is proposing to adjust tag quotas on existing bighorn sheep hunts, establish a new hunt zone in the Newberry, Rodman, and Ord Mountains, and reallocate an existing fund-raising tag to the Cady Mountain Zone.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|--|--|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date February 19, 2019 Ending Date April 5, 2019

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative:  Date: 2/19/19

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

TIME REQUIRED

SUBJECT California Department of Fish and
Wildlife Draft Environmental
Supplemental Document Regarding
Elk Hunting

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

The California Department of Fish and Wildlife has prepared a draft environmental supplemental document pursuant to the California Environmental Quality Act regarding Elk Hunting in California.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Letter to County Clerk
<input type="checkbox"/> Draft Environmental Supplemental Document
<input type="checkbox"/> CEQA Receipt

History

Time	Who	Approval
3/27/2019 4:19 AM	County Administrative Office	Yes
3/26/2019 9:25 AM	County Counsel	Yes
3/27/2019 2:53 PM	Finance	Yes



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Wildlife Branch
P.O. Box 944209
Sacramento, CA 94244-2090
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



March 21, 2019

ATTN: County Clerk-Recorder

The California Fish and Game Commission is the lead agency for a project to modify existing hunting regulations for elk. The Department of Fish and Wildlife has prepared a draft supplemental environmental document pursuant to the California Environmental Quality Act (CEQA).

CEQA §15087 (d) provides direction to lead agencies to provide draft environmental documents to the office of the county clerk where the project is located. Please find attached a copy of the Draft Supplemental Environmental Document Regarding Elk Hunting in California prepared by the California Department of Fish and Wildlife in compliance with CEQA. This document was filed through the state Clearinghouse (please also see the attached receipt from the Clearinghouse).

To provide the public with an opportunity to review and comment on the proposals contained in this document, please post it and make available for public review until **May 8, 2019**.

If you have any questions regarding this request, please contact Mr. Brad Burkholder, Game Program Manager at the letterhead address or by telephone at (916) 445-1829.

Sincerely,

A handwritten signature in blue ink that reads "Kari Lewis".

Kari Lewis
Wildlife Branch Chief

Enclosures

DRAFT SUPPLEMENTAL ENVIRONMENTAL DOCUMENT

Section 364, 364.1, 555, and 601
Title 14, California Code of Regulations

Regarding

ELK HUNTING

SCH 2018112037

February 14, 2019



STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
on behalf of the California Fish and Game Commission

TABLE OF CONTENTS

TABLE OF CONTENTS	I
LIST OF TABLES	III
LIST OF APPENDICES.....	IV
CHAPTER 1. SUMMARY	5
PROPOSED PROJECT AND ALTERNATIVES	5
SUMMARY OF IMPACTS AND MITIGATION	5
State role in establishing elk hunting regulations	6
TRIBAL COORDINATION	8
AREAS OF CONTROVERSY.....	8
RESOURCE AREAS ANALYZED IN THIS DOCUMENT	11
ISSUES TO BE RESOLVED	11
FUNCTIONAL EQUIVALENCY	11
CHAPTER 2. THE PROPOSED ACTION	13
BACKGROUND AND EXISTING CONDITIONS	14
THE MANAGEMENT OF ELK IN CALIFORNIA.....	14
Historical Perspective of Roosevelt Elk Management.....	14
Existing conditions regarding elk hunting.....	15
PLM Hunts (Section 601, Title 14, CCR).....	15
Cooperative Elk Hunting Area hunts (Section 555, Title 14, CCR)	16
POLICY CONSIDERATIONS	16
GLOBAL CLIMATE CHANGE	17
POTENTIAL FOR SIGNIFICANT EFFECTS	18
Methodology	19
Compensatory Response.....	20
IMPACTS OF HUNTING ON ELK POPULATIONS	21
Northwestern Roosevelt Elk Herds (Del Norte and Humboldt).....	22
Other Hunting Zones Statewide	23
IMPACTS ON THE GENE POOL	23
IMPACTS ON SOCIAL STRUCTURE	23
EFFECTS ON HABITAT	25
EFFECTS ON RECREATIONAL OPPORTUNITIES	26
Hunting Opportunities	26
Nonhunting Opportunities	27
EFFECTS ON OTHER WILDLIFE SPECIES	28
EFFECTS ON ECONOMICS	28
EFFECTS ON PUBLIC SAFETY	29
GROWTH-INDUCING IMPACTS.....	29
SHORT-TERM USES AND LONG-TERM PRODUCTIVITY	29
SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES	29
WELFARE OF THE INDIVIDUAL ANIMAL.....	30
CUMULATIVE IMPACTS.....	30
Effects of Private Lands Wildlife Habitat Enhancement and Management (PLM) Area Program.....	31
Effects of Drought	32
Effects of Wildfire	34
Effects of Disease	35

Effects of Habitat Loss and Degradation.....	36
Effects of Illegal Harvest	36
Effects of Depredation.....	37
Effects of Vehicle-Caused Mortality	38
Conclusion	38
CHAPTER 3 - ALTERNATIVES	39
ALTERNATIVE 1 - NO PROJECT	39
ALTERNATIVE 2 – INCREASED HARVEST	39
ALTERNATIVE 3 – REDUCED HARVEST.....	39
LITERATURE CITED	41

LIST OF TABLES

TABLE 1. IMPACT SUMMARY6

TABLE 2. 2018 NORTHWESTERN ELK ZONE TOTAL TAGS AND REPORTED
HARVEST.....18

LIST OF APPENDICES

Appendix 1. CEQA Environmental Checklist form.....	45
Appendix 2. 2019 Proposed Elk Tag General Hunt Tag Quota Ranges.....	57
Appendix 3. Computer Model Runs (Elk Pop) Harvest Scenarios.....	58
Appendix 4. Estimated Elk Distribution and Land Ownership, 2015.....	66
Appendix 5. Current Elk Hunting Regulations.....	67
Appendix 6. 2018 Elk Tags Issued and Harvested on PLM Ranches	87
Appendix 7. Section 555, Title 14, California Code of Regulations.....	88

CHAPTER 1. SUMMARY

PROPOSED PROJECT AND ALTERNATIVES

The proposed project involves modifications to the current elk hunting regulations for the 2019-2020 elk hunting season and subsequent seasons until the Fish and Game Commission (Commission) adopts new regulations modifying tag limits. Specifically, the Commission proposes to:

- Increase the tag quota range (by 20 tags) in the Northwestern Elk Zone.
- Increase the individual quotas in the other zones, but within previously analyzed quota ranges
- Modify season dates for Fort Hunter Liggett consistent with section 3453 of the Fish and Game Code (FGC). No changes in tag quotas are proposed.

The analysis in the 2018 Draft Supplemental Environmental Document (DSED) focuses on the potential for any new significant or substantially more severe environmental impacts from the increase in tag quota range in the Northwestern Elk Zone. Impacts from any tag modifications within other zones in the state are analyzed within the 2010 Environmental Document (incorporated by reference, April, 2010 Final Environmental Document, SCH#200912083, available at 1812 9th Street, Sacramento, CA 95811). The Commission finds the analysis in the 2010 Environmental Document still contains informational value and is appropriate to use as a basis for the proposed quota changes in zones other than the Northwestern Elk Zone.

The Department of Fish and Wildlife (Department) also provides, and the Commission is considering, three alternatives to the proposed project that could feasibly attain the basic objectives of the project. Alternative 1 (no change) would maintain the existing analyzed harvest for the hunt zone without change. Alternative 2 (increased harvest) involves an increase of 60 tags (three times that of the proposed project). Alternative 3 (reduced harvest) involves a harvest increase of 10 tags (half that of the proposed project). Current and proposed harvest strategies generally allow for population growth through time. However, under the Increased Harvest alternative, population growth might be curtailed and/or decline slightly over time.

SUMMARY OF IMPACTS AND MITIGATION

Table 1 summarizes the Commission findings of no significant long-term adverse impacts associated with the proposed project or any of the project alternatives considered for the 2019-20 elk hunting regulations.

Table 1. Impact Summary

Alternative	Description	Significant Impact	Mitigation
Proposed Project	Increase the tag quota range for the Northwestern Elk Zone by 20 tags	No	N/A
Alternative 1. No Project	No change from the 2018-19 hunting regulations	No	N/A
Alternative 2. Increase Tag Quota (3 x proposed project)	Increase the tag quota range for the Northwestern Elk Zone by up to 60 tags	No	N/A
Alternative 3. Reduced Proposal (half of Proposed Project)	Increase the tag quota range for the Northwestern Elk Zone by 10 tags	No	N/A

Based on success rates from previous years, the Department expects that the actual harvest will range from 80-95 percent of the elk tags allocated for 2019 (CDFW, 2018).

State role in establishing elk hunting regulations

The DSED is intended to support the actions of the Commission as it considers regulations pertinent to conservation and providing public recreational opportunities. The Commission has prepared this document to analyze the potential of any new significant or substantially more severe environmental impacts than were previously disclosed in an Environmental Document prepared in 2010. These actions are consistent with the wildlife conservation policy adopted by the Legislature as set forth in Section 1801, FGC. The State's wildlife conservation policy, among other things, specifies an objective of providing hunting opportunities consistent with maintaining healthy wildlife populations.

Elk hunting regulations adopted by the Commission are set forth in Sections 364, 364.1, and 555, Title 14, California Code of Regulations (CCR), and enforced by the Department. These regulations are authorized under the following statutes:

Section 203, FGC, authorizes the Commission to regulate game mammals in the state.

Section 203.1, FGC, requires the Commission to consider populations, habitat, food supplies, the welfare of individual animals, and other pertinent facts when adopting hunting regulations for elk.

Section 332, FGC, provides that the Commission may determine and fix the area or areas, the seasons and hours, the bag and possession limit, and the number of elk that may be taken under rules and regulations that the commission may adopt from time to time.

Sections 3950 -3952, FGC, designate elk (genus *Cervus*) as a game mammal in California; authorizes the Commission to regulate take (harvest) of elk; and requires the Department to prepare an elk management plan.

FGC Section 3952 was adopted in 2003 and requires the Department to develop a statewide approach for management of elk. FGC Section 1801 is the Department's Conservation of Wildlife Resources Policy, to encourage preservation, conservation and maintenance of wildlife resources under the jurisdiction and influence of the state. This section also provides objectives for the policy that include:

- Providing for the beneficial use and enjoyment of wildlife
- Perpetuating all species for their intrinsic value
- Providing aesthetic, educational and non-appropriative uses
- To maintain diversified recreational uses
- To provide economic contributions
- To alleviate economic losses

FGC Section 1802 gives the Department jurisdiction over the conservation, protection and management of fish, wildlife and native plants, and the habitat necessary for biologically sustainable populations of those species. FGC Section 3952 directs the Department to develop a statewide elk management plan, consistent with the Conservation of Wildlife Resources Policy, and maintain sufficient elk populations in perpetuity, while considering the following:

- Characteristics and geographic range of each elk subspecies within the state, including Roosevelt elk, Rocky Mountain elk, and tule elk
- Habitat conditions and trends within the state
- Major factors affecting elk within the state, including, but not limited to, conflicts with other land uses
- Management activities necessary to achieve the goals of the plan and to alleviate property damage
- Identification of high priority areas for elk management
- Methods for determining population viability and the minimum population level needed to sustain local herds
- Description of the necessary contents for individual herd management plans prepared for high priority areas

An Elk Conservation and Management Plan (CDFW 2018) describes historical and current geographic range, habitat conditions and trends, and major factors affecting

Roosevelt, Rocky Mountain and tule elk in California. It identifies, delimits and describes high priority areas and actions for elk management, referred to as Elk Management Units (EMUs) and establishes broad conservation and management objectives. The plan provides guidance and direction to help set priorities statewide, and establishes general policies, goals and objectives, on a statewide scale. Individual EMU documents address issues specific to the units, establish population objectives and future management direction.

The 2018 Elk Hunting DSED sets forth the findings of the Commission, based on recommendations from the Department, and the Commission's proposal for regulatory changes.

TRIBAL COORDINATION

The Department is committed to developing and maintaining an effective, positive and cooperative relationship with California federally recognized Tribes (Tribes) regarding elk management. In order to achieve the goals regarding California's elk populations, innovative management actions and collaboration will be required, and guidance from a statewide elk management plan (management plan) is necessary to help mediate competing and conflicting interests and assure the conservation, protection, restoration, enhancement and reestablishment of California's elk populations and habitat. This is critical to providing cultural, scientific, educational, recreational, aesthetic and economic benefits for present and future generations of Californians.

A letter to Tribal Representatives on November 7, 2018 provided notification of the Department's proposal to amend hunting regulations for elk pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21080.3.1. The letter described opportunities to provide input to the proposed regulations through consultation pursuant to Public Resources Code sections 21080.3.1 and 21030.3.2, or during the public comment period for release of this Draft Supplemental Environmental Document.

AREAS OF CONTROVERSY

A Notice of Preparation (NOP) for the proposed project was prepared and circulated on November 13, 2018. The Department presented information on potential changes to elk hunting regulations at the September 20, 2018 Wildlife Resources Committee (WRC) meeting held in Sacramento. One scoping meeting, held from 12:00 P.M. to 1:00 P.M. on Friday November 30, 2018 was also conducted at the Department's Wildlife Branch located at 1812 9th Street, Sacramento CA 95811.

The WRC meeting provided information to the Committee, public and Commission staff about potential changes being considered and evaluated. The scoping meeting solicited input from the public and interested public agencies regarding the nature and scope of the environmental impacts to be addressed in the DSED. At the beginning of

each meeting, staff presented an overview of the existing program, the objectives of the proposed project, the legal background leading to this DSED, and the CEQA process generally. During the scoping meeting, participants also were encouraged to submit written comments, or to submit additional comments by mail or email before close of the comment period on December 14, 2018. Three members of the public attended the meeting. No areas of controversy regarding the proposed project were identified at the meeting.

Attendees:

Name	Affiliation	Email
Victoria Barr	CDFW	Victoria.barr@wildlife.ca.gov
Brad Burkholder	CDFW	Brad.burkholder@wildlife.ca.gov
Nick Villa	CRPA	nvilla@CRPA.ORG
Joe Hobbs	CDFW	Joe.hobbs@wildlife.ca.gov
Rose Sanchez	CSUS	rosesanchez@csus.edu
Ari Cornman	FGC	ari.cornman@fgc.ca.gov
Jessica Whalen	None	jnw179@humboldt.edu
Jon Fischer	CDFW	Jon.fischer@wildlife.ca.gov
Regina Vu	CDFW	Regina.vu@wildlife.ca.gov
Julie Garcia	CDFW	Julie.garcia@wildlife.ca.gov
Andrew Trausch	CDFW	Andrew.trausch@wildlife.ca.gov

Oral Comments

Nick Villa requested more junior only elk hunts. No other comments were received during the scoping meeting.

Written Comments Received During 30-Day Comment Period

In total, three emails and three letters were received from six distinct individuals during the scoping process. Individual letters or emails often contained more than one scoping-related comment; these have been separated out and grouped accordingly.

- 1) Two emails requested completion of the statewide elk management plan before changes to the current elk hunting program were implemented.
- 2) One email requested: to please provide to the requestor as well as the public scientific research that supports the Department’s proposal to kill more elk is biologically sound.
- 3) One email stated: a majority of elk tags should be awarded through random draw instead of using preference points; lack of hunter recruitment and retention is one of many factors that will negatively impact conservation efforts in the future; a lack of opportunity is the leading cause of lack of hunter retention; and I am not sure what it would take to markedly improve the number of elk in California, but

whatever habitat work or predator control that can be done to increase elk numbers should be taken into consideration and made a top priority.

- 4) One letter outlined the CEQA requirements the Department needs to comply with.
- 5) One email stated: Tribal hunting should be the first and highest priority for existing hunting tags; Separate the Northwestern Elk Zone into two elk zones, Del Norte County and Humboldt County; and Roosevelt elk in the Northwest, CA Hunt Zone are genetically pure or unique They also requested:
 - a) Present in detail, all elk population data collected to date and used as a basis for any proposed increase in hunting tags.
 - b) Present all data showing how many elk are actually killed each year in each program including PLM and SHARE, Tribal hunts, and including poached elk (e.g. recent 2018 poaching in Redwood National & State Parks; 2018 apprehended poachers in Gilbert Creek area) and road kill. Please show respective locations on a map, or at least break out by County and general areas within counties.
 - c) We request improved transparency throughout the process. Proposed numbers of tags and categories for all hunts: General, SHARE, PLM, Apprentice, Tribal, etc. should easily accessible such that a given agency, region or county can grasp and analyze the impacts to their region, county or neighborhood. These proposed quotas should be locally published well before the Commissioners' meeting dates so communities have a greater opportunity to voice their support or concerns.
 - d) Indicate which elk population data are based on actual field counts, surveys and other methods involving actual sighting or handling of the elk by authorized personnel -- and which population data are projected from field data by mathematical formulas and other methods in use by the Humboldt State University (HSU) /CDFW team (and/or other experts consulted by this team).
 - e) Explain clearly which of these methods for projecting elk population numbers are being used; where else and by whom these methods are in use, and to what extent these projection methods have been published and peer-reviewed.
 - f) Note if any portion of the population counts/data is based directly on reports/counts from the public (or local businesses or ranches etc.).
 - g) Chart the progression or changes in estimated elk population numbers and/or databased population numbers over the last 10 years, and over the last 150 years.
 - h) Explain how proposed hunting tag increases will fulfill the existing or draft Elk Management Plan population goals for this region.
 - i) Discuss how elk are significantly impacted by recent fires in surrounding areas of Southern Oregon and Northern California, and how this combined with any proposed increased hunting pressure impacts the elk in the Northwestern CA Hunt Zone.

- j) We should compensate by allowing elk to increase their numbers and find refuge in nearby areas such as ours, to compensate for losses in elk or elk habitat.
- k) Explain all reason(s) including biological justification for the proposed increase in elk tags when the HSU/CDFW data gathering and studies are not complete, have not been published, released, or peer-reviewed.
- l) CDFW is proposing for the 2018 Elk Tag Allocation adjustments within the quota ranges allowed under the old outdated elk management plan, a plan not supported by scientific evidence.
- m) Show how the proposed increase in tags is spread over the categories of General Hunt; PLM; SHARE, and the allocation for Tribal Hunts/Tags. Please show respective locations on a map, or at least break out by County and general areas within counties.

Note: No comments were received that pertained directly to Aesthetics, Agriculture and Forestry Resources, Air Quality, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Transportation/Traffic, Tribal Resources, or Utilities/Service Systems.

RESOURCE AREAS ANALYZED IN THIS DOCUMENT

This DSED analyzes the potential for significant impacts to Biological Resources and Recreation, as well as Cumulative Impacts. After using an initial study (Appendix 1), in combination with the comments received during the scoping period, to evaluate the potential environmental impacts of the project, the other resource areas were eliminated based on the Commission's determination that there was no potential for significant impact in those areas.

ISSUES TO BE RESOLVED

As provided by existing law, the Commission is the decision-making body (lead agency) considering the proposed project, while the Department has responsibility for management activities, such as hunting, translocating elk to suitable historic range, and preparing management plans. The primary issue for the Commission to resolve is whether to change elk hunting regulations as an element of elk management. If such changes are authorized, the Commission will specify the areas, seasons, methods of take, bag and possession limit, number of elk to be taken, and other appropriate special conditions.

FUNCTIONAL EQUIVALENCY

The California Environmental Quality Act (CEQA) requires all public agencies in the State to evaluate the environmental impacts of projects they approve, including

regulations, which may have a potential to significantly affect the environment. The Department, on behalf of the Commission has prepared this DSED, which is the functional equivalent of a Supplemental Draft Environmental Impact Report (as discussed in Public Resources Code section 21166). The DSED provides the Commission, other agencies, and the general public with an objective assessment of the potential new significant or substantially more severe environmental impacts than were previously disclosed in the 2010 Environmental Document effects.

Generally, the Commission's CEQA review of proposed project adopting a regulatory change is conducted in accordance with the Commission's certified regulatory program (CRP) approved by the Secretary for the California Resources Agency pursuant to Public Resources Code section 21080.5 (See generally CCR Title 14, sections 781.5, and 15251(b)). The 2010 Environmental Document fell under the Commission's CRP. Because Public Resources Code section 21166 does not fall within the limited exception for CRPs provided by section 21080.5, the Commission has prepared this DSED and conducted related environmental review of the proposed program in accordance with CEQA generally, also following the rulemaking process for regulations as set forth in the Commission's CRP and the Administrative Procedure Act (Government Code Section 11340 et seq.).

In addition, pursuant to Section 15087 of the CEQA Guidelines, this DSED is available for public review for 45 days. During the review period, the public is encouraged to provide written comments regarding the environmental document to the Department of Fish and Wildlife, Wildlife Branch, 1812 9th Street, Sacramento, California 95811. Comments must be received by the Department by 5:00 p.m. on April 5, 2019.

Written and oral comments received in response to the DSED will be addressed in a Response to Comments document, which, together with the DSED, will constitute the Final Supplemental Environmental Document. In addition, the Commission will consider the comments received pursuant to the Administrative Procedure Act addressing the proposed regulations. The rulemaking process under the Administrative Procedure Act to promulgate regulations is running concurrently with this environmental review pursuant to CEQA. Once completed, the Final Supplemental Environmental Document will inform the Commission's exercise of discretion as lead agency under CEQA in deciding whether or how to approve the proposed project as described in this document and the proposed regulations.

CHAPTER 2. THE PROPOSED ACTION

The proposed project being considered consists of the following modification to existing elk hunting regulations.

1. Increase the Tag Range in the Northwestern Elk Zone

In order to maintain hunting quality in accordance with management goals and objectives, it is periodically necessary to adjust quotas in response to dynamic environmental and biological conditions. This proposed project adjusts the elk tag range (Appendix 2) to account for fluctuations in population numbers, increased property damage, and hunting pressure.

The increase in tags will allow the Department to distribute hunting pressure to address landowner concerns over elk damage and increase opportunity while providing a biologically appropriate harvest within the Northwestern elk zone. Bull (0-28), antlerless (0-34), and either-sex (0-3) tags would be available to the public during the Northwestern elk hunt and through the SHARE Program.

Elk Pop (Smith and Updike 1987) is a microcomputer-based model developed by the Department for the purpose of analyzing harvest alternatives. Elk Pop was used to assess effects of the proposed project (and project alternatives) on the specific Roosevelt elk herd where increased tags are proposed. The model allows the user to vary carrying capacity to reflect real-world changes in habitat. Population age and sex ratios (observed and estimated) are primary inputs to the model. Elk Pop allows analysis of multiple harvest alternatives simultaneously and is easily adapted to most herd situations.

Elk Pop utilizes data on age and sex composition of the herd, maximum calf survival, estimated population numbers, nonhunting mortality, and hunting mortality. Age and sex composition and maximum calf survival figures used in the model are based on observed and estimated rates. Population level and nonhunting mortality rates were estimated. Estimates of nonhunting mortality rates were considered valid representations of actual nonhunting mortality rates when the model predicted the observed herd composition ratios for 10 consecutive years. Effects of various harvest scenarios were then predicted on the basis of composition ratios and estimated nonhunting mortality rates. The computer model runs for various harvest scenarios (proposed project and the alternatives) for the Northwestern elk zone can be found in Appendix 3.

2. Changes in tag quotas for other hunting zones in the state

Proposed changes to tag quotas in other hunting zones in the state fall within the tag quota ranges that were analyzed within the 2010 Environmental Document. The analysis in this DSED focuses on any new significant or substantially more severe

environmental effects from increasing the tag quota ranges in the Northwestern Elk Zone. There are no anticipated significant or substantially more severe environmental effects for the other hunting zones than were previously evaluated in the 2010 document.

BACKGROUND AND EXISTING CONDITIONS

THE MANAGEMENT OF ELK IN CALIFORNIA

There are three subspecies of elk in California: Roosevelt, Rocky Mountain, and tule elk. Roosevelt elk occupied the Cascade and Coast mountain ranges as far south as San Francisco (Harper et al. 1967), and eastward at least to Mount Shasta (Murie 1951). Tule elk were distributed throughout the Central, Sacramento and San Joaquin valleys and the grasslands and woodlands of central California's Coast Range (McCullough 1969). Although there appears to be disagreement regarding their subspecific status, both Murie (1951) and McCullough (1969) included portions of Shasta, Siskiyou and Modoc counties in northeastern California within the historical range of Rocky Mountain elk. Further clarification of the historical and current subspecific status of elk in northeastern California is unlikely because of the translocation of Rocky Mountain elk to the Pit River area in the early 1900s. However, predictions of genetic flow across the landscape supported by the journal entries of early American explorers suggest that elk have been endemic to northeastern California for thousands of years. Locations where historical specimens of Rocky Mountain elk have been recovered have helped scientists map the probable routes taken by these highly mobile ungulates as they populated North America (McCullough 1969).

Because of their large body size and the availability of smaller prey, it is unlikely that Native Americans had a significant impact on elk populations in California. Early explorers also had little direct impact on elk populations. Apparently they preferred domestic livestock to elk (McCullough 1969). However, these early explorers were responsible for the introduction of exotic annual grasses and domestic livestock, both of which had long-term, deleterious impacts on California's elk populations. Livestock competed directly with elk for forage and contributed to the conversion of the native perennial grasslands to annual grasslands, which resulted in the loss of important forage plants used by elk during the summer and fall months.

Historical Perspective of Roosevelt Elk Management

Although once widely distributed throughout northern California, by the late 1800s, Roosevelt elk were extirpated throughout much of their historic California range. Barnes (1925a, 1925b) reported that by 1925, Roosevelt elk range in California was reduced to one small area in Humboldt and Del Norte counties. Mining, logging, agriculture, and market shooting were factors that contributed to the decimation of Roosevelt elk in much of California. Because of their large body size and herding

behavior, elk were vulnerable to market shooting. Harper et al. (1967) discussed the historical distribution of Roosevelt elk in California and reported that by 1967 the population was increasing in size and in no danger of extinction.

Based on the current distribution of Roosevelt elk in California (Appendix 4), population growth and range expansion has continued since 1967. Through U.S. Forest Service and Bureau of Land Management district planning, habitat management efforts have resulted in significant Roosevelt elk population increases during the 20th century. Roosevelt elk herds in California are now healthy and viable. Populations of Roosevelt elk currently exist in the coastal areas of Mendocino, Humboldt, and Del Norte counties, in addition to the Cascade and Klamath mountain ranges in Siskiyou and Trinity counties. Some of these populations were established when the Department (in cooperation with other State and Federal agencies) relocated elk to suitable historic range. Other populations were established when elk moved into California from Oregon. Additionally, new populations have become established through the dispersal of elk from existing populations to adjacent suitable areas. The Department currently estimates the statewide Roosevelt elk population at approximately 5,700 individuals. This estimate is based on field observations, and professional judgment and experience obtained in studying elk throughout California. The Department has determined this estimate of total population size is reasonable.

Roosevelt elk use forested habitat types, where they are often impossible to see from a helicopter because of the dense forest canopy. For this reason, helicopter-assisted capturing of Roosevelt elk is generally not effective in California. Nevertheless, successful Roosevelt elk translocations have occurred when large groups have been captured in Redwood National Park or on winter range in Oregon. Since 1985, the Department has translocated more than 280 Roosevelt elk to reestablish populations in portions of southern Humboldt, Mendocino, Siskiyou, and Trinity counties.

Existing conditions regarding elk hunting

Regulated public hunting for Roosevelt elk has occurred annually in California since 1986, whereas annual hunting for Rocky Mountain elk began in 1987. Public tule elk hunting has been authorized by the Commission annually since 1989. Additional public hunts for Roosevelt, Rocky Mountain and tule elk have been established subsequent to 1986, and annual elk hunting began within portions of the Northwestern Unit in 1993. Appendix 5 lists the verbatim for the current elk hunting regulations in California.

PLM Hunts (Section 601, Title 14, CCR)

The PLM Program was authorized by the Legislature to protect and improve wildlife habitat by encouraging private landowners to manage their property to benefit fish and wildlife. Economic incentives are provided to landowners through biologically sound yet flexible seasons for game species, resulting in high-quality hunting opportunities which may be marketed by the landowner in the form of fee hunting and other forms of

recreation. Section 601, Title 14, CCR, contains regulations adopted by the Commission pertaining to the program, and sections 3400-3409, FGC, contain the subject statutes.

Landowners have the right to charge access fees for hunting, fishing, and other recreation on their property. The Department carefully reviews each plan to ensure that required habitat improvement efforts benefit many species of wildlife and that harvest strategies comply with accepted goals and objectives for management of the game species involved. The PLM Program further allows the Commission to authorize hunting and fishing seasons and bag limits specific to licensed PLM areas pursuant to approved management plans.

The PLM Program currently is an element of the Department's elk management program. During 2018, nine landowners offered opportunities to hunt Roosevelt elk through the PLM Program in Del Norte and Humboldt counties. The proposed project does not involve increasing elk tags in the PLM Program (Appendix 6).

Cooperative Elk Hunting Area hunts (Section 555, Title 14, CCR)

To encourage protection and enhancement of elk habitat and provide eligible landowners an opportunity for limited elk hunting on their lands, the department may establish cooperative elk hunting areas and issue license tags to allow the take of elk (Appendix 7 - Section 555, Title 14, CCR). In 2018, three Cooperative Elk Hunting Area elk tags were issued in the Northwestern elk zone.

POLICY CONSIDERATIONS

The Legislature formulates laws and policies regulating the management of fish and wildlife in California. The general wildlife conservation policy of the State is to encourage the conservation and maintenance of wildlife resources under the jurisdiction and influence of the State (Section 1801, FGC). The policy includes several objectives, as follows:

1. To provide for the beneficial use and enjoyment of wildlife by all citizens of the State;
2. To perpetuate all species of wildlife for their intrinsic and ecological values, as well as for their direct benefits to man;
3. To provide for aesthetic, educational, and non-appropriative uses of the various wildlife species;
4. To maintain diversified recreational uses of wildlife, including hunting, as proper uses of certain designated species of wildlife, subject to regulations consistent with the maintenance of healthy, viable wildlife resources, the public safety, and a quality outdoor experience;
5. To provide for economic contributions to the citizens of the State through the recognition that wildlife is a renewable resource of the land by which

economic return can accrue to the citizens of the State, individually and collectively, through regulated management. Such management shall be consistent with the maintenance of healthy and thriving wildlife resources and the public ownership status of the wildlife resource;

6. To alleviate economic losses or public health and safety problems caused by wildlife; and
7. To maintain sufficient populations of all species of wildlife and the habitat necessary to achieve the above-stated objectives.

GLOBAL CLIMATE CHANGE

Climate changes caused by increasing atmospheric concentrations of greenhouse gases are expected to result in marked changes in climate throughout the world (deVos, and McKinney, 2007). Although many wildlife habitats in North America have become progressively warmer and drier in the last 12,000 years, the greatest rate of change has occurred during the last 150 years (Fredrickson et al. 1998). Predicted changes due to continued warming include increased frequency and severity of wildfires, increased frequency of extreme weather events, regional variation in precipitation, northward and upward shifts in vegetative communities, and replacements of biotic communities. These changes are expected to affect abundance, distribution, and structure of animal and vegetative communities.

Local and specific regional changes in climate and associated changes in vegetative communities will be the determining factors regarding the distribution and abundance of elk in California. Although research specific to elk responses to climate change is limited, what information does exist indicates that both adverse and beneficial effects - depending on a variety of local/regional factors such as latitude, elevation, topography, and aspect – can be expected to result. For example, in the Rocky Mountain National Park where snow accumulation currently limits elk winter range, computer simulations suggest a reduction in future snow accumulations of up to 25-40%. An expansion of winter range would serve to increase over-winter survival and recruitment of juveniles into the adult population, leading to an increase of the overall elk population in that area (Hobbs et al. 2006). Conversely, research in Banff National Park, Canada indicates climate change will result in colder winter temperatures, increased snowfall, and a higher frequency of winter storms (Hebblewhite 2005). These factors would result in a decrease in over-winter survival and recruitment, leading to an overall reduction of the elk population for that area.

Hunting seasons and tag quotas are proposed to the Commission who has the authority for adopting regulations on an annual basis. These seasons and quotas are based on annual population and harvest data, annual population model results, and area-specific population/harvest objectives. Although the impact of climate change on California's elk population is difficult to predict and warrants continued study, the Department and the Commission have the ability to quickly respond to population fluctuations (positive or negative) by increasing or decreasing hunter opportunity in accordance with current and

future management objectives for this species. However, reducing one mortality factor (sport hunting) will not alone mitigate for impacts associated with global climate change; the ability to manage and provide adequate amounts of required habitats is the ultimate deciding factor in wildlife populations.

POTENTIAL FOR SIGNIFICANT EFFECTS

The Commission has determined the proposed project will not have any long-term significant impact on the environment. The analysis included here and discussed below addresses the potential for significant effects on the gene pool, impacts on social structure, effects on habitat, effects on recreational opportunities, effects on other wildlife species, effects on public safety, growth inducing impacts, short-term uses and long term productivity, significant irreversible environmental changes, welfare to the individual animal, and cumulative impacts. Although not a resource category where CEQA requires analysis, for informational value the Commission has also analyzed the potential for effects on economics from the proposed project. Each of these areas are discussed in more detail below.

The proposed project allows an increase in already limited public hunting of Roosevelt elk in portions of Del Norte and Humboldt counties. In 2018, 88 elk tags were issued in Del Norte and Humboldt through the General Draw, PLM, SHARE and the Cooperative Elk Hunting Program. Table 2 shows the 2018 harvest including PLM, SHARE, and Cooperative Elk Hunting. The proposed project will result in increasing the total tags to allow removal of up to 108 Roosevelt elk.

Table 2. 2018 Northwestern Elk Zone Total Tags and Reported Harvest (Includes General, SHARE, Cooperative, and PLM)

2018 Elk Tags Issued					
	Issued			Harvested	
	Bull	Antlerless	Either-sex	Bull	Antlerless
General	15	0	3	18	0
PLM	21	19	0	19	16
SHARE	5	22	0	5	19
Cooperative	3	0	0	3	0
Totals	44	41	3	45	35

Elk hunting will result in the death of individual animals. The removal of individual animals from selected herds, which are relatively large and healthy, will not significantly reduce herd size on a long-term basis. Production and survival of young animals within each herd will replace the animals removed by hunting (Fowler 1985, Racine et al. 1988). Analysis of current levels of take is contained in the 2010 Environmental Document, and found to have no significant impact for all levels of take within the analyzed quota range. Since the changes proposed in this project will only increase

public elk hunting in one of the State's elk hunt zones, removal of individuals will have little influence on the statewide elk population. Therefore, the proposed action of increasing the tag quotas by 20 removing no more than approximately 68 elk by public hunting (general, SHARE, and Cooperative hunts) and 40 elk through the PLM Program will not have a significant adverse impact on either local or statewide elk populations. The Department does not anticipate issuing up to the maximum number of tags in most hunt zones but the Commission has assumed the maximum level of take in its analysis of the potential impact under the proposed project.

As discussed in more detail below, the Commission has concluded the proposed project will not have a significant adverse effect on the environment. No mitigation measures for the proposed project or alternatives are necessary.

Methodology

A computer model which simulates herd performance (Smith and Updike 1987) was used to assess effects of the proposed action and alternatives (Appendix 3) on the elk hunt zones where a tag change is proposed.

A variety of natural and human-induced factors combine to affect the status of a wildlife population. Natural factors affecting elk populations include, but are not limited to, such things as predation, starvation, disease, and parasitism. Environmental factors (e.g., precipitation) can affect food quantity and quality, thereby affecting elk populations. Theoretically, competition among members of the same species and between different species (e.g., deer, elk) also can affect elk populations. Catastrophic events (e.g., wildfires) can affect localized populations on a short-term basis. Human-induced factors, such as urbanization and agricultural development, also affect elk populations. Hunting can affect a population in various ways, depending on the intensity and level of harvest.

Modern wildlife management uses models to analyze, understand, and predict the outcomes and complex interactions of the natural environment. Like many other technical fields that affect society, such as chemical engineering, aerospace technology, and climatology, the science of wildlife management has found that the use of models is invaluable for predicting the effects of human-induced and natural events on wildlife and their habitat.

Population models can range from simple word models (the statement "elk are born, grow up, reproduce and die" is a grossly simple word model of a population process) to highly complex and sophisticated mathematical abstractions. Some models are empirical (that is, based on observed data), and others are theoretical. Many models are useful in helping to frame conceptualizations of population processes, resulting in testable predictions about the subject at hand. Nevertheless, the goal of a model is to aid in analyzing known facts and relationships that would be too cumbersome or time consuming to analyze manually. Some of these models describe specific systems in a

very detailed way, and others deal with general questions in a relatively abstract fashion. All share the common purpose of helping to construct a broad framework within which to assemble an otherwise complex mass of field and laboratory observations. Though we often think of models in terms of equations and computers, they can be defined more generally as any physical or abstract concepts of the structure and function of "real systems" or natural occurrences.

Key in the development and use of any model is its reliability. The models used in this document have been developed based on field observation, published literature, and/or expert opinion. They have been tested against known results and are consistent.

Compensatory Response

The Stock-Recruitment model (Ricker 1954, McCullough 1984) is useful for conceptualizing compensatory mechanisms and density-dependent responses that are believed to occur in wildlife populations. This model shows population responses to changes in density in terms of net recruitment (i.e., the survival of calves). It has the advantage of not requiring assumptions about internal birth and death rates, and it can be empirical.

The fundamental assumption of the Stock-Recruitment model is that calf survival is a function of population density and decreases as density increases (the converse is also true). There is a large body of evidence indicating that this is the case among populations of elk (McCullough 1979, Clutton-Brock et al. 1982). Thus, density can be measured in either absolute or relative terms, and with net recruitment one can begin to build a model that will allow predictions of the population's response to changes in density.

At a low population size, even with a high recruitment rate, few new individuals enter the population, but their survival is higher. As population size increases, so does the number of recruits, up to a certain level. The rate of recruitment decreases as a result of reduced survival of young. The degree of elk harvest necessary to achieve maximum sustained yield (MSY) can be expected to result in low population densities. Objectives to maximize residual population size and MSY are necessarily mutually exclusive. This has important implications for harvest management, as harvesting to achieve MSY suppresses the total population below its maximum potential. Spring population size (after calves are born) is thus below the carrying capacity of the range (McCullough 1984).

At high densities, the pre-mortality population will temporarily exceed carrying capacity (if an area is at carrying capacity – few of California's elk populations are believed to be at carrying capacity), resulting in possible habitat damage. When population sizes are at or near the range carrying capacity, yield will be low (proportionately), because recruitment of calves is low relative to herds at lower density. In such cases, increases

in harvest result in increased net recruitment, and the population will stabilize at a new population size if the new harvest level remains fixed (McCullough 1984).

Elk Pop (Smith and Updike 1987) is a microcomputer-based model which was developed by the Department for the purpose of analyzing harvest alternatives. Elk Pop was used to assess effects of the proposed project (and project alternatives) on the specific Roosevelt elk herds where hunting is proposed. The model allows the user to vary carrying capacity to reflect real-world changes in habitat capability. Observed population age and sex ratios are primary input to the model. Elk Pop allows analysis of multiple harvest alternatives simultaneously and is easily adapted to most herd situations.

Elk Pop utilizes data on age and sex composition of the herd, maximum calf survival, estimated population numbers, nonhunting mortality, and hunting mortality. Age and sex composition and maximum calf survival figures used in the model are based on actual observed rates. Population level and nonhunting mortality rates were estimated. Estimates of nonhunting mortality rates were considered valid representations of actual nonhunting mortality rates when the model predicted the observed herd composition ratios for 10 consecutive years. Effects of various harvest scenarios were then predicted on the basis of observed composition ratios and estimated nonhunting mortality rates. The computer model runs for various harvest scenarios (proposed project and the alternatives) for each elk herd where hunting is proposed can be found in Appendix 3.

IMPACTS OF HUNTING ON ELK POPULATIONS

Elk hunting will result in the death of individual animals. The removal of individual animals from selected herds which are relatively large and healthy will not significantly reduce herd size on a long-term basis. Production and survival of young animals within each herd will replace the animals removed by hunting (Fowler 1985, Racine et al. 1988). Analysis of current levels of take, as well as the proposed levels of take for hunt zones statewide is contained in the 2010 Environmental Document, and found to have no significant impact for all levels of take within the analyzed quota range. Since the changes proposed in this project will only increase public elk hunting in one of the State's elk hunt zones, removal of individuals will have little influence on the statewide elk population. Therefore, the proposed action of increasing the tag quotas by 20 (removing no more than approximately 68 elk by public hunting (general, SHARE, and Cooperative hunts) and removing no more than 40 elk through the PLM Program will not have a significant adverse impact on either local or statewide elk populations.

Numbers of elk harvested by hunters in the PLM, public and Cooperative Elk Hunting programs in Del Norte and Humboldt counties during 2018 are reported in Table 2.

Northwestern Roosevelt Elk Herds (Del Norte and Humboldt)

The proposed project for the Northwestern zone could result in an increase in 20 elk being harvested (for a maximum of 108) including, General, PLM, SHARE, and Cooperative elk tags. Computer simulation runs of this harvest scenario predict population numbers would increase (Appendix 3), based on the current conservative population estimate of 1,600 elk. The bull-to-cow ratio would remain stable, while the calf-to-cow ratio would increase.

The Commission, based on information provided by the Department, does not anticipate this proposed harvest scenario will result in adverse impacts to the Northwestern Roosevelt elk herd. Since 2016, the Department has been working towards implementation of systematic elk surveys in this zone. While development and implementation of those surveys to improve population assessments are ongoing, initial counts suggest a healthy and growing population. Direct counts within a portion of the zone from 2016 to 2017 resulted in a minimum count of 990 elk in 22 distinct groups (CDFW 2018). Over the past two years, efforts looking at movements of GPS collared elk, composition counts, and calf survival suggest a ten percent increase in the total number of elk in portions of the Northwestern elk hunt zone. In addition, the calf:cow ratio has been stable at 32 and 34 calves to 100 cows, and the bull:cow ratio has increased from 21 to 31 bulls to 100 cows. Within this portion of the zone, consisting of primarily private lands where conflicts and property damage continue to increase, the Department collared 58 calves from 2017 to 2018 to investigate calf survival. Initial analysis suggests juvenile survival was high, and when combined with the increase in observed count data, and the high calf:cow ratio, it indicates a growing population.

Allocation of tags through the SHARE program to focus recreational harvest in certain areas can help alleviate landowner conflicts, and the harvest in recent years has occurred primarily in these areas of the hunt zone. Increasing population trends suggest the population can sustain the proposed level of hunting and continue to grow. Through landowner cooperation, the SHARE program results in harvest totaling up to nearly half the total general tags available. As currently designed, the SHARE program allows focused elk harvest restricted to specific ranches or farms rather than across the entire hunt zone.

To simulate effects of the proposed quota increase for Northwestern California, the Department, using the minimum count of 990 from only a portion of the entire zone, conservatively assumes the current population size is 1,600 elk and carrying capacity is estimated at 1,760 elk across the entire zone. Elk populations are growing and expanding within the unit and both current population size and biological carrying capacity are likely much larger than these respective estimates.

Other Hunting Zones Statewide

The levels of take for all other hunting zones statewide are analyzed in the 2010 Environmental Document. The Commission finds there are no new significant or substantially more severe environmental effects than were previously evaluated in that document, and were determined to be insignificant.

IMPACTS ON THE GENE POOL

The Department estimates there are a minimum of 5,700 Roosevelt elk distributed throughout several areas of northern California. The proposed project would allow an increased statewide take of 20 Roosevelt elk (for total statewide take of approximately 318 Roosevelt elk). Assuming a condition where all tagholders are successful, this would result in a short-term reduction of approximately six percent of the statewide Roosevelt elk population. This does not constitute a significant impact to the statewide gene pool and is well within the population's ability to maintain or increase size over the long term.

It is expected that not more than 255 elk (Rocky Mountain, Roosevelt, and Tule elk combined) will be taken by hunters under the PLM Program during 2019. This constitutes just over two percent of the statewide elk population and is well within the population's ability to maintain or increase size over the long term. Any population reduction from the PLM Program would be short term and would not constitute a significant impact to the gene pool.

The ability of elk populations to experience a given level of hunting mortality without a reduction in health or viability is described by Savidge and Ziesenis (1980) as sustained-yield management. Sustained-yield management is closely related to the compensatory responses in reproduction discussed previously.

Elk hunting in California currently involves herds at separate locations in the State that are at or above herd management objectives. Because the proposed project will not significantly reduce statewide population levels, the Commission concludes that there will not be an adverse impact to the gene pool, either locally or statewide.

IMPACTS ON SOCIAL STRUCTURE

Elk are gregarious and tend to form groups or aggregates. Elk do not mate for life. Males do not invest time or energy in the care of young, but generally form separate bachelor groups. Except for a short breeding period, most adult males generally remain separate from cow-calf groups during the remainder of the year. Therefore, removal of bulls by hunting will have a minimal effect on the social structure of the populations, provided that minimum herd objective bull ratios are maintained. Proposed harvest levels for each herd have been established to maintain or exceed minimum herd

objective bull ratios and to provide for genetic variability, fertilization of cows, and public viewing opportunities of bull elk.

During the nonbreeding period, cow-calf groups generally contain few, if any, adult bulls. However, immature bulls are tolerated in cow-calf groups (Geist 1982). Newborn calves are initially completely dependent upon their dams but quickly adjust to the cow-calf group and form nursery groups within the larger group. Nursery groups briefly fixate and respond to a succession of adult females (Geist 1982). During the first 2.5 months of life, calves nurse extensively (Bubenik 1982). Nursing declines by August for most elk in California, when the proposed project would begin in some areas. There is no indication that calves orphaned at this time have been severely impacted; at Grizzly Island, tule elk calves orphaned in August remained within the social structure of the groups.

Generally, the proposed project has the potential to increase the ratio and number of calves in the hunted elk populations. The increase in calf survival results in a shift of age structure of the elk population from older to prime-age individuals (five to seven years). These prime-age individuals tend to provide higher recruitment rates (calf survival) for the population (Hines et al. 1985). Historical data (Fowler 1985, Botti and Koch 1988, Racine et al. 1988), computer simulation modeling (Smith and Updike 1987), and information from the literature (Taber et al. 1982) indicate that the removal of elk from the population (due to hunting, trapping for reintroduction, or high winter mortality) in one year results in a larger number of calves recruited into the population the following year.

Computer simulation modeling of the populations proposed to be hunted indicates that the removal of elk from these populations by hunting (in addition to nonhunting mortalities) will result in an increased survival of calves born the following spring for most areas (Appendix 3). As an example, in August of 1980 the observed calf ratio for the Bishop subherd was 20 calves per 100 cows. In December of 1980, the Department relocated 75 elk from the Bishop subherd. The following August (1981), the observed calf ratio was 43 calves per 100 cows. This type of increased calf survival (recruitment) is expected and has been observed numerous times in the Owens Valley (Racine et al. 1988) and at Grizzly Island (Botti and Koch 1988).

Most western states establish a goal for a post hunt ratio of at least 20 bulls per 100 cows (the proportion of bulls to cows in the population). Some states have goals as low as six bulls per 100 cows, while other states have goals of 25 bulls per 100 cows in trophy hunt areas (Mohler and Toweill 1982). The Department's management objective for most hunted populations is to maintain at least 25 bulls per 100 cows (the objective ratio for the Northwestern Unit is 15 bulls per 100 cows).

Most tag quotas provide for take of both male and female elk. Achieving and/or maintaining herd objective bull-to-cow ratios is accomplished most readily by harvest of both sexes, because harvesting only male elk can skew the sex ratio towards females;

and, conversely, harvesting only female elk can result in a population skewed towards males (Mohler and Toweill 1982).

Based on the computer simulation analysis of expected harvest rates, the post-hunt bull-to-cow ratios are expected to increase and/or remain above the Department's management objective. Additionally, computer simulation modeling indicates that the proposed take is within sustained-yield management levels. That is, under the proposed harvest levels, the population will be able to maintain itself over the long term at existing or higher population levels.

As discussed earlier, female pregnancy rates and calf survival are inversely related to the density of the elk herd in relationship to the condition of the available habitat. Management that provides for frequent reductions in female and young of the year elk in areas where elk have exceeded their herd size objective encourages age structure dominated by reproductively successful females (Hines et al. 1985).

Based on computer simulation modeling, the proposed project has the potential to increase calf survival rates for the hunted herds, resulting in improved general health of the hunted populations. Also, computer simulation modeling predicts minimal changes in bull-to-cow ratios as a result of the proposed project; such ratios for most hunted herds are predicted to increase or remain near the minimum objective ratio. Bull-to-cow ratios are predicted to remain significantly above corresponding ratios for other western states with hunting programs. Thus, it is unlikely that adverse impacts to the social structure of hunted herds will occur as a result of the proposed project. By increasing calf-to-cow ratios, the proposed project would improve herd condition and could thus have a positive effect on herd social structure.

EFFECTS ON HABITAT

The removal an additional 20 Roosevelt elk through public hunting is not expected to significantly change elk population levels on a long term basis. If no major changes occur in the elk population levels, no major changes in elk-caused effects on habitat (e.g., elk foraging pressure on plants) would be expected. Therefore, the proposed project is not expected to have an impact on habitat in the hunt areas.

The typical technique used to hunt elk within the proposed hunt areas involves spotting animals at a distance and/or quietly approaching them on foot to within a reasonable shooting range. Hunting from a motorized vehicle is illegal. Some hunters may use horses to cover greater distances searching for elk. In any case, the relatively low intensity of hunting effort (because of the low number of elk hunters in the field) within these areas is not expected to produce major effects on habitat. The increase in tags proposed by the Commission is not expected to cause any large increase in activity, or any additional significant impacts.

Both public and private lands occur within the hunt areas. On public lands, the Department provides input to the USFS regarding actions to improve the condition of elk herds and their habitat. Further, the USFS is mandated to incorporate wildlife needs, including elk, into their planning process, as required by the National Forest Management Act. In general, current timber harvest practices on public land benefit elk by creating a diverse mosaic of early successional and mature forest habitat types. Most of the public lands proposed to be open to elk hunting within Del Norte and Humboldt counties are currently open to the public on a year-round basis. These lands also are used for other outdoor recreational activities, such as fishing, photography, hiking, hunting, bird watching and general nature viewing. Due to the large size of the hunt areas (each area is several hundred square miles in size) and existing human use levels of the hunt areas, it is unlikely that the harvest of an additional 20 elk will individually or cumulatively negatively impact the habitat in the hunt areas.

EFFECTS ON RECREATIONAL OPPORTUNITIES

Hunting Opportunities

The proposed project continues to authorize public hunting of Roosevelt elk providing opportunities to harvest up to 108 elk by hunters who will participate in this unique outdoor experience. The demand for elk hunting opportunities is extremely high in California. In 2018, 39,829 individuals applied for an opportunity to hunt elk in California. In 1988, for the first time, a nonrefundable fee of \$5 was charged to apply for an elk hunt. Despite the new fee, almost 10,000 licensed hunters applied for elk license tags in 1988 with the number growing almost every year to date. The proposed project benefits the hunting public by providing hunting opportunities consistent with the State's Wildlife Conservation Policy and FGC sections 332 and 1801.

The season dates for the Northwestern elk hunts coincide, at least partially, with the B-1 and B-4 deer seasons. However, it is unlikely that deer hunters will be adversely impacted by the low number of elk hunters that may be in the field during the deer season. The Northwestern season dates will also coincide with bear season and the year round wild pig season. Due to the large areas open to hunting and the relatively short elk season, elk hunters will not affect the success or quality of experience for hunters of other species of wildlife.

Some individuals have expressed concern that the hunting regulations of other states might have adverse effects on elk hunting in California (presumably by causing an influx or exodus of hunters.) For the most part, non-resident public elk hunting opportunities on California are very limited (only up to one elk tag per year is available for non-residents to draw; non-residents may purchase one of the three fund-raising elk tags, and are eligible to purchase elk tags through the PLM Program). The Commission does not expect that the hunting regulations of other states will have an adverse effect on elk hunting in California.

Nonhunting Opportunities

Non-hunting users of the elk resource (viewing, nature study, and photography) will not be significantly impacted by the take of an additional 20 elk from the Northwestern Hunting Zone. Nor will the proposed project impair non-hunters' ability to enjoy the outdoors, the elk resource, or its habitat, due to the availability of opportunities to view elk herds in areas where hunting does not occur, such as within federal or state parks. Three of the State's 22 tule elk herds are maintained in a penned situation where no hunting is contemplated. These herds provide the public an opportunity to enjoy tule elk in their native habitat. Additionally, the proposed action does not provide hunting opportunities at Point Reyes National Seashore, which has a large population of tule elk and is accessible to the public for the enjoyment of elk and other wildlife in the area. General elk hunting seasons vary from four to 23 days. Based on hunter tag returns from 2018, elk hunters only spend, on average, four days hunting elk. This indicates that even for those hunted herds, a majority of time can be spent viewing elk without hunters in the field.

The proposed action will not impact the non-hunting public, because the number of hunters in the field at any one time (established by the quotas for each hunt), in conjunction with the areas open to hunting, will result in very low hunter density. Historically, all areas open for hunting have been open for other types of hunting (waterfowl, upland game birds, rabbit, wild pigs, black bear, etc.) during the same timeframe as the proposed elk hunts. For non-hunters concerned about being in the field during proposed elk hunts, large areas of similar habitats adjacent to or near all hunt areas may be used for non-hunting activities during the short elk hunting period.

EFFECTS ON OTHER WILDLIFE SPECIES

Although some overlap of food habits exists, competition between deer and elk has not been a documented problem in California. Nelson and Leege (1982) stated, "It would appear, therefore, that neither the elk nor the mule deer is affected seriously by the other, mainly because of differences in primary forage species and habitat choice." This also appears to be the case in California. Potential for competition between elk and deer can exist on critical winter ranges shared by the two species. However, there is no scientific evidence to indicate that removal of elk through a hunting program will adversely impact the local or statewide deer resource.

During the last few years, the potential for competition between deer and elk has received greater attention in the western states and provinces of North America. Many states and provinces have reported a decline in deer population numbers, coinciding with an increase in elk numbers. It has not been proven that elk displace deer or are a significant factor in suppressing their numbers throughout a broad geographic region. In considering the potential for competitive interaction between deer and elk, a variety of factors may be important, such as predation, climate, digestive physiology, energetics, vegetation succession, livestock, and human-related factors. Lindzey et al. (1997)

discussed these and other factors in reviewing the potential for competition between deer and elk throughout the west, and compiled an extensive list of references regarding this subject. They concluded it is appropriate to question whether the growth of elk populations has contributed to apparent deer decline, but found no consistent trends in geographic areas used sympatrically to suggest a cause-and effect relationship.

Due to their large body size, adult elk experience limited predation. Cases of lion predation on adult elk have been documented (Taber et al. 1982, Booth et al. 1988, Racine et al. 1988). Results of fall surveys have documented several confirmed lion-killed elk since 1988. However, there is no scientific evidence to indicate mountain lion predation significantly affects elk statewide in California as demonstrated by increases in elk numbers.

Coyotes, black bears, wolves, and mountain lions prey on elk and/or elk calves. It is possible, as a result of removing adult elk from elk herds, calf production will increase the following spring. This could provide additional prey for predators. Historical herd performance data collected on elk herds indicate that calf recruitment will increase after an elk removal, regardless of the existence of predators in the area (Racine et al. 1988). Based on a review of available information discussed in this document, it is reasonable to assume the proposed project will not have measurable short-term or long-term effects on other local wildlife populations, including deer, mountain lions, black bears, wolves, and coyotes.

A number of endangered, threatened or locally unique animals and plants may occur within the elk hunt areas. The Department is charged with the responsibility to determine if any hunting regulations will impact threatened or endangered species. It complies with this mandate by consulting internally and with the Commission when establishing elk hunting regulations to ensure that the implementation of the proposed project and existing hunting regulations do not affect these species. It is unlikely that adverse impacts to rare, endangered, threatened, or locally unique species associated with the proposed hunt areas will occur as a result of the proposed project. Most rare, endangered, threatened, or locally unique species associated with the hunt areas either are associated with habitats where elk hunting is not likely to occur or use these areas during a time (season) different from when the proposed project will occur. The proposed project will involve a minimal number of hunters using areas, that for the most part, are open to the public for a variety of uses, including hunting. The Department has concluded that, based on conditions of the proposed project and existing hunting regulations, differences in size, coloration, distribution, and habitat use between the listed species and elk, the proposed project will not jeopardize these species.

EFFECTS ON ECONOMICS

The proposed project will not result in changes to the environment, either directly or indirectly, which would produce significant negative environmental effects. Therefore,

no CEQA review of economic effects is necessary. However, the proposed project has the potential to result in minor economic effects on the communities where elk hunting is proposed.

The effects of the Elk hunting regulations on the local economy may involve increases in economic activity near the hunt areas, as visiting hunters purchase goods and services from local merchants. This additional spending would generate additional retail sales, business spending, and income that could in turn, contribute to employment in motels, restaurants, and retail stores.

EFFECTS ON PUBLIC SAFETY

Since 1989, the Department has received no reports of elk hunting-related casualties in California. This does not diminish the fact that people have died or been wounded while hunting other big game animals. Based on the total number of licensed hunters in California and the annual number of accidents, there is roughly a 0.00425-0.005 percent chance of being killed or wounded while hunting deer. Additionally, Department records show that no non-hunting injuries or deaths have occurred as a result of elk hunting. As with any outdoor activity, there is always a risk of injury or death. However, the probability of being injured while hunting elk is extremely low, especially in comparison to other recreational activities. This good safety record is due, in part, to the requirement that all hunters must successfully pass a hunter safety education course prior to receiving a hunting license. It is unlikely that the proposed project will result in adverse impacts to public safety.

GROWTH-INDUCING IMPACTS

There are no growth-inducing impacts associated with the proposed project. As discussed in "Effects on Economics" in this chapter, minor increases in retail sales, income, and possibly employment are anticipated in the regions where the proposed hunt areas exist. However, the small number of public tags available is unlikely to create growth-inducing impacts in a State with a total human population of over 30 million.

SHORT-TERM USES AND LONG-TERM PRODUCTIVITY

The proposed project will not affect a variety of short-term uses currently available to the public. Additionally, the proposed project will provide for public hunting opportunity without adversely affecting long-term productivity of statewide or local elk populations, based on predictions of simulation modeling.

SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

No significant irreversible environmental changes are expected to occur as a result of the proposed project. The proposed harvest levels were selected to avoid adversely

impacting hunted populations and to reach or maintain herd management objectives. The proposed project is designed to avoid significant adverse impacts to other wildlife species, their habitat, and listed or locally unique species. As discussed previously, adverse impacts to economics and public uses (including safety) are not expected.

WELFARE OF THE INDIVIDUAL ANIMAL

Analysis of welfare of the individual animal was presented on page 120 (incorporated by reference, April, 2006 Final Environmental Document, SCH#2003112075, available at 1812 9th Street, Sacramento, CA 95811). The project has been designed to limit wounding through the specification of minimum performance requirements for archery equipment and firearms. It is expected that some wounding may nevertheless occur. The methods of take are not one hundred percent lethal. Lethality is largely a function of hunter skill and accuracy. The Department has evaluated the welfare of the individual animal and has specified minimum performance requirements for archery equipment and firearms in existing regulations.

CUMULATIVE IMPACTS

The proposed project provides for a specific level of public elk hunting in specified areas during 2019, and it is reasonably foreseeable that the Commission would consider and approve hunts in these areas in the future. Because of this potential, the Department modeled population performance of hunted herds for a 10-year period. Potential effects of cumulative factors identified in this section were considered with the model runs. It must be emphasized that the model runs specify the same level of harvest (expressed as a percentage of the population) each year. The statutorily mandated regulation process involves review and appropriate regulation changes based on the condition of a population. Data collected by the Department during the year following the approval or denial of the proposed project would be examined, and appropriate, biologically sound recommendations would be presented by the Department to the Commission prior to approval of any future hunt.

Section 255, FGC, identifies the steps required for the Commission to adopt, amend or repeal regulations relating to mammal hunting. This law requires that the Commission receive recommendations regarding mammal hunting regulations from Commission members, its staff, the Department, other public agencies, and the public. The process is analogous to the Commission establishing specific harvest quotas for the deer and pronghorn antelope hunting seasons. The system has worked well over time in adjusting the hunting program to maintain healthy wildlife populations.

Effects of Private Lands Wildlife Habitat Enhancement and Management (PLM) Area Program

To become licensed in the PLM Program, landowners are required to submit an application package which includes a management plan. This plan must contain, among other things, habitat enhancement goals and objectives to be accomplished over the term of the five-year license. The habitat projects outlined in the plan are directed toward improving habitat for both game and nongame species. The ultimate goal of these habitat improvement practices is to enhance or stabilize (under adverse ecological conditions) populations of various wildlife species present on the area. Once licensed, the PLM is reviewed annually by the Commission to ensure compliance with all regulations and administrative procedures.

The PLM Program has been successful as an incentive for landowners to protect and improve wildlife habitat. Habitat improvements implemented under approved management plans on licensed areas include conducting controlled burns to improve forage conditions, reducing livestock grazing to reduce competition with wildlife, protecting wildlife fawning/nesting sites and riparian areas, developing wetland/marsh areas, constructing brush piles, improving water sources, and planting forage and cover crops for wildlife. The projects directly benefit deer, elk, bear, antelope, wild pigs, waterfowl, turkeys, quail, and a wide variety of nongame wildlife, including threatened and endangered species. Habitat improvements accomplished specifically for game species (such as riparian improvement, protection, and enhancement) directly benefit hundreds (approximately 331 species in hardwood-dominated habitats) of nongame wildlife species.

The anticipated PLM harvest was modeled as part of the overall (public and PLM) harvest simulation model run (Appendix 3). As discussed previously, no adverse impacts are expected, based on the simulation model runs. The simulation models (Appendix 3) indicate previous harvest levels have been below the maximum sustainable yield. Because the expected harvest under the PLM Program is less than the maximum sustainable yield (harvest), the Department has determined that the PLM Program, together with the proposed project, will not have a significant adverse cumulative effect on elk populations in California.

Nine licensees participated in the PLM Program for elk in the Northwestern elk zone in 2018 (Appendix 6). The Department recommends issuing no more than 40 elk tags through these nine PLM properties for 2019. Previous total elk harvests under the PLM program have been below these levels (35 elk were harvested in 2018 under the PLM program in the Northwestern elk zone). Expected harvest under the PLM program is anticipated to be below the maximum PLM quota. Thus, harvest under the PLM program, either alone, or combined with the proposed public harvest, will not have a significant adverse cumulative effect on statewide or local populations of elk.

Effects of Drought

Drought cycles are part of the ecological system in California and elk are adapted to low water years. Still, multi-year droughts can reduce elk populations on a local scale. Drought conditions can impact elk in a variety of ways including: degraded habitat quality (less vegetation growth) and reduced food production (both natural and agricultural). California has a "Mediterranean climate," meaning that over the long-term, the State receives the bulk of its precipitation during the cool fall and winter months, while warm spring and summer months are generally dry. In other words, California undergoes a "summer drought" each year. However, extreme variation in precipitation occurs in the State on an annual basis. For example, the northwest coast receives a great deal of precipitation, while southern deserts receive very little precipitation. Additionally, topographic features, such as the Sierra Nevada, influence climate by creating a rain shadow, whereby most of the precipitation falls on the west side of the range, extracting most of the moisture from clouds by the time they reach the east side of the range. The amount of precipitation in California is extremely variable on a geographic basis within a year and extremely variable in any one area among years.

Throughout much of the State, stream courses, natural lakes, ponds, springs, and reservoirs were affected by the recent drought. As far as terrestrial wildlife are concerned, prolonged drought in areas with scarce water, such as in the desert and south coast ranges, may affect production and survival of young for a variety of species in future years. Droughts are cyclic long-term, and all wildlife species and their habitats in California have evolved under conditions of periodic drought (Bakker 1972, Munz and Keck 1973, Oruduff 1974, Burcham 1975, Barbour and Major 1977). Since the 1800s, California has experienced several drought cycles lasting two to five consecutive years (Department of Water Resources 2015). Because of this natural variation in water availability, vegetation communities have evolved and adapted with associated changes in soil moisture (Barbour and Major 1977). Many of California's plant communities (e.g., desert, chaparral, grassland, oak-woodland, etc.) are drought tolerant. However, drought can affect plant species. Growth and vigor of forage plants may be severely reduced during drought, due to reduced germination of annual plants, and reduced growth of shrubs and trees adapted to conserve water. Consequently, the quantity and quality of forage for herbivores is reduced during periods of drought.

While drought effects on vegetation communities can be unpredictable, some studies have been conducted. One study measured acorn production (a primary food of many wildlife species) in five oak species occurring at a site in Monterey County from 1980-89 (Koenig et al. 1991). That study determined that acorn production was highly variable among oak species from year-to-year and that climatic variables generally did not correlate with annual variation in acorn production. The study also indicated that local acorn crop failures may have detrimental effects on local populations. However, total crop failures on a community-wide basis among all species are rare, even during drought years. Similarly, acorn production data from a four-year period in Tehama County (Barrett, unpublished data) indicate that annual production was approximately

60 percent, 20 percent, five percent, and 180 percent, respectively, of the mean annual crop between 1987 and 1990.

Alternatively, in vegetation communities comprised of annual plants, lack of fall germinating rains, or minimal spring rains can preclude germination of forbs and grasses, which are important sources of forage, primarily during the fall, winter, and spring. The seeds lie dormant in the soil until germinating conditions are suitable. Drought may also weaken resistance of plants to disease, fungus, and insect damage, cyclically affecting vegetation.

Hence, during drought, some plant species respond in ways that benefit wildlife (e.g., increased acorn production), while others respond in ways detrimental to wildlife (e.g., reduced grass and forb growth).

Native game mammals in California have evolved to withstand both drought and flood extremes within their ranges. Before human intervention, these ranges likely varied in response to periods of prolonged drought or wet conditions. Currently, however, remaining habitats are, to a large extent, managed and affected by humans. Water management has likely resulted in greater stability in modern wildlife populations in many cases due, in part, to the advent of water wells, sites developed to enhance water for wildlife (e.g., guzzlers), irrigation, and reservoirs. In many areas, water is more available to wildlife, regardless of drought, than it would have been prior to large-scale human development in California.

The reduced quantity of vegetative cover due to prolonged drought in some areas could affect thermal and hiding cover important to wildlife. However, such effects are not yet reflected in population data.

Significant impacts to wildlife due to drought in some areas of the State may occur if drought conditions persist for more than several years. Potential impacts include reduced habitat quality and quantity, resulting in reduced reproductive success and survival of individuals in a population. As a result, periodic drought conditions may produce short-term effects due to less available forage, but may have little, if any, long-term effects on the abundance of most species.

Effects of drought on wildlife species would be reflected in poorer physical condition of individual animals, decreased survival of individuals, declining reproduction and survival of young, and reduced population size. While fluctuations may occur annually in some areas, the large-scale effects of significant drought events could be felt statewide.

Effects of drought conditions on elk populations have been recorded in the Owens Valley and in the Cache Creek area (Fowler 1985, Booth et al. 1988, Racine et al. 1988). While drought may result in increased mortality among individuals in an elk population (primarily reduced calf survival), the proposed project is based on data collected on populations with exposure to periodic drought conditions and will not affect

viability of local populations. Records of drought prior to 1988 indicate the Grizzly Island tule elk herd was not affected (Botti and Koch 1988). Based on the above information the possibility of drought impairing the statewide tule elk population is very unlikely.

The Department's evaluation of conditions and trends of elk herds and habitats is an ongoing facet of the Department's elk management program (CDFW 2018). Information collected by the Department and other sources will inform future recommendations for elk hunting programs and other management activities, such as habitat improvement or acquisition projects. The impacts, if any, of a catastrophic event on elk populations would be addressed in carrying out any future management actions. In addition, the Commission has the regulatory authority (Section 314, FGC) to take emergency action to cancel or suspend one or more proposed elk hunts if a catastrophic event occurred which, in conjunction with a hunting program, could significantly impact the elk population. Thus, the Commission does not anticipate adverse impacts will occur as a result of drought in combination with the proposed project.

Effects of Wildfire

One aspect of prolonged drought that would affect wildlife habitat is an increased risk of wildfire due to extremely dry conditions. However, wildfire can be a problem in extremely wet years due to increased fuel loads. Consequently, it can be difficult to conclude that drought years predispose some vegetation communities to wildfire more than wet years. In forested communities, woody plant communities affected by prolonged drought may experience increased plant mortality and decreased moisture content, increasing their susceptibility to wildfire.

Catastrophic events, such as wildfire and drought, have affected elk throughout their evolution. Although effects of drought and wildfire can have an impact on local populations of elk, historical data collected by the Department (McCullough 1969, Fowler 1985, Racine et al. 1988) indicate that there is no evidence that drought, wildfires, or other catastrophic events have resulted in the extirpation of an elk population.

Wildfires are a natural occurrence in elk range. Plant species in the hunt areas have evolved with fire, and many species of plants require fire to complete their life cycle. Fire is not known to have negative long-term effects on elk populations, and considerable information indicates fire can significantly improve elk habitat (Lyon and Ward 1982). Within the Northwestern Hunt Zone, the climate is heavily marine influenced and moist, minimizing risk of wildfire which is not expected to be prevalent.

Wildfires have the potential to positively impact elk populations. Initially, fire may displace elk for a short time period (two to three months). However, elk often return to burned areas immediately following fire. Longer-term impacts may have significant

positive effects on local populations. For example, a wildfire may burn habitat used by elk, causing short-term loss of some forage and cover. However, elk move back into the burned areas quickly to utilize the young nutritious forage growing in the burned areas (T. Burton, Department of Fish and Wildlife, Yreka, personal communication). Also, since elk are primarily grazing animals, eating mostly grasses, fires that burn brush and trees open areas to allow more grasses to grow, and thus benefit elk (Lyon and Ward 1982).

Based on the above information, the possibility of wildfires impairing the statewide Roosevelt, Rocky Mountain, or tule elk populations from persisting in a healthy, viable condition is very unlikely. Evaluation of elk herd and habitat conditions and trends is an ongoing element of the Department's elk management program. Information collected by the Department and other sources will be used to modify any future recommendations for hunting programs and to recommend other management activities, such as habitat improvement or acquisition projects. The impacts, if any, of a catastrophic event on elk populations would be addressed in carrying out any future management actions. In addition, the Commission has the regulatory authority (Section 314, FGC) to take emergency action to cancel or suspend elk hunting if a catastrophic event occurs which, in conjunction with a hunting program, could significantly impact the elk population. Thus, the Commission does not anticipate adverse impacts will occur as a result of wildfire in combination with the proposed project.

Effects of Disease

Historical data indicate elk are remarkably free of disease (Fowler 1985, Booth et al. 1988, Botti and Koch 1988, and Racine et al. 1988). However, Roosevelt elk tested in the Prairie Creek area of Humboldt County showed signs of heavy parasite levels and poor body condition in 1960 and 1982 (Department of Fish and Game files). The Department routinely collects blood samples from the majority of elk captured. Over the last 20 years, the Department has analyzed approximately 900 tule elk and 200 Roosevelt elk blood samples to systematically determine the prevalence of disease and assess the general health of the State's elk.

Recent concern has grown about effects of Chronic Wasting Disease (CWD) on deer and elk in North America (Williams et al., 2002). CWD is a fatal, contagious transmissible spongiform encephalopathy infecting the brains of deer and elk. It has been diagnosed within numerous states and provinces of North America. The Department began a surveillance program in 1999 and has tested more than 900 samples from California deer for CWD. All results to date have been negative. California is considered a low risk state for CWD; game ranching of cervids is not allowed (except for fallow deer), and importing live cervids is severely restricted. CWD is not currently known to be naturally transmitted to humans or animals other than deer and elk. On August 30, 2002, the Fish and Game Commission adopted emergency regulations placing conditions on the importation of hunter-harvested deer and elk into California. Those restrictions, which prohibit the importation and/or possession of brain

matter or spinal cord of a deer, elk or cervid from another state, were made permanent. The Department has established a task force to expand its disease monitoring efforts and improved surveillance for CWD (and other diseases) to improve preparedness should CWD emerge in California.

There is no indication of a potential for the State's elk populations (either statewide or locally) to be significantly impacted by a major disease outbreak. There are no data available to indicate that disease, road kills, predation or other natural mortality factors will act as additive impacts which, along with the proposed hunting program, will have a significant adverse cumulative impact on local or statewide elk populations.

Effects of Habitat Loss and Degradation

The proposed project is not likely to cause habitat loss and degradation. The removal of individuals may actually improve elk habitat by decreasing grazing intensity. The elk hunting season is short, and most of the hunting areas are generally open to the public for other uses year-round. The effects on habitat loss and degradation by hunters during the elk hunting season would be negligible.

On private land, there are potential changes in land ownership which may result in land-use changes. No major changes in private land-use patterns are expected in the near future. The long-term outlook for elk habitat on public lands in California is stable to improving. The cumulative impacts of habitat modification plus hunting are not expected to have a significant adverse impact on elk populations. In combination with the proposed project, potential habitat modification/ degradation is unlikely to have significant adverse cumulative effects.

Effects of Illegal Harvest

Illegal harvest of game mammals is difficult to quantify. It is likely that elk have been taken illegally from proposed hunt areas, as well as from other herds where hunting is not proposed. Department records indicate at least three citations per year involving illegal take/possession of elk were issued in 1997 and 1998. At least three citations involving elk were issued each year in 2000 and 2001. Illegal harvest of subspecies other than Roosevelt elk has occurred in California and other western states (Potter 1982).

Illegal take of tule elk has occurred in the Owens Valley, at Grizzly Island and Fort Hunter Liggett during recent tule elk seasons. One hunter at Grizzly Island was cited for taking two and one cited for taking a spike elk while possessing an antlerless tag. Similar incidents occurred sporadically in the past. Such incidents of unintentional illegal take have occurred with other game animals in California and other western states. The Department conducts mandatory hunter orientations for some tule elk hunt sin California and emphasizes avoiding incidents of unintentional illegal take and distributes informational material to all elk tag holders. The Department will continue

this emphasis in future orientations; additionally, the Department will continue to issue citations to individuals for illegally taking elk, regardless of whether or not such take is intentional. Even with such measures, however, some level of unintentional illegal take is expected to continue. Nevertheless, there is no indication that illegal harvest will, in combination with the proposed project, have significant adverse cumulative effects.

Effects of Depredation

Private property conflicts involving effects of elk on agricultural crops, fences, and other personal property have occurred, and are likely to continue wherever elk and humans coexist. Section 4181, FGC, provides for the killing of elk when private "property is being damaged or is in danger of being damaged or destroyed." However, current Department policy is to attempt all reasonable and practical means of nonlethal control prior to issuing a depredation permit for elk.

Issuing depredation (kill) permits is considered as the final measure to alleviate localized private property conflicts involving elk; and the Department issued no elk depredation permits from 1989 until 2002. However, as elk populations have increased and distribution has expanded, conflicts on private property have increased in severity. Since 2002, the Department has issued approximately 19 elk depredation permits.

With the establishment of the SHARE Program, the Department offers recreational hunting opportunities in partnership with landowners to help alleviate effects of elk on private lands. This program provides incentives to allow public access on private lands. The resulting hunting pressure helps alleviate some of the conflict and provides important recreational opportunities, which function as a tool for elk management.

In response to the increasing private property conflicts involving elk, the State Legislature passed Assembly Bill 1420 (AB1420, Laird; Chaptered September 4, 2003). Among other things, AB 1420 directs the Department to prepare a statewide elk management plan that identifies management activities necessary to alleviate private property damage caused by elk. The statewide Elk Conservation and Management Plan was completed and released in December 2018 (CDFW 2018). Prior to issuing an elk depredation permit, AB1420 requires the Department to verify damage caused by elk, provide a written summary of corrective measures to alleviate the problem, determine the viability of the subject elk herd and the minimum population numbers needed to sustain it, and finally to ensure that a permit will not reduce the herd below the minimum population level.

To alleviate private property conflicts involving elk, the Department will investigate the potential for expanding hunting opportunities. Because of the constraints in AB1420, the Commission does not anticipate adverse cumulative impacts to elk populations resulting from combined effects of the proposed project and issuance of depredation permits.

Effects of Vehicle-Caused Mortality

The number of elk killed by vehicles is not well documented. Unlike deer, very few elk in California appear to be killed by automobiles each year. Vehicle-caused elk mortalities have been reported (specifically with Roosevelt elk in Del Norte and Humboldt counties and tule elk in the Owens Valley and at Cache Creek) since 1990. Unreported incidents cannot be quantified. However, the Commission believes effects of vehicle-caused mortality on statewide and localized elk populations are minimal.

Conclusion

The Department has examined a variety of factors that might affect Roosevelt elk populations in the Northwestern elk zone. The Department does not anticipate adverse cumulative impacts to the local elk populations will occur as a result of the proposed project in combination with any factor discussed. However, if some unforeseen cataclysmic event should occur that threatens the welfare of either statewide elk populations or individual hunted populations, the Commission has the authority to take appropriate action, which may include emergency closure of seasons and/or reduction of future hunting opportunities.

Although hunting elk will result in the death of individual elk, limited tag quotas, short seasons, bag limits, and close monitoring of hunter activity in the field, will result in removing elk at a level below the individual herds' sustained-yield capabilities. The elk herds proposed for hunting will be maintained within specified management plan objective ranges. Statewide population levels for Roosevelt elk will remain stable. Therefore, significant adverse effects, individually or cumulatively, to elk populations are not expected to result from the proposed project. Additionally, no impacts from two or more separate factors have been identified where, when viewed alone would be minor, but whose combined effect would be significant. Because individual and cumulative negative impacts are not expected to occur, specific mitigation measures are unnecessary.

CHAPTER 3 - ALTERNATIVES

ALTERNATIVE 1 - NO PROJECT (NO CHANGE- MAINTAIN CURRENT CONDITION)

Other than annual tag quota modifications proposed in response to herd productivity, implementation of the No Project Alternative would result in no change from the 2010 tag quota range for Northwestern California. The Department does not expect age and sex ratios to change appreciably under this alternative. Herd size is expected to remain stable, or increase if currently below carrying capacity (Appendix 3). Since this alternative presents no changes to current levels of hunting activity and elk harvest, the no-project alternative would not lead to any potential significant impacts on the environment.

ALTERNATIVE 2 – INCREASED HARVEST

Alternative 2 represents management options that will achieve an increased harvest (IH) for Northwestern California by increasing the available tags to 60 instead of 20 in the proposed alternative. IH refers to a harvest strategy that maximizes the number of animals that can be harvested from a population, commensurate with the goals and objectives stated for that herd, for at least the following year. A potential issue with an IH management strategy is risk of overharvest. If overharvest occurs under an IH program, more conservative management strategies would be necessary the following year to address it. Based on the Department's current understanding of elk populations in the Northwestern Hunt Zone and the scenarios run in Elk Pop, an IH scenario may affect the ability to meet the statewide objective to increase populations by ten percent. While calf ratios are expected to increase in response to increased harvest under an IH program, herd growth in Northwestern California may be limited if an IH program is maintained for a ten-year period (Appendix 3). While impacts to the environment and the sustainability of California's elk population are not anticipated to be significant with this level of harvest, it may not achieve the Department's management objective of increasing the population by ten percent in suitable areas where depredation conflicts are minimal. Although the Northwestern Hunt Zone has experienced a significant increase in landowner conflicts, the Department does not recommend an IH strategy at this time but recognizes the importance and need for continued evaluation.

ALTERNATIVE 3 – REDUCED HARVEST

Alternative 3 represents management options for Northwestern California that will produce a relatively small increase in harvest by adding ten additional tags rather than 20. This reduced harvest (RH) is a strategy that provides hunting opportunities at reduced levels from those proposed under either IH or the proposed project. Calf ratios may increase slightly, whereas bull ratios are not expected to change appreciably under this alternative. Herd size is expected to remain stable, or increase if currently below carrying capacity (Appendix 3). Since this alternative would reduce hunting opportunity, it does not achieve the Department's management objective of providing for diversified recreational opportunities for enjoyment of wildlife, within sustainable levels.

There are no significant long-term adverse impacts associated with the proposed project or any of the three alternatives described above. However, the Department recommends the proposed project because it is most compatible with objectives of population growth (Objective 1.2), increasing hunting opportunities (Objective 3.1), and reducing human-elk conflicts on private property (Objective 4.1) in the Department's Elk Conservation and Management plan (CDFW 2018). Alternative 1 would not increase hunting opportunities or help alleviate conflicts on private property. Alternative 2 (IH) may be warranted, and additional research efforts to improve understanding of elk distribution and population dynamics are necessary to consider that level of increase. The Department recognizes continued elk population growth and increasing human-elk conflicts as it works in partnership with other agencies, non-profits and landowners to develop long-term solutions consistent with management plan objectives. Whereas Alternative 3 (RH) may also achieve these objectives, it does not optimize public hunting opportunities or alleviation of conflicts on private property.

LITERATURE CITED

- Bakker, E. 1972. An island called California. Univ. of California Press, Berkeley.
- Barbour, M.G., and J. Major, eds. 1977. Terrestrial vegetation of California. John Wiley and Sons, New York.
- Barnes, E. P. 1925a. Elk in Del Norte County. California Fish and Game 11:90.
- _____. 1925b. A few Roosevelt elk still exist in Del Norte County. California Fish and Game 11:142.
- Booth, J., J. Swanson, and D. Koch. 1988. Management plan for the Cache Creek tule elk management unit. California Department of Fish and Game. Sacramento, California.
- Botti, F. and D. Koch. 1988. Management plan for the Grizzly Island tule elk management unit. California Department of Fish and Game. Sacramento, California.
- Bubenik, A.B. 1982. Physiology. Pp. 125-179 in J. W. Thomas and D.E. Toweill eds. Elk of North America, ecology and management. Stackpole Books, Harrisburg, PA 698 pp.
- Burcham, L.T. 1975. Climate, structure, and history of California's annual grassland ecosystem. Pages 7-14 in R.M. Love, ed. The California annual grassland ecosystem. Univ. of California, Davis, Inst. of Ecology Publ. No. 7.
- California Department of Fish and Game. 2004. Final Environmental Document, Section 364, Title 14, California Code of Regulations, Regarding Elk Hunting. State of California, The Resources Agency, Department of Fish and Game. 300 pp.
- California Department of Fish and Game. 2010. Final Environmental Document, Section 364, Title 14, California Code of Regulations, Regarding Elk Hunting. State of California, The Resources Agency, Department of Fish and Game. 48 pp.
- California Department of Fish and Wildlife, 2018. Elk Conservation and Management Plan. State of California, The Resources Agency, Department of Fish and Wildlife. 471 pp.
- California Department of Water Resources, 2015. California's Most Significant Droughts: Comparing Historical and Recent Conditions. State of California, The Resources Agency, Department of Water Resources. 136 pp.
- Clutton-Brock, T.H., F.E. Guinness, and S.D. Albon. 1982. Red deer: behavior and ecology of two sexes. Univ. Chicago Press. 378 pp.

deVos, J. C., Jr. and T. McKinney. 2003. Recent trends in North American mountain lion populations: a hypothesis. Pages 297-307 in C. van Riper III and D. J. Mattson, editors. *The Colorado Plateau II*, University of Arizona Press, Tucson.

Fowler, G.S. 1985. Tule elk in California: history, current status, and management recommendations. California Department of Fish and Game, 1416 Ninth Street. Sacramento, California 95814. Interagency Agreement #C-698.

Fredrickson, E., K. M. Havstad, R. Estell, and P. Hyder. 1998. Perspectives on desertification: south-western United States. *Journal of Arid Environments* 39:191-207.

Geist, V. 1982. Adaptive behavioral strategies. Pp. 219-277 in J. W. Thomas and D. E. Toweill eds. *Elk of North America, ecology and management*. Stackpole Books, Harrisburg, PA 698 pp.

Harper, J.A., J.H. Harn, W.W. Bentley, and C.F. Yocom. 1967. The status and ecology of the Roosevelt elk in California. *Wildlife Monographs* No. 16. Washington D.C. The Wildlife Society. 49 pp.

Hebblewhite, M. 2005. Predation by wolves interacts with the North Pacific Oscillation (NPO) on a western North American elk population. *Journal of Animal Ecology* 74:226-233.

Hines, W., J. Lemos, and N. Hartmen. 1985. Male breeding efficiency in Roosevelt elk of southwestern Oregon. *Wildlife Research Report* Number 15. Oregon Department of Fish and Wildlife, P.O. Box 3503, Portland, Oregon 97208.

Hobbs, N.T., J.S. Baron, D.J. Cooper, M.B. Coughenour, A. Covich, J. Dickens, H. Galbraith, L. Landrum, J. Loomis, M. McDuff, D. Ojima, D.M. Theobald, and S. Weiler. 2006. An integrated assessment of the effects of climate change on Rocky Mountain National Park and its gateway community: interactions of multiple stressors. Final report to the U.S. Environmental Protection Agency

Koenig, W.D., W.J. Carmen, M.T. Stanback, and R.L. Mumme. 1991. In press. Determinants of acorn productivity among five species of oaks in central coastal California. *Symposium on California's Oak Woodlands and Hardwood Rangeland*.

Lindzey, F.G., W.G. Hepworth, T.A. Mattson and A.F. Reeves 1997. Potential for competition interactions between mule deer and elk in the Western United States and Canada: A Review. Wyoming Cooperative Fisheries and Wildlife Research Unit, Laramie, WY. 84pp.

Lyon, J. and L. Ward. 1982. Elk and land management. Pp. 443-477 in J. W. Thomas and D.E. Toweill (eds.). *Elk of North America, ecology and management*. Stackpole Books. Harrisburg, Pennsylvania. 698 pp.

McCullough, D.R. 1969. The Tule Elk: Its History, Behavior and Ecology. University of California Publ. in Zoology. No. 88. University of California Press. Berkeley, California. 209 pp.

McCullough, D.R. 1979. The George Reserve deer herd: population ecology of a selected species. Univ. Michigan Press. Ann Arbor. 271 pp.

McCullough, D.R. 1984. Lessons from the George Reserve. Pp. 211-242. *in* L. K. Halls (ed.). White-tailed deer: ecology and management. Stackpole Books. Harrisburg, Pennsylvania. 870 pp.

Mohler, L. and D.E. Toweill. 1982. Regulated elk populations and hunter harvests. Pp. 561-598 *in* J. W. Thomas and Dale E. Toweill (eds.). Elk of North America, ecology and management. Stackpole Books. Harrisburg, Pennsylvania. 698 pp.

Munz, P.A. and D.D. Keck. 1973. A California flora with supplement. Univ. of California Press, Berkeley.

Murie, O.J. 1951. The Elk of North America. Wildlife Management Institute. Stackpole Books, Harrisburg, PA. 376 pp.

Nelson, J. and T.A. Leege. 1982. Nutritional requirements and food habits. Pp. 323-368 *in* J. W. Thomas and D.E. Toweill (eds.). Elk of North America, ecology and management. Stackpole Books. Harrisburg, Pennsylvania. 698 pp.

Ornduff, R. 1974. Introduction to California plant life. University of California Press, Berkeley.

Potter, D.R. 1982. Recreational use of elk. Pp. 509-559 *in* J.W. Thomas and D.G. Toweill eds. Elk of North America, ecology and management. Stackpole Books. Harrisburg, PA. 698 p.

Racine, D., T. Blankinship, and D. Koch. 1988. Management plan for the Owens Valley tule elk management unit. California Department of Fish and Game. Sacramento, California.

Ricker, W.E. 1954. Stock and Recruitment. Journal of the Fisheries Resources Board Canada. 11:559-623.

Savidge, I.R. and J.S. Ziesenis. 1980. Sustained yield Management. Pp. 405-410 *in* Sanford D. Schemnitz (ed.). Wildlife Management Techniques Manual. The Wildlife Society. Washington, D.C. 686 pp.

Smith, D. and D. Updike. 1987. Elk Pop, unpublished computer population simulation model. Department of Fish and Game, 1416 Ninth Street, Sacramento, California 95814.

Taber, R.D., K. Raedeke, and D.A. McCaughran. 1982. Population characteristics. Pp. 279-300 in J. W. Thomas and D. E. Toweill (eds.). Elk of North America, ecology and management. Stackpole Books. Harrisburg, Pennsylvania. 698 pp.

Williams, E.S., M.W. Miller, T.J. Kreeger, R.H. Kahn, and E.T. Thorne. 2002. Chronic wasting disease of deer and elk: a review with recommendations for management. *Journal of Wildlife Management*, 66(3): 551-563.

Appendix 1. CEQA Environmental Checklist Form

CEQA Appendix G: Environmental Checklist form

NOTE: The following is a sample form and may be tailored to satisfy individual agencies' needs and project circumstances. It may be used to meet the requirements for an initial study when the criteria set forth in CEQA Guidelines have been met. Substantial evidence of potential impacts that are not listed on this form must also be considered. The sample questions in this form are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance.

1. Project title: Elk Hunting
2. Lead agency name and address:
California Fish and Game Commission
1416 9th Street, Suite 1320
Sacramento, CA 95814
3. Contact person and phone number: Kari Lewis, Chief, Wildlife Branch - (916) 445-3789
4. Project location: Statewide
5. Project sponsor's name and address:
California Department of Fish and Wildlife
Wildlife Branch, 1812 9th Street
Sacramento, CA 95811
6. General plan designation: N/A
7. Zoning: N/A
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.) The proposed project would increase the tag quota range (by 20 tags) in the Northwestern Elk Zone.
9. Surrounding land uses and setting: Briefly describe the project's surroundings:
The project occurs in areas in Del Norte and Humboldt Counties open to elk hunting.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)
N/A
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?
No.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

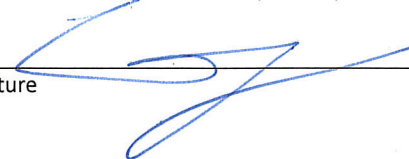
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT equivalent under the Commission's Certified Regulatory Plan is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT equivalent under the Commission's Certified Regulatory Plan is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature 

Date 2/19/19

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the <u>California Agricultural Land Evaluation and Site Assessment Model (1997)</u> prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the <u>Forest and Range Assessment Project</u> and the <u>Forest Legacy Assessment project</u> ; and forest carbon measurement methodology provided in <u>Forest Protocols</u> adopted by the California Air Resources Board. Would the project:				
a) <u>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <u>Conflict with existing zoning for agricultural use, or a Williamson Act contract?</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <u>Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY. Where available, the significance criteria established by the applicable <u>air quality management or</u>				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>air pollution control district</u> may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>IV. BIOLOGICAL RESOURCES:</u>				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the <u>California Department of Fish and Game</u> or <u>U.S. Fish and Wildlife Service</u> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the <u>California Department of Fish and Game</u> or <u>US Fish and Wildlife Service</u> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by <u>Section 404 of the Clean Water Act</u> (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted <u>Habitat Conservation Plan</u> , <u>Natural Community Conservation Plan</u> , or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>VI. GEOLOGY AND SOILS.</u> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to <u>Division of Mines and Geology Special Publication 42</u> .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on <u>expansive soil</u> , as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>VII. GREENHOUSE GAS EMISSIONS.</u> Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or <u>regulation</u> adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>VIII. HAZARDS AND HAZARDOUS MATERIALS.</u> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any <u>water quality standards or waste discharge requirements</u> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete <u>groundwater</u> supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a <u>federal Flood Hazard Boundary</u> or <u>Flood Insurance Rate Map</u> or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known <u>mineral resource</u> that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
project expose people residing or working in the project area to excessive noise levels?				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. PUBLIC SERVICES.				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVI. TRANSPORTATION/TRAFFIC.				
Would the project:				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. TRIBAL CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. UTILITIES AND SERVICE SYSTEMS.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable <u>Regional Water Quality Control Board</u> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with <u>federal</u> , <u>state</u> , and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Authority cited: Sections 21083 and 21083.05, 21083.09 Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21073, 21074 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21080.3.1, 21080.3.2, 21082.3, 21084.2, 21084.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Appendix 2 - 2019 Proposed Elk Tag Allocation for the Northwest Zone. Tags will be distributed between general draws and SHARE hunts.

	2018 Tag Allocation	2018 Tag Range	2019 Tag Range (Proposed)
Bull	20	0-20	0-28
Antlerless	22	0-22	0-34
Either-sex	3	0-3	0-3

Appendix 3. Computer Model Runs (Elk Pop) Harvest

NORTHWESTERN CALIF. ELK HERD SIMULATION- GENERAL, PLM, SHARE TAGS, 2019
 (Combined Harvest for Del Norte and Humboldt cos)

Ratio = 37/100/32 - Maximum Calf Survival = 40%

THIS PROGRAM CALCULATES CHANGES IN HERD
 CHARACTERISTICS BASED ON VARIOUS HARVEST
 RATES.

CURRENT CONDITIONS = NO CHANGE. GENERAL, COOP ELK, SHARE AND PLM TAGS TO
 HARVEST APPROXIMATELY 44 BULLS AND 21 ANTLERLESS ELK

	HERD SIZE	1600	ELK
% BULLS LOST TO NON HUNTING CAUSES		23.5	%
% COWS LOST TO NON HUNTING CAUSES		11.9	%
% OF BULLS KILLED BY HUNTERS		12.55	%
% OF COWS KILLED BY HUNTERS		2.2	%

		BULLS	COWS	SURV. CALVES	TOTAL	K	BULLS HARVEST	COWS HARVEST
START	AUG	350	947	303	1600	1600	44	21
YEAR 1	"	350	949	301	1600	1600	44	21
YEAR 2	"	349	950	300	1600	1600	44	21
YEAR 3	"	349	951	300	1600	1600	44	21
YEAR 4	"	348	952	300	1600	1600	44	21
YEAR 5	"	348	952	300	1600	1600	44	21
YEAR 6	"	347	953	300	1600	1600	44	21
YEAR 7	"	347	953	300	1600	1600	44	21
YEAR 8	"	347	953	300	1600	1600	44	21
YEAR 9	"	347	953	300	1600	1600	44	21
YEAR 10	"	347	954	300	1600	1600	44	21

		BULL RATIO	CALF RATIO
START		37	32
POST HUNT YR	1	33	32
POST HUNT YR	2	33	32
POST HUNT YR	3	33	32
POST HUNT YR	4	33	32
POST HUNT YR	5	33	32
POST HUNT YR	6	33	32
POST HUNT YR	7	33	32
POST HUNT YR	8	33	32
POST HUNT YR	9	33	32
POST HUNT YR	10	33	32

NORTHWESTERN CALIF. ELK HERD SIMULATION- GENERAL, PLM, SHARE TAGS, 2019

(Combined Harvest for Del Norte and Humboldt cos)

Ratio = 37/100/32 - Maximum Calf Survival = 40%

THIS PROGRAM CALCULATES CHANGES IN HERD CHARACTERISTICS BASED ON VARIOUS HARVEST RATES.

CURRENT CONDITIONS = NO CHANGE. GENERAL, COOP ELK, SHARE AND PLM TAGS TO HARVEST APPROXIMATELY 44 BULLS AND 21 ANTLERLESS ELK

	HERD SIZE	1600	ELK
% BULLS LOST TO NON HUNTING CAUSES		23.5	%
% COWS LOST TO NON HUNTING CAUSES		11.9	%
% OF BULLS KILLED BY HUNTERS		12.55	%
% OF COWS KILLED BY HUNTERS		2.2	%

		BULLS	COWS	SURV. CALVES	TOTAL	K	BULLS HARVEST	COWS HARVEST
START	AUG	350	947	303	1600	1600	44	21
YEAR 1	"	350	949	370	1670	1760	44	21
YEAR 2	"	376	981	371	1728	1760	47	22
YEAR 3	"	393	1009	358	1760	1760	49	22
YEAR 4	"	400	1027	333	1760	1760	50	23
YEAR 5	"	395	1031	333	1760	1760	50	23
YEAR 6	"	392	1036	333	1760	1760	49	23
YEAR 7	"	389	1039	332	1760	1760	49	23
YEAR 8	"	387	1041	331	1760	1760	49	23
YEAR 9	"	386	1043	331	1760	1760	48	23
YEAR 10	"	385	1045	331	1760	1760	48	23

		BULL RATIO	CALF RATIO
START		37	32
POST HUNT YR	1	33	40
POST HUNT YR	2	34	39
POST HUNT YR	3	35	36
POST HUNT YR	4	35	33
POST HUNT YR	5	34	33
POST HUNT YR	6	34	33
POST HUNT YR	7	34	33
POST HUNT YR	8	33	33
POST HUNT YR	9	33	32
POST HUNT YR	10	33	32

NORTHWESTERN CALIF. ELK HERD SIMULATION- GENERAL, PLM, SHARE TAGS, 2019
(Combined Harvest for Del Norte and Humboldt cos)

Ratio = 37/100/32 - Maximum Calf Survival = 40%

THIS PROGRAM CALCULATES CHANGES IN HERD CHARACTERISTICS BASED ON VARIOUS HARVEST RATES.

INCREASED PROPOSAL: ADD 24 BULL AND 36 ANTLERLESS (SHARE) TAGS TO HARVEST APPROXIMATELY 68 BULLS AND 57 ANTLERLESS ELK

	HERD SIZE	1600	ELK
% BULLS LOST TO NON HUNTING CAUSES		23.5	%
% COWS LOST TO NON HUNTING CAUSES		11.9	%
% OF BULLS KILLED BY HUNTERS		19.55	%
% OF COWS KILLED BY HUNTERS		6	%

		BULLS	COWS	SURV. CALVES	TOTAL	K	BULLS HARVEST	COWS HARVEST
START	AUG	350	947	303	1600	1600	44	21
YEAR 1	"	350	949	301	1600	1600	68	57
YEAR 2	"	331	918	351	1600	1600	65	55
YEAR 3	"	338	915	345	1598	1600	66	55
YEAR 4	"	340	910	344	1594	1600	66	55
YEAR 5	"	341	905	342	1588	1600	67	54
YEAR 6	"	341	900	340	1581	1600	67	54
YEAR 7	"	340	896	339	1574	1600	66	54
YEAR 8	"	339	891	337	1566	1600	66	53
YEAR 9	"	337	886	335	1558	1600	66	53
YEAR 10	"	336	881	333	1550	1600	66	53

		BULL RATIO	CALF RATIO
START		37	32
POST HUNT YR	1	32	34
POST HUNT YR	2	31	41
POST HUNT YR	3	32	40
POST HUNT YR	4	32	40
POST HUNT YR	5	32	40
POST HUNT YR	6	32	40
POST HUNT YR	7	32	40
POST HUNT YR	8	33	40
POST HUNT YR	9	33	40
POST HUNT YR	10	33	40

NORTHWESTERN CALIF. ELK HERD SIMULATION- GENERAL, PLM, SHARE TAGS, 2019
(Combined Harvest for Del Norte and Humboldt cos)

Ratio = 37/100/32 - Maximum Calf Survival = 40%

THIS PROGRAM CALCULATES CHANGES IN HERD CHARACTERISTICS BASED ON VARIOUS HARVEST RATES.

INCREASED PROPOSAL: ADD 24 BULL AND 36 ANTLERLESS (SHARE) TAGS TO HARVEST APPROXIMATELY 68 BULLS AND 57 ANTLERLESS ELK

	HERD SIZE	1600	ELK
% BULLS LOST TO NON HUNTING CAUSES		23.5	%
% COWS LOST TO NON HUNTING CAUSES		11.9	%
% OF BULLS KILLED BY HUNTERS		19.55	%
% OF COWS KILLED BY HUNTERS		6	%

		BULLS	COWS	SURV. CALVES	TOTAL	K	BULLS HARVEST	COWS HARVEST
START	AUG	350	947	303	1600	1600	44	21
YEAR 1	"	350	949	370	1670	1760	68	57
YEAR 2	"	357	949	357	1663	1760	70	57
YEAR 3	"	356	943	357	1656	1760	70	57
YEAR 4	"	356	938	355	1649	1760	70	56
YEAR 5	"	355	933	353	1641	1760	69	56
YEAR 6	"	353	928	351	1632	1760	69	56
YEAR 7	"	352	923	349	1624	1760	69	55
YEAR 8	"	350	918	347	1615	1760	68	55
YEAR 9	"	348	913	345	1607	1760	68	55
YEAR 10	"	346	909	343	1598	1760	68	55

		BULL RATIO	CALF RATIO
START		37	32
POST HUNT YR	1	32	42
POST HUNT YR	2	32	40
POST HUNT YR	3	32	40
POST HUNT YR	4	32	40
POST HUNT YR	5	33	40
POST HUNT YR	6	33	40
POST HUNT YR	7	33	40
POST HUNT YR	8	33	40
POST HUNT YR	9	33	40
POST HUNT YR	10	33	40

NORTHWESTERN CALIF. ELK HERD SIMULATION- GENERAL, PLM, SHARE TAGS, 2019
(Combined Harvest for Del Norte and Humboldt cos)

Ratio = 37/100/32 - Maximum Calf Survival = 40%

THIS PROGRAM CALCULATES CHANGES IN HERD

CHARACTERISTICS BASED ON VARIOUS HARVEST RATES.

PROPOSED PROJECT: ADD 8 BULL AND 12 ANTLERLESS (SHARE) TAGS TO HARVEST APPROXIMATELY 52 BULLS AND 33 ANTLERLESS ELK

	HERD SIZE	1600	ELK
% BULLS LOST TO NON HUNTING CAUSES		23.5	%
% COWS LOST TO NON HUNTING CAUSES		11.9	%
% OF BULLS KILLED BY HUNTERS		14.9	%
% OF COWS KILLED BY HUNTERS		3.5	%

		BULLS	COWS	SURV. CALVES	TOTAL	K	BULLS HARVEST	COWS HARVEST
START	AUG	350	947	303	1600	1600	44	21
YEAR 1	"	350	949	301	1600	1600	52	33
YEAR 2	"	343	939	318	1600	1600	51	33
YEAR 3	"	345	939	317	1600	1600	51	33
YEAR 4	"	346	937	317	1600	1600	51	33
YEAR 5	"	346	937	317	1600	1600	52	33
YEAR 6	"	347	936	317	1600	1600	52	33
YEAR 7	"	347	935	317	1600	1600	52	33
YEAR 8	"	347	935	317	1600	1600	52	33
YEAR 9	"	348	935	318	1600	1600	52	33
YEAR 10	"	348	935	318	1600	1600	52	33

		BULL RATIO	CALF RATIO
START		37	32
POST HUNT YR	1	33	33
POST HUNT YR	2	32	35
POST HUNT YR	3	32	35
POST HUNT YR	4	33	35
POST HUNT YR	5	33	35
POST HUNT YR	6	33	35
POST HUNT YR	7	33	35
POST HUNT YR	8	33	35
POST HUNT YR	9	33	35
POST HUNT YR	10	33	35

NORTHWESTERN CALIF. ELK HERD SIMULATION- GENERAL, PLM, SHARE TAGS, 2019
(Combined Harvest for Del Norte and Humboldt cos)

Ratio = 37/100/32 - Maximum Calf Survival = 40%

THIS PROGRAM CALCULATES CHANGES IN HERD CHARACTERISTICS BASED ON VARIOUS HARVEST RATES.

PROPOSED PROJECT: ADD 8 BULL AND 12 ANTLERLESS (SHARE) TAGS TO HARVEST APPROXIMATELY 52 BULLS AND 33 ANTLERLESS ELK

	HERD SIZE	1600	ELK
% BULLS LOST TO NON HUNTING CAUSES		23.5	%
% COWS LOST TO NON HUNTING CAUSES		11.9	%
% OF BULLS KILLED BY HUNTERS		14.9	%
% OF COWS KILLED BY HUNTERS		3.5	%

		BULLS	COWS	SURV. CALVES	TOTAL	K	BULLS HARVEST	COWS HARVEST
START	AUG	350	947	303	1600	1600	44	21
YEAR 1	"	350	949	370	1670	1760	52	33
YEAR 2	"	370	970	366	1706	1760	55	34
YEAR 3	"	381	986	374	1741	1760	57	35
YEAR 4	"	391	1003	366	1760	1760	58	35
YEAR 5	"	394	1014	352	1760	1760	59	35
YEAR 6	"	391	1017	352	1760	1760	58	36
YEAR 7	"	389	1020	351	1760	1760	58	36
YEAR 8	"	388	1021	351	1760	1760	58	36
YEAR 9	"	387	1023	350	1760	1760	58	36
YEAR 10	"	386	1024	350	1760	1760	57	36

		BULL RATIO	CALF RATIO
START		37	32
POST HUNT YR	1	33	40
POST HUNT YR	2	34	39
POST HUNT YR	3	34	39
POST HUNT YR	4	34	38
POST HUNT YR	5	34	36
POST HUNT YR	6	34	36
POST HUNT YR	7	34	36
POST HUNT YR	8	33	36
POST HUNT YR	9	33	36
POST HUNT YR	10	33	35

NORTHWESTERN CALIF. ELK HERD SIMULATION- GENERAL, PLM, SHARE TAGS, 2019
(Combined Harvest for Del Norte and Humboldt cos)

Ratio = 37/100/32 - Maximum Calf Survival = 40%

THIS PROGRAM CALCULATES CHANGES IN HERD CHARACTERISTICS BASED ON VARIOUS HARVEST RATES.

REDUCED PROPOSAL: ADD 4 BULL AND 6 ANTLERLESS (SHARE) TAGS TO HARVEST APPROXIMATELY 48 BULLS AND 27 ANTLERLESS ELK

	HERD SIZE	1600	ELK
% BULLS LOST TO NON HUNTING CAUSES		23.5	%
% COWS LOST TO NON HUNTING CAUSES		11.9	%
% OF BULLS KILLED BY HUNTERS		13.8	%
% OF COWS KILLED BY HUNTERS		2.85	%

		BULLS	COWS	SURV. CALVES	TOTAL	K	BULLS HARVEST	COWS HARVEST
START	AUG	350	947	303	1600	1600	44	21
YEAR 1	"	350	949	301	1600	1600	48	27
YEAR 2	"	346	945	309	1600	1600	48	27
YEAR 3	"	346	945	309	1600	1600	48	27
YEAR 4	"	347	945	309	1600	1600	48	27
YEAR 5	"	347	945	309	1600	1600	48	27
YEAR 6	"	347	944	309	1600	1600	48	27
YEAR 7	"	347	944	309	1600	1600	48	27
YEAR 8	"	347	944	309	1600	1600	48	27
YEAR 9	"	347	944	309	1600	1600	48	27
YEAR 10	"	347	944	309	1600	1600	48	27

		BULL RATIO	CALF RATIO
START		37	32
POST HUNT YR	1	33	33
POST HUNT YR	2	32	34
POST HUNT YR	3	33	34
POST HUNT YR	4	33	34
POST HUNT YR	5	33	34
POST HUNT YR	6	33	34
POST HUNT YR	7	33	34
POST HUNT YR	8	33	34
POST HUNT YR	9	33	34
POST HUNT YR	10	33	34

NORTHWESTERN CALIF. ELK HERD SIMULATION- GENERAL, PLM, SHARE TAGS, 2019
(Combined Harvest for Del Norte and Humboldt cos)

Ratio = 37/100/32 - Maximum Calf Survival = 40%

THIS PROGRAM CALCULATES CHANGES IN
HERD
CHARACTERISTICS BASED ON VARIOUS
HARVEST
RATES.

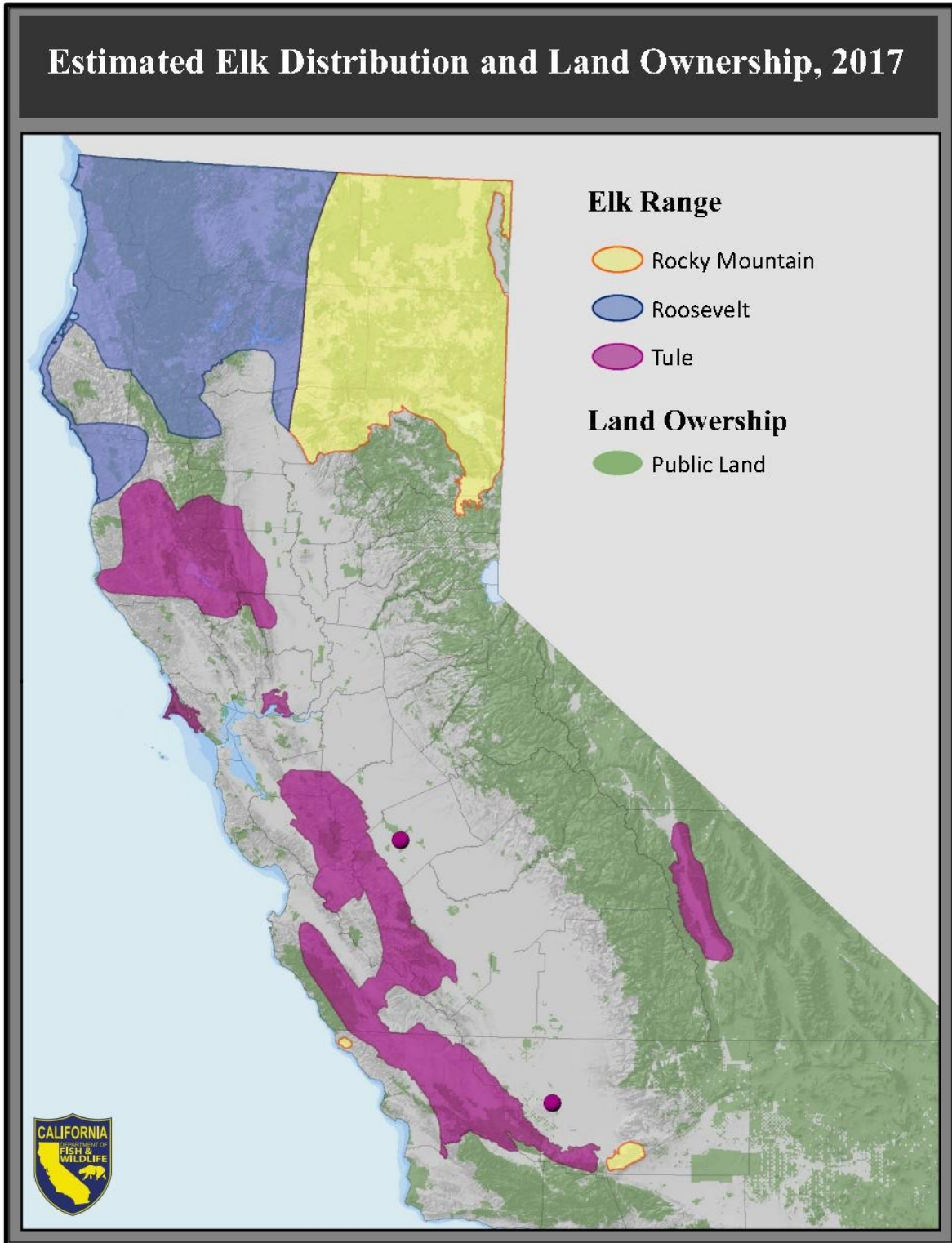
REDUCED PROPOSAL: ADD 4 BULL AND 6 ANTLERLESS (SHARE) TAGS TO HARVEST APPROXIMATELY 48 BULLS AND 27 ANTLERLESS ELK

	HERD SIZE	1600	ELK
% BULLS LOST TO NON HUNTING CAUSES		23.5	%
% COWS LOST TO NON HUNTING CAUSES		11.9	%
% OF BULLS KILLED BY HUNTERS		13.8	%
% OF COWS KILLED BY HUNTERS		2.85	%

		BULLS	COWS	SURV. CALVES	TOTAL	K	BULLS HARVEST	COWS HARVEST
START	AUG	350	947	303	1600	1600	44	21
YEAR 1	"	350	949	370	1670	1760	48	27
YEAR 2	"	373	975	369	1717	1760	51	28
YEAR 3	"	387	997	376	1760	1760	53	28
YEAR 4	"	399	1019	342	1760	1760	55	29
YEAR 5	"	394	1023	343	1760	1760	54	29
YEAR 6	"	391	1027	342	1760	1760	54	29
YEAR 7	"	389	1030	342	1760	1760	54	29
YEAR 8	"	387	1032	341	1760	1760	53	29
YEAR 9	"	386	1033	341	1760	1760	53	29
YEAR 10	"	385	1035	341	1760	1760	53	29

		BULL RATIO	CALF RATIO
START		37	32
POST HUNT YR	1	33	40
POST HUNT YR	2	34	39
POST HUNT YR	3	34	39
POST HUNT YR	4	35	35
POST HUNT YR	5	34	35
POST HUNT YR	6	34	34
POST HUNT YR	7	34	34
POST HUNT YR	8	33	34
POST HUNT YR	9	33	34
POST HUNT YR	10	33	34

Appendix 4. Estimated Elk Distribution and Land Ownership, 2017



Appendix 5. Current Elk Hunting Regulations

§364, Title 14, CCR. Elk.

- (a) Department Administered General Methods Roosevelt Elk Hunts:
 - (1) Siskiyou General Methods Roosevelt Elk Hunt:
 - (A) Area: In that portion of Siskiyou County beginning at the junction of Interstate Highway 5 with the California-Oregon state line; east along the state line to Hill Road at Ainsworth Corner; south along Hill Road to Lava Beds National Monument Road; south along Lava Beds National Monument Road to USDA Forest Service Road 49; south along USDA Forest Service Road 49 to USDA Forest Service Road 77; west along USDA Forest Service Road 77 to USDA Forest Service Road 15 (Harris Spring Road); south along USDA Forest Service Road 15 to USDA Forest Service Road 13 (Pilgrim Creek Road); southwest along USDA Forest Service Road 13 to Highway 89; northwest along Highway 89 to Interstate Highway 5; north along Interstate Highway 5 to the point of beginning.
 - (2) Northwestern California Roosevelt Elk Hunt:
 - (A) Area: In those portions of Humboldt and Del Norte counties within a line beginning at the intersection of Highway 299 and Highway 96, north along Highway 96 to the Del Norte-Siskiyou county line, north along the Del Norte-Siskiyou county line to the California-Oregon state line, west along the state line to the Pacific Coastline, south along the Pacific coastline to the Humboldt-Mendocino county line, east along the Humboldt-Mendocino county line to the Humboldt-Trinity county line, north along the Humboldt-Trinity county line to Highway 299, west along Highway 299 to the point of beginning.
 - (3) Marble Mountains General Methods Roosevelt Elk Hunt
 - (A) Area: In those portions of Humboldt, Tehama, Trinity, Shasta and Siskiyou counties beginning at the intersection of Interstate Highway 5 and the California-Oregon state line; west along the state line to the Del Norte County line; south along the Del Norte County line to the intersection of the Siskiyou-Humboldt county lines; east along the Siskiyou-Humboldt county lines to Highway 96; south along Highway 96 to Highway 299; south along Highway 299 to the Intersection of the Humboldt/Trinity County line; south along the Humboldt Trinity County Line to the intersection of Highway 36; east along Highway 36 to the intersection of Interstate 5; north on Interstate Highway 5 to the point of beginning.
- (b) Department Administered General Methods Rocky Mountain Elk Hunts:
 - (1) Northeastern California General Methods Rocky Mountain Elk Hunt:
 - (A) Area: Those portions of Siskiyou, Modoc, Lassen, and Shasta counties within a line beginning in Siskiyou County at the junction of the California-Oregon state line and Hill Road at Ainsworth Corner; east along the California-Oregon state line to the California-Nevada state line; south along the California-Nevada state line to the Tuledad-Red Rock-Clarks Valley Road (Lassen County Roads 506, 512 and 510); west along the Tuledad-Red Rock-Clarks Valley Road to Highway 395 at Madeline; west on USDA Forest Service Road 39N08 to the intersection of Highway 139/299 in Adin; south on Highway 139 to the intersection of Highway 36 in Susanville; west on Highway 36 to the intersection of Interstate 5 in Red Bluff; north on Interstate 5 to Highway 89; southeast along Highway 89 to USDA Forest Service Road 13 (Pilgrim Creek Road); northeast along USDA Forest Service Road 13 to USDA Forest Service Road 15 (Harris Spring Road); north along USDA Forest Service Road to USDA Forest Service Road 77; east along USDA Forest Service Road 77 to USDA Forest Service Road 49; north along USDA Forest Service Road 49 to Lava Beds National Monument Road; north along Lava Beds National Monument Road to Hill Road; north along Hill Road to the point of beginning.
- (c) Department Administered General Methods Roosevelt/Tule Elk Hunts:
 - (1) Mendocino General Methods Roosevelt/Tule Elk Hunt:
 - (A) Area: Those portions in Mendocino County within a line beginning at the Pacific Coastline and the Mendocino/Humboldt County line south of Shelter Cove; east along

the Mendocino/Humboldt County line to the intersection of the Humboldt, Mendocino, and Trinity County lines; south and east along the Mendocino/Trinity County line to the intersection of the Mendocino, Trinity, and Tehama County lines; south along the Mendocino County line to the intersection of Highway 20; north and west along Highway 20 to the intersection of Highway 101 near Calpella; south along Highway 101 to the intersection of Highway 253; southwest along Highway 253 to the intersection of Highway 128; north along Highway 128 to the intersection of Mountain View Road near the town of Boonville; west along Mountain View Road to the intersection of Highway 1; south along Highway 1 to the intersection of the Garcia River; west along the Garcia River to the Pacific Coastline; north along the Pacific Coastline to the point of beginning.

- (d) Department Administered General Methods Tule Elk Hunts:
 - (1) Cache Creek General Methods Tule Elk Hunt:
 - (A) Area: Those portions of Lake, Colusa and Yolo counties within the following line: beginning at the junction of Highway 20 and Highway 16; south on Highway 16 to Reiff-Rayhouse Road; west on Reiff-Rayhouse Road to Morgan Valley Road; west on Morgan Valley Road to Highway 53; north on Highway 53 to Highway 20; east on Highway 20 to the fork of Cache Creek; north on the north fork of Cache Creek to Indian Valley Reservoir; east on the south shore of Indian Valley Reservoir to Walker Ridge-Indian Valley Reservoir Access Road; east on Walker Ridge-Indian Valley Reservoir Access Road to Walker Ridge Road; south on Walker Ridge Road to Highway 20; east on Highway 20 to the point of beginning.
 - (2) La Panza General Methods Tule Elk Hunt:
 - (A) Area: In those portions of San Luis Obispo, Kern, Monterey, Kings, Fresno, San Benito, and Santa Barbara counties within a line beginning in San Benito County at the junction of Highway 25 and County Highway J1 near the town Pacines, south along Highway 25 to La Gloria road, west along La Gloria road, La Gloria road becomes Gloria road, west along Gloria road to Highway 101 near Gonzales, south along Highway 101 to Highway 166 in San Luis Obispo County; east along Highway 166 to Highway 33 at Maricopa in Kern County; north and west along Highway 33 to Highway 198 at Coalinga in Fresno County, north along Highway 33 to Interstate 5 in Fresno County, north along Interstate 5 to Little Panoche road/County Highway J1, southwest along Little Panoche road/County Highway J1 to the intersection of Little Panoche road/County Highway J1 and Panoche road/County Highway J1 in San Benito County, northwest along Panoche road/County Highway J1 to the point of beginning.
 - (B) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.
 - (3) Bishop General Methods Tule Elk Hunt:
 - (A) Area: In that portion of Inyo County beginning at the junction of Highway 395 and Highway 6 in the town of Bishop; north and east along Highway 6 to the junction of Silver Canyon Road; east along Silver Canyon Road to the White Mountain Road (Forest Service Road 4S01); south along the White Mountain Road to Highway 168 at Westgard Pass; south and west along Highway 168 to the junction of Highway 395; north on Highway 395 to the point of beginning.
 - (4) Independence General Methods Tule Elk Hunt:
 - (A) Area: In that portion of Inyo County beginning at the junction of Highway 395 and Aberdeen Station Road; east on Aberdeen Station Road to its terminus at the southern boundary of Section 5, Township 11S, Range 35E; east along the southern boundary of sections 5, 4, 3, and 2, Township 11S, Range 35E to the Papoose Flat Road at Papoose Flat; south and east on Papoose Flat Road to Mazourka Canyon Road; south and then west on Mazourka Canyon Road to Highway 395; north along Highway 395 to the point of beginning.
 - (5) Lone Pine General Methods Tule Elk Hunt:
 - (A) Area: In that portion of Inyo County beginning at the junction of Highway 395 and Mazourka Canyon Road; east and then north on Mazourka Canyon Road to the Inyo National Forest Boundary at the junction of the southern boundary of Township 12S

- and the northern boundary of Township 13S; east along the southern boundary of Township 12S to Saline Valley Road; south on Saline Valley Road to Highway 190; north and then southwest on Highway 190 to the junction of Highway 395 at Olancha; north on Highway 395 to the point of beginning.
- (6) Tinemaha General Methods Tule Elk Hunt:
 - (A) Area: In that portion of Inyo County beginning at the junction of Highway 395 and Highway 168 in the town of Big Pine; north and east along Highway 168 to the junction of the Death Valley Road; south and east along the Death Valley Road to the junction of the Papoose Flat Road; south along the Papoose Flat Road to the southern boundary of Section 2, Township 11S, Range 35E; west along the southern boundaries of sections 2, 3, 4 and 5 to the terminus of the Aberdeen Station Road in Section 5, Township 11S, Range 35E; south and west along the Aberdeen Station Road to Highway 395; north along Highway 395 to the point of beginning.
 - (7) West Tinemaha General Methods Tule Elk Hunt:
 - (A) Area: In that portion of Inyo County beginning at the junction of Highway 395 and Highway 168 in the town of Big Pine; south along Highway 395 to the north junction of Fish Springs Road; south along Fish Springs Road to the junction of Highway 395; south along Highway 395 to Taboose Creek in Section 14, Township 11S, Range 34E; west along Taboose Creek to the Inyo County line; north and west along the Inyo County line to the intersection of Tinemaha Creek; east along Tinemaha Creek to the intersection of McMurray Meadow Road; north on McMurray Meadow Road to the intersection of Glacier Lodge Road; north and east on Glacier Lodge Road to Crocker Avenue; east along Crocker Avenue to Highway 395; north along Highway 395 to the point of beginning.
 - (8) Tinemaha Mountain General Methods Tule Elk Hunt:
 - (A) Area: In that portion of Inyo County with a line beginning at the intersection of Glacier Lodge Road (9S21) and McMurray Meadow Road (9S03); south on McMurray Meadow Road to Tinemaha Creek; west along Tinemaha Creek to the Inyo County line; north and west along the Inyo County line to the southeast corner of Section 23, Township 10S, Range 32E; north along the eastern boundaries of sections 23, 14, 11, 2, Township 10S, Range 32E, and the eastern boundary of Section 36, Township 9S, Range 32E to Glacier Lodge Road; east along Glacier Lodge Road to the beginning.
 - (9) Whitney General Methods Tule Elk Hunt:
 - (A) Area: In that portion of Inyo County with a line beginning at the intersection of Highway 395 and Onion Valley Road; south on Highway 395 to the intersection of Whitney Portal Road; west along Whitney Portal Road to the northern boundary of Section 36, Township 15S, Range 34E; west along the northern boundary of sections 36, 35, 34 and 33 Township 15S, Range 34 E to the Inyo County Line; north along the Inyo County Line to the intersection of Section 27 Township 13S, range 33E; east along the southern boundary of sections 27, 26 and 25 Township 13S, Range 33E; north along the eastern boundary of Section 25 Township 13S, Range 33E to the intersection of Onion Valley Road; east along Onion Valley Road to the point of beginning.
 - (10) Goodale General Methods Tule Elk Hunt:
 - (A) Area: In that portion of Inyo County beginning at the junction of Highway 395 and Onion Valley Road; west along Onion Valley Road to the intersection of the Section 25 Township 13S, Range 33E; south along the eastern boundary of Section 25 Township 13S, Range 33E to the southern boundary of Section 25 Township 13S, Range 33E; west along the southern boundary of sections 27, 26, 25 Township 13S, Range 33E to the Inyo County line; North along the Inyo County Line to Taboose Creek; east along Taboose Creek to the intersection of Highway 395; south along Highway 395 to the point of beginning.
 - (11) Grizzly Island General Methods Tule Elk Hunt:
 - (A) Area: Those lands owned and managed by the Department of Fish and Game as the Grizzly Island Wildlife Area.

- Mendocino-Lake County line to Highway 20; southeast on Highway 20 to the intersection of Bartlett Springs Road; north and east along Bartlett Springs Road to the intersection of Forest Route M5; northwest on Forest Route M5 to the Colusa-Lake County Line; northwest and east on the Colusa-Lake County Line to the junction of the Glenn-Colusa County Line and the Lake-Glenn County Line; north and west on the Lake-Glenn County Line to the point of beginning.
- (17) Santa Clara General Methods Tule Elk Hunt:
 - (A) Area: Those portions of Merced, Santa Clara, and Stanislaus Counties within the following line: beginning at the intersection of the Interstate 5 and the San Joaquin/Stanislaus County line; southeast along Interstate 5 to the intersection of Highway 152; west along Highway 152 to the intersection of Highway 101 near the town of Gilroy; north along Highway 101 to the intersection of Interstate 680 near San Jose; north along Interstate 680 to the intersection of the Alameda/Santa Clara County line; east along the Alameda/Santa Clara County line to the intersection of the San Joaquin, Stanislaus, Alameda, Santa Clara County lines; northeast along the San Joaquin/Stanislaus County line to the point of beginning.
 - (18) Alameda General Methods Tule Elk Hunt:
 - (A) Area: Those portions of Alameda and San Joaquin Counties within the following line: beginning at the intersection of the Interstate 5 and the San Joaquin/Stanislaus County line; southwest along the San Joaquin/Stanislaus County line to the intersection of the San Joaquin, Stanislaus, Alameda, Santa Clara County lines; west along the Alameda/Santa Clara County Line to the intersection of Interstate 680; north along Interstate 680 to the intersection of Interstate 580; east and south along Interstate 580 to the intersection of Interstate 5; south along Interstate 5 to the point of beginning.
 - (e) Department Administered General Methods Apprentice Elk Hunts:
 - (1) Marble Mountains General Methods Roosevelt Elk Apprentice Hunt:
 - (A) Area: The tag shall be valid in the area described in subsection 364(a)(3)(A).
 - (B) Special Conditions: Only persons possessing valid junior hunting licenses may apply for Apprentice Hunt license tags. Apprentice Hunt tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.
 - (2) Northeastern California General Methods Rocky Mountain Elk Apprentice Hunt:
 - (A) Area: The tag shall be valid in the area described in subsection 364(b)(1)(A).
 - (B) Special Conditions: Only persons possessing valid junior hunting licenses may apply for Apprentice Hunt License tags. Apprentice Hunt tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.
 - (3) Cache Creek General Methods Tule Elk Apprentice Hunt:
 - (A) Area: The tag shall be valid in the area described in subsection 364(d)(1)(A).
 - (B) Special Conditions:
 - 1. Only persons possessing valid junior hunting licenses may apply for Apprentice Hunt license tags. Apprentice Hunt tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.
 - (4) La Panza General Methods Tule Elk Apprentice Hunt:
 - (A) Area: The tag shall be valid in the area described in subsection 364(d)(2)(A).
 - (B) Special Conditions:
 - 1. All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting after receipt of their elk license tags.
 - 2. Only persons possessing valid junior hunting licenses may apply for Apprentice Hunt license tags. Apprentice Hunter tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.
 - (5) Bishop General Methods Tule Elk Apprentice Hunt:
 - (A) Area: The tag shall be valid in the area described in subsection 364(d)(3)(A).

- (C) Elk may be taken with Muzzleloader Equipment only as specified in Section 353.
- (h) Department Administered Muzzleloader/Archery Only Elk Hunts:
 - (1) Marble Mountains Muzzleloader/Archery Only Roosevelt Elk Hunt.
 - (A) Area: The tag shall be valid in the area described in subsection 364(a)(3)(A).
 - (B) Special Conditions: Elk may be taken with archery or muzzleloader equipment only as specified in Sections 353 and 354.
- (i) Fund Raising Elk Hunts:
 - (1) Multi-zone Fund Raising Elk Hunt.
 - (A) Area: The tag shall be valid in the areas described in subsections 364(a)(1)(A), (a)(2)(A), (a)(3)(A), (b)(1)(A), and (d)(2)(A).
 - (2) Grizzly Island Fund Raising Tule Elk Hunt.
 - (A) Area: The tag shall be valid in the area described in subsection 364(d)(11)(A).
 - (B) Special Conditions: Advance reservations required by contacting the Grizzly Island Wildlife Area by telephone at (707) 425-3828.
 - (3) Owens Valley Fund Raising Tule Elk Hunt
 - (A) Area: The tag shall be valid in areas described in subsections 364(d)(3)(A), (d)(4)(A), (d)(5)(A), (d)(6)(A), (d)(7)(A), (d)(8)(A), (d)(9)(A), and (d)(10)(A).
- (j) Military Only Elk Hunts. These hunts are sponsored and tag quotas are set by the Department. The tags are assigned and the hunts are administered by the Department of Defense.
 - (1) Fort Hunter Liggett Military Only General Methods Tule Elk Hunt:
 - (A) Area: The tag shall be valid in the area described in subsection 364(d)(12)(A).
 - (B) Special Conditions: See subsection 364(p).
 - (2) Fort Hunter Liggett Military Only General Methods Tule Elk Apprentice Hunt:
 - (A) Area: The tag shall be valid in the area described in subsection 364(d)(12)(A).
 - (B) Special Conditions: See subsection 364(p).
 - (C) Only persons possessing valid junior hunting licenses may apply for Apprentice Hunt license tags. Apprentice Hunt tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.
 - (3) Fort Hunter Liggett Military Only Archery Only Tule Elk Hunt:
 - (A) Area: The tag shall be valid in the area described in subsection 364(d)(12)(A).
 - (B) Special Conditions: See subsection 364(p).
 - (C) Elk may be taken with Archery Equipment only as specified in Section 354.
 - (4) Fort Hunter Liggett Military Only Muzzleloader Only Tule Elk Hunt:
 - (A) Area: The tag shall be valid in the area described in subsection 364(d)(12)(A).
 - (B) Special Conditions: See subsection 364(p).
- (k) Bag and Possession Limit: Each elk tag is valid only for one elk per season and only in the hunt area drawn.
- (l) Definitions:
 - (1) Bull elk: Any elk having an antler or antlers at least four inches in length as measured from the top of the skull.
 - (2) Spike bull: A bull elk having no more than one point on each antler. An antler point is a projection of the antler at least one inch long and longer than the width of its base.
 - (3) Antlerless elk: Any elk, with the exception of spotted calves, with antlers less than four inches in length as measured from the top of the skull.
 - (4) Either-sex elk: For the purposes of these regulations, either-sex is defined as bull elk, spike elk, or antlerless elk.
- (m) Method of Take: Only methods for taking elk as defined in Sections 353 and 354 may be used.
- (n) Tagholder Responsibilities:
 - (1) No tagholder shall take or possess any elk or parts thereof governed by the regulations except herein provided.
 - (2) The department reserves the right to use any part of the tagholder's elk for biological analysis as long as the amount of edible meat is not appreciably decreased.
 - (3) Any person taking an elk which has a collar or other marking device attached to it shall provide the department with such marking device within 10 days of taking the elk.
- (o) The use of dogs to take or attempt to take elk is prohibited.
- (p) Fort Hunter Liggett Special Conditions:

- (1) All tagholders hunting within the exterior boundaries of Fort Hunter Liggett will be required to attend a mandatory hunter orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.
- (2) Tagholders hunting within the exterior boundaries of Fort Hunter Liggett shall be required to purchase an annual hunting pass available from Fort Hunter Liggett.
- (3) All successful tagholders hunting within the exterior boundaries of Fort Hunter Liggett will be required to have their tags validated on Fort Hunter Liggett prior to leaving.
- (4) Due to military operations and training, the specified season dates within the exterior boundaries of Fort Hunter Liggett are subject to further restriction, cancellation, or may be rescheduled, between August 1 and January 31, by the Commanding Officer.

- (q) [subsection reserved]

(r) Department Administered General Methods Roosevelt Elk Hunts						
Hunt		1. Bull Tags	2. Antlerless Tags	3 Either-Sex Tags	4. Spike Tags	5. Season
(1)(A) Siskiyou		20	20			Shall open on the Wednesday preceding the second Saturday in September and continue for 12 consecutive days.
(2)(A) Northwestern		15	0	3		Shall open on the first Wednesday in September and continue for 23 consecutive days.
(3)(A) Marble Mountains		35	10			Shall open on the Wednesday preceding the second Saturday in September and continue for 12 consecutive days.
(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 California Bull	15				The bull season shall open on the Wednesday preceding the third Saturday in September and continue for 12 consecutive days.
	(B) Northeastern California Antlerless		10			The antlerless season shall open on the second Wednesday in November and continue for 12 consecutive days.

(t) Department Administered General Methods Roosevelt/Tule Elk Hunts					
Hunt	1. Bull Tags	2. Antlerless Tags	3 Either-Sex Tags	4. Spike Tags	5. Season
(1)(A) Mendocino	2	0			The season shall open on the Wednesday preceding the fourth Saturday in September and continue for 12 consecutive days.
(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) Cache Creek					
(A) Bull	2				The Bull season shall open on the second Saturday in October and continue for 16 consecutive days.
(B) Antlerless		2			The Antlerless season shall open on the third Saturday in October and continue for 16 consecutive days.
(2) La Panza					
(A) Period 1	6	5			Shall open on the second Saturday in October and extend for 23 consecutive days.
(B) Period 2	6	6			Shall open on the second Saturday in November and extend for 23 consecutive days.
(3) Bishop					
(A) Period 3	0	0			Shall open on the third Saturday in October and extend for 9 consecutive days.
(B) Period 4	0	0			Shall open on the first Saturday in November and extend for 9 consecutive days.
(C) Period 5	0	0			Shall open on the first Saturday in December and continue for 9 consecutive days.
(4) Independence					

	(A) Period 2	1	1			Shall open on the first Saturday in October and extend for 9 consecutive days.
	(B) Period 3	1	1			Shall open on the third Saturday in October and extend for 9 consecutive days.
	(C) Period 4	0	1			Shall open on the first Saturday in November and extend for 9 consecutive days.
	(D) Period 5	0	0			Shall open on the first Saturday in December and continue for 9 consecutive days.
(5)	Lone Pine					
	(A) Period 2	1	1			Shall open on the first Saturday in October and extend for 9 consecutive days.
	(B) Period 3	1	1			Shall open on the third Saturday in October and extend for 9 consecutive days.
	(C) Period 4		0			Shall open on the first Saturday in November and extend for 9 consecutive days.
	(D) Period 5	0	0			Shall open on the first Saturday in December and continue for 9 consecutive days.
(6)	Tinemaha					
	(A) Period 2	0	0			Shall open on the first Saturday in October and extend for 9 consecutive days.
	(B) Period 3	0	0			Shall open on the third Saturday in October and extend for 9 consecutive days.
	(C) Period 4	0	0			Shall open on the first Saturday in November and extend for 9 consecutive days.
	(D) Period 5	0	0			Shall open on the first Saturday in December and continue for 9 consecutive days.
(7)	West Tinemaha					
	(A) Period 1	0	0			Shall open on the second Saturday in September and extend for 16 consecutive days.

	(B) Period 2	0	0			Shall open on the first Saturday in October and extend for 9 consecutive days.
	(C) Period 3	0	0			Shall open on the third Saturday in October and extend for 9 consecutive days.
	(D) Period 4	0	0			Shall open on the first Saturday in November and extend for 9 consecutive days.
	(E) Period 5	0	0			Shall open on the first Saturday in December and continue for 9 consecutive days.
(8)	Tinemaha Mountain					
	(A) Period 1	0				Shall open on the second Saturday in September and extend for 16 consecutive days.
	(B) Period 2	0				Shall open on the first Saturday in October and extend for 9 consecutive days.
	(C) Period 3	0				Shall open on the third Saturday in October and extend for 9 consecutive days.
	(D) Period 4	0				Shall open on the first Saturday in November and extend for 9 consecutive days.
	(E) Period 5	0				Shall open on the first Saturday in December and continue for 9 consecutive days.
(9)	Whitney					
	(A) Period 2	0	1			Shall open on the first Saturday in October and extend for 9 consecutive days.
	(B) Period 3	0	0			Shall open on the third Saturday in October and extend for 9 consecutive days.
	(C) Period 4	0	0			Shall open on the first Saturday in November and extend for 9 consecutive days.
	(D) Period 5	0	0			Shall open on the first Saturday in December and continue for 9 consecutive days.
(10)	Goodale					

	(A) Period 1	0	0			Shall open on the second Saturday in September and extend for 16 consecutive days.
	(B) Period 2	0	1			Shall open on the first Saturday in October and extend for 9 consecutive days.
	(C) Period 3	0	1			Shall open on the third Saturday in October and extend for 9 consecutive days.
	(D) Period 4	0	0			Shall open on the first Saturday in November and extend for 9 consecutive days.
	(E) Period 5	0	0			Shall open on the first Saturday in December and extend for 9 consecutive days
(11)	Grizzly Island					
	(A) Period 1	0	6		0	Shall open on the second Tuesday after the first Saturday in August and continue for 4 consecutive days.
	(B) Period 2	0	2		4	Shall open on the first Thursday following the opening of period one and continue for 4 consecutive days.
	(C) Period 3	0	6		0	Shall open on the first Tuesday following the opening of period two and continue for 4 consecutive days.
	(D) Period 4	0	4		2	Shall open on the first Thursday following the opening of period three and continue for 4 consecutive days.
	(E) Period 5	0	8		0	Shall open on the first Tuesday following the opening of period four and continue for 4 consecutive days.
	(F) Period 6	0	0		0	Shall open on the first Thursday following the opening of period five and continue for 4 consecutive days.
	(G) Period 7	0	8		0	Shall open on the first Tuesday following the opening of period six and continue for 4 consecutive days.
	(H) Period 8	0	0		6	Shall open on the first Thursday following the opening

						of period seven and continue for 4 consecutive days.
	(I) Period 9	0	8		0	Shall open on the first Tuesday following the opening of period eight and continue for 4 consecutive days.
	(J) Period 10	3	0		0	Shall open on the first Thursday following the opening of period nine and continue for 4 consecutive days.
	(K) Period 11	0	8		0	Shall open on the first Tuesday following the opening of period ten and continue for 4 consecutive days.
	(L) Period 12	3			0	Shall open on the first Thursday following the opening of period eleven and continue for 4 consecutive days.
	(M) Period 13	0	8		0	Shall open on the first Tuesday following the opening of period twelve and continue for 4 consecutive days.
(12)	Fort Hunter Liggett General Public					
	(A) Period 1	0	0			Shall open on the first Thursday in November and continue for 9 consecutive days.
	(B) Period 2	0	0			Shall open on November 22 and continue for 9 consecutive days.
	(C) Period 3	0	0			Shall open on the third Saturday in December and continue for 16 consecutive days.
(13)	(A) East Park Reservoir	2	2			Shall open on the first Saturday in September and continue for 27 consecutive days.
(14)	(A) San Luis Reservoir	0	0	5		Shall open on the first Saturday in October and continue for 23 consecutive days.
(15)	(A) Bear Valley	2	1			Shall open on the second Saturday in October and continue for 9 consecutive days.
(16)	Lake Pillsbury					

	(A) Period 1		4			Shall open on the Wednesday preceding the second Saturday in September and continue for 10 consecutive days.
	(B) Period 2	2				Shall open Monday following the fourth Saturday in September and continue for 10 consecutive days.
	(17)(A) Santa Clara	0	0			Shall open on the second Saturday in October and continue for 16 consecutive days.
	(18)(A) Alameda	0	0			Shall open on the second Saturday in October and continue for 16 consecutive days.
(v) Department Administered Apprentice Hunts						
	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
	(1)(A) Marble Mountain General Methods Roosevelt Elk Apprentice			2		Shall open on the Wednesday preceding the second Saturday in September and continue for 12 consecutive days.
	(2)(A) Northeast California General Methods Rocky Elk Apprentice			2		Shall open on the Wednesday preceding the third Saturday in September and continue for 12 consecutive days.
	(3)(A) Cache Creek General Methods Tule Elk Apprentice	1	0			Shall open on the second Saturday in October and continue for 16 consecutive days.
	(4)(A) La Panza General Methods Tule Elk Apprentice	0	1			Shall open on the second Saturday in October and extend for 23 consecutive days.
	(5)(A) Bishop General Methods Tule Elk Apprentice Period 2	0	0			Shall open on the first Saturday in October and extend for 9 consecutive days.
(6)	Grizzly Island General Methods Tule Elk Apprentice					
	(A) Period 1		3		0	Shall open on the second Tuesday after the first Saturday in August and continue for 4 consecutive days.
	(B) Period 2		0		2	Shall open on the first Thursday following the opening

						of period one and continue for 4 consecutive days.
	(C) Period 3		3		0	Shall open on the first Tuesday following the opening of period two and continue for 4 consecutive days.
	(D) Period 4		0		2	Shall open on the first Thursday following the opening of period three and continue for 4 consecutive days.
	(7)(A) Fort Hunter Liggett General Public General Methods Apprentice	0	0			Shall open on the third Saturday in December and continue for 16 consecutive days.
(w) Department Administered Archery Only Hunts						
Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season	
(1)(A) Northeast California Archery Only	0	0	10			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				Shall open on the second Saturday in August and extend for 9 consecutive days.
(3)(A) Lone Pine Archery Only Period 1	0	1				Shall open on the second Saturday in September and extend for 16 consecutive days.
(4)(A) Tinemaha Archery Only Period 1	0	0				Shall open on the second Saturday in September and extend for 16 consecutive days.
(5)(A) Whitney Archery Only Period 1	0	0				Shall open on the second Saturday in September and extend for 16 consecutive days.
(6)	Fort Hunter Liggett					
(A) General Public Archery Only Either Sex				3		Shall open on the last Wednesday in July and continue for 9 consecutive days.
(B) General Public Archery Only Antlerless		4				Shall open on the Tuesday preceding the fourth Thursday in November and continue for 9 consecutive days.

(x) Department Administered Muzzleloader Only Tule Elk Hunts					
Hunt	1. Bull Tags	2. Antlerless Tags	3 Either-Sex Tags	4. Spike Tags	5. Season
(1)(A) Bishop Muzzleloader Only Period 1	0	0			Shall open on the second Saturday in September and extend for 16 consecutive days.
(2)(A) Independence Muzzleloader Only Period 1	1	0			Shall open on the second Saturday in September and extend for 16 consecutive days.
(3)(A) Goodale Muzzleloader Only Period 1	0	1			Shall open on the second Saturday in September and extend for 16 consecutive days.
(4)(A) Fort Hunter Liggett General Public Muzzleloader Only	0	0			Shall open on the third Saturday in December and continue for 17 consecutive days.
(y) Department Administered Muzzleloader/Archery Only Hunts					
Hunt	1. Bull Tags	2. Antlerless Tags	3 Either-Sex Tags	4. Spike Tags	5. Season
(1)(A) Marble Mountain Muzzleloader/Archery Roosevelt Elk			5		Shall open on the last Saturday in October and extend for 9 consecutive days.
(z) Fund Raising Elk Tags					
Hunt	1. Bull Tags	2. Antlerless Tags	3 Either-Sex Tags	4. Spike Tags	5. Season
(1)(A) Multi-zone Fund Raising Tags	1				<p>Siskiyou and Marble Mountains Roosevelt Elk Season shall open on the Wednesday preceding the first Saturday in September and continue for 19 consecutive days.</p> <p>Northwestern Roosevelt Elk Season shall open on the last Wednesday in August and continue for 30 consecutive days.</p> <p>Northeastern Rocky Mountain Elk Season shall open on the</p>

					<p>Wednesday preceding the last Saturday in August and continue for 33 consecutive days.</p> <p>La Panza Tule Elk Season shall open on the first Saturday in October and extend for 65 consecutive days.</p>
(2)(A) Grizzly Island Fund Raising Tags	1				Shall open on the first Saturday in August and continue for 30 consecutive days
(3)(A) Owens Valley Fund Raising Tags	1				Shall open on the last Saturday in July and extend for 30 consecutive days.
(aa) Military Only Tule Elk Hunts					
Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(1) Fort Hunter Liggett Military Only General Methods					
(A) Early Season	0	0			The early season shall open on the second Monday in August and continue for 5 consecutive days and reopen on the fourth Monday in August and continue for 5 consecutive days.
(B) Period 1		0			Shall open on the first Thursday in November and continue for 9 consecutive days.
(C) Period 2		0			Shall open November 22 and continue for 9 consecutive days.
(D) Period 3	0				Shall open on the third Saturday in December and continue for 16 consecutive days.
(2)(A) Fort Hunter Liggett Military Only General Methods Apprentice	0	0			Shall open on the third Saturday in December and continue for 16 consecutive days.
(3) Fort Hunter Liggett Military Only Archery Only					
(A) Either sex			3		Shall open on the last Wednesday in July and

						continue for 9 consecutive days.
	(B) Antlerless		4			Shall open on the last Wednesday in September and continue for 9 consecutive days.
	(4)(A) Fort Hunter Liggett Military Only Muzzleloader Only	4				Shall open on the third Saturday in December and continue for 17 consecutive days.

Amendment filed 7/17/2017; effective 7/17/2017

§364.1, Title 14, CCR Department Administered Shared Habitat Alliance for Recreational Enhancement (SHARE) Elk Hunts

- (a) Season: The overall season shall open August 15 through January 31. Individual SHARE properties will be assigned seasons corresponding with management goals.
- (b) Bag and Possession Limit: Each elk tag is valid only for one elk per season and only in the SHARE hunt area drawn, and persons shall only be eligible for one elk tag per season through sections 364 or 364.1.
- (c) Individual property boundaries will be identified in the SHARE application package.
- (d) Method of Take: Only methods for taking elk as defined in Sections 353 and 354 may be used.
- (e) Tagholder Responsibilities: See subsection 364(n)
- (f) The use of dogs to take or attempt to take elk is prohibited.
- (g) Applicants shall apply for a SHARE Access Permit, and pay a nonrefundable application fee as specified in Section 602, through the department's Automated License Data System terminals at any department license agent, department license sales office, or online.
- (h) Upon receipt of winner notification, successful applicants shall submit the appropriate tag fee as specified in Section 702 through any department license sales office or online through the department's Automated License Data System.

(i) Department Administered SHARE Roosevelt Elk Hunts					
Hunt	1. Bull Tags	2. Antlerless Tags	3 Either-Sex Tags	4. Spike Tags	(B) Area
(1)(A) Siskiyou	2	2			Area: The tag shall be valid in the area described in subsection 364(a)(1)(A).
(2)(A) Northwestern	7	20			Area: The tag shall be valid in the area described in subsection 364(a)(2)(A).
(3)(A) Marble Mountain	0	0			Area: The tag shall be valid in the area described in subsection 364(a)(3)(A).

(j) Department Administered General Methods SHARE Rocky Mountain Elk Hunts					
Hunt	1. Bull Tags	2. Antlerless Tags	3 Either-Sex Tags	4. Spike Tags	(B) Area
(1)(A) Northeast California	0	0			Area: The tag shall be valid in the area described in subsection 364(b)(1)(A).
(k) Department Administered SHARE Roosevelt/Tule Elk Hunts					
Hunt	1. Bull Tags	2. Antlerless Tags	3 Either-Sex Tags	4. Spike Tags	(B) Area
(1)(A) Mendocino	2	4			Area: The tag shall be valid in the area described in subsection 364(c)(1)(A).
(l) Department Administered SHARE Tule Elk Hunts					
Hunt	1. Bull Tags	2. Antlerless Tags	3 Either-Sex Tags	4. Spike Tags	(B) Area
(1)(A) Cache Creek	1	1			Area: The tag shall be valid in the area described in subsection 364(d)(1)(A).
(2)(A) La Panza	5	10			Area: The tag shall be valid in the area described in subsection 364(d)(2)(A).
(3)(A) Bishop	0	0			Area: The tag shall be valid in the area described in subsection 364(d)(3)(A).
(4)(A) Independence	0	0			Area: The tag shall be valid in the area described in subsection 364(d)(4)(A).
(5)(A) Lone Pine Period 2	0	0			Area: The tag shall be valid in the area described in subsection 364(d)(5)(A).
(6)(A) Tinemaha	0	0			Area: The tag shall be valid in the area described in subsection 364(d)(6)(A).
(7)(A) West Tinemaha	0	0			Area: The tag shall be valid in the area described in subsection 364(d)(7)(A).
(8)(A) Tinemaha Mountain	0				Area: The tag shall be valid in the area described in subsection 364(d)(8)(A).
(9)(A) Whitney	0	0			Area: The tag shall be valid in the area described in subsection 364(d)(9)(A).

(10)(A) Goodale	0	0			Area: The tag shall be valid in the area described in subsection 364(d)(10)(A).
(11)(A) Grizzly Island	0	0		0	Area: The tag shall be valid in the area described in subsection 364(d)(11)(A).
(12)(A) Fort Hunter Liggett	0	0			Area: The tag shall be valid in the area described in subsection 364(d)(12)(A).
(13)(A) East Park Reservoir	1	1			Area: The tag shall be valid in the area described in subsection 364(d)(13)(A).
(14)(A) San Luis Reservoir	2	3			Area: The tag shall be valid in the area described in subsection 364(d)(14)(A).
(15)(A) Bear Valley	1	1			Area: The tag shall be valid in the area described in subsection 364(d)(15)(A).
(16)(A) Lake Pillsbury	0	0			Area: The tag shall be valid in the area described in subsection 364(d)(16)(A).
(17)(A) Santa Clara	0				Area: The tag shall be valid in the area described in subsection 364(d)(17)(A).
(18)(A) Alameda	0				Area: The tag shall be valid in the area described in subsection 364(d)(18)(A).

Amended 7/17/2017; effective 7/17/2017.

Appendix 6 – 2018 Elk Tags Issued and Harvested on PLM Ranches in the Northwestern Elk Zone

PLM Name	County	Authorized Harvest	Elk Tags Issued		Harvest	
			Bull	Antlerless	Bull	Antlerless
Alexandre Ecodairy Farms	Del Norte	2 bull elk and 4 antlerless elk	2	4	2	4
Big Lagoon	Humboldt	4 bull elk and 2 antlerless elk	4	2	4	2
Cottrell Ranch	Humboldt	12 deer of which no more than 10 may be antlerless deer, 1 bull elk, and 1 antlerless elk	1	1	1	1
Hunter Ranch	Humboldt	20 deer of which no more than 5 may be antlerless deer and 1 bull elk	1	0	1	0
Klamath PLM	Humboldt	2 bull elk and 2 antlerless elk	2	2	2	1
Redwood House Ranch	Humboldt	20 buck deer forked horn or better and 1 bull elk	1	0	0	0
Smith River	Del Norte	4 bull elk and 6 antlerless elk	4	6	3	5
Stover Ranch	Humboldt	4 bull elk and 2 antlerless elk	4	2	4	1
Wiggins Ranch	Humboldt	2 bull elk and 2 antlerless elk	2	2	2	2
Totals			21	19	19	16

Appendix 7. Section 555, Title 14, CCR

§ 555. Cooperative Elk Hunting Areas.

To encourage protection and enhancement of elk habitat and provide eligible landowners an opportunity for limited elk hunting on their lands, the department may establish cooperative elk hunting areas and issue license tags to allow the take of elk as specified in Section 364, and subject to the following conditions:

(a) Definition and Scope. A cooperative elk hunting area is an area of private land located within the boundary of an area open to public elk hunting (as identified in Section 364). Minimum size of a cooperative elk hunting area shall be 5,000 acres, except that contiguous parcels of at least 640 acres in size may be combined to comprise a cooperative elk hunting area. Within an area open to public elk hunting, the number of cooperative elk hunting license tags issued shall not exceed 20 percent of the number of public license tags for the corresponding public hunt and shall be of the same designation (i.e., antlerless, spike bull, bull or either-sex) as the public license tags.

(b) Application Process. Application forms are available from the department's headquarters and regional offices. A person (as defined by Fish and Game Code Section 67) owning at least 640 acres within a cooperative elk hunting area shall be eligible to apply for a cooperative elk hunting area permit. Applicants shall designate one individual eligible to receive one elk license tag by the date indicated under subsection (3) below. Such individuals shall be at least 12 years of age and possess a valid California hunting license. A person may annually submit a cooperative elk hunting area application where they own sufficient habitat as described in subsection (a) above, for each public hunt area in which their property occurs.

(1) Applications shall be submitted to the department's regional office nearest the proposed cooperative elk hunting area. Department of Fish and Game regional offices are located as follows:

Northern California and North Coast Region, 601 Locust Street, Redding 96001 (530) 225-2300

Sacramento Valley and Central Sierra Region, 1701 Nimbus Road, Rancho Cordova 95670 (916) 358-2900

Central Coast Region, 7329 Silverado Trail, Box 47, Yountville 94599 (707) 944-5500
San Joaquin Valley and Southern Sierra Region, 1234 East Shaw Avenue, Fresno 93710 (559) 243-4005

South Coast Region, 4949 View Crest Avenue, San Diego 92123 (858) 467-4201
Eastern Sierra and Inland Deserts Region, 4775 Bird Farm Road, Chino Hills 91709 (909) 597-9823

(2) Completed applications must be received by the first business day following July 1. Only those applications that are filled out completely will be accepted. The Department will evaluate applications to determine if the specified parcels are of sufficient size within the boundary of a public elk hunt area, and contain important elk habitat. Rejected applications and those that are incomplete will be returned within 15 days of receipt by

the department. If the number of accepted applications exceeds the license tags available, the department will determine successful applicants and a list of alternates by conducting a random drawing from the pool of qualified applicants as soon as possible after the application deadline. For any license year that the demand for cooperative elk hunting license tags within an area open to public hunting (as identified in Section 364) exceeds the number of tags available, tags will be first issued to applicants that did not receive a tag the previous year. If the quota is not filled, tags will be issued to the remaining applicants by random drawing.

(3) Successful applicants will be notified by the department as soon as possible after the application deadline. Applicants shall submit the name, address, and valid California hunting license number of designated elk license tag recipients and payment of elk license tag fees by check, money order, or credit card authorization in the amount specified by subsection 702(b)(1)(L)(M), to the department's regional office nearest the proposed cooperative elk hunting area, by the first business day following August 1.

(c) An elk license tag issued pursuant to the provisions of this section is valid only during the general elk season in which the cooperative elk hunting area occurs and shall only be used on land specified in the landowner's application. License tags are not transferable.

(d) All provisions of the Fish and Game Code and Title 14, CCR, relating to the take of birds and mammals shall be conditions of all license tags issued pursuant to this section.

(e) Any permit issued pursuant to Section 555 may be canceled or suspended at any time by the commission for cause after notice and opportunity to be heard, or without a hearing upon conviction of a violation of this regulation by a court of competent jurisdiction.

Note: Authority cited: Section 1575, Fish and Game Code. Reference: Sections 67 and 1575, Fish and Game Code.

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2018112037

Project Title: Elk Hunting

Lead Agency: Fish and Game Commission Contact Person: Victoria Barr
Mailing Address: 1416 9th Street, 13th floor Phone: 916-445-4034
City: Sacramento Zip: 95814 County: Sacramento

Project Location: County: Statewide City/Nearest Community: _____
Cross Streets: _____ Zip Code: _____
Longitude/Latitude (degrees, minutes and seconds): _____° _____' _____" N / _____° _____' _____" W Total Acres: _____
Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base: _____
Within 2 Miles: State Hwy #: _____ Waterways: _____
Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR equiv EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: _____

Governor's Office of Planning & Research

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: _____

FEB 19 2019 1:40

STATE CLEARINGHOUSE

Development Type:

Residential: Units _____ Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____
 Educational: _____
 Recreational: _____
 Water Facilities: Type _____ MGD _____
 Transportation: Type _____
 Mining: Mineral _____
 Power: Type _____ MW _____
 Waste Treatment: Type _____ MGD _____
 Hazardous Waste: Type _____
 Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: _____

Present Land Use/Zoning/General Plan Designation:

Project Description: (please use a separate page if necessary)

The project involves elk hunting for 2019 (Section 332, Fish and Game Code). Specifically, the Department of Fish and Wildlife is proposing to adjust tag quotas on existing elk hunts, increase the number of elk tags in the Northwestern elk zone and modify season dates for Fort Hunter Liggett.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|--|--|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date February 19, 2019 Ending Date April 5, 2019

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative:  Date: 2/19/19

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

TIME REQUIRED

SUBJECT

Proposed Decision Authorizing
Liberty Utilities to Recover Costs
Recorded in the Catastrophic Event
Memorandum Account Related to
2017 Winter Storms

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

An alert from Charles Mason of the California Public Utilities Commission to affected communities, including Coleville, Walker, and Topaz Lake, of a proposed decision authorizing Liberty Utilities to recover costs related to 2017 winter storms. Opening comments are due no later than March 28, 2019 and reply comments are due 5 days after the last day for filing opening comments (April 2, 2019).

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Scheereen Dedman

PHONE/EMAIL: x5538 / sdedman@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Letter
<input type="checkbox"/> Proposed Decision
<input type="checkbox"/> Proof of Service

History

Time	Who	Approval
3/27/2019 4:22 AM	County Administrative Office	Yes

3/26/2019 6:23 PM

County Counsel

Yes

3/27/2019 3:09 PM

Finance

Yes

From: Mason, Charles [REDACTED]

Sent: Tuesday, March 26, 2019 12:40 PM

Subject: Proceeding A1710018 - Proposed Liberty Utilities - Comments Due 3-28-19

Alert: For those located in the following communities (Truckee, South Lake Tahoe, North Lake Tahoe, Coleville, Foriston, Markleeville, Topaz Lake, Walker, and Woodfords).

Proceeding A1710018 - Proposed Decision authorizing Liberty Utilities (CalPeco Electric) to recover costs recorded in the Catastrophic Event Memorandum Account related to 2017 winter storms.

Opening comments are due no later than March 28, 2019. Reply comments are due 5 days after the last day for filing opening comments.

Please connect this link to review proposed decision -

<http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=270491156>

Link to Liberty Utilities - <https://libertyutilities.com/>

**PUBLIC UTILITIES COMMISSION**505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298**FILED**03/08/19
11:17 AM

March 8, 2019

Agenda ID #17278
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 17-10-018:

This is the proposed decision of Administrative Law Judges Semcer and Jungreis. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's April 25, 2019, Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties of record may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure.

The Commission may hold a Ratesetting Deliberative Meeting to consider this item in closed session in advance of the Business Meeting at which the item will be heard. In such event, notice of the Ratesetting Deliberative Meeting will appear in the Daily Calendar, which is posted on the Commission's website. If a Ratesetting Deliberative Meeting is scheduled, ex parte communications are prohibited pursuant to Rule 8.2(c)(4)(B).

/s/ ANNE E. SIMONAnne E. Simon
Chief Administrative Law Judge

AES:jt2

Attachment

Decision PROPOSED DECISION OF ALJs SEMCER and JUNGREIS
(Mailed 3/8/2019)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Liberty Utilities (CalPeco Electric) LLC (U933E) for Authority to Recover Costs Recorded in its Catastrophic Event Memorandum Account.

Application 17-10-018

DECISION AUTHORIZING LIBERTY UTILITIES (CALPECO ELECTRIC) TO RECOVER COSTS RECORDED IN THE CATASTROPHIC EVENT MEMORANDUM ACCOUNT RELATED TO 2017 WINTER STORMS

Table of Contents

Title	Page
DECISION AUTHORIZING LIBERTY UTILITIES (CALPECO ELECTRIC) TO RECOVER COSTS RECORDED IN THE CATASTROPHIC EVENT MEMORANDUM ACCOUNT RELATED TO 2017 WINTER STORMS	1
Summary	2
1. Background	2
2. Procedural History	3
3. Governing Law	4
3.1. Standard of Determination	6
4. Scope of the Issues	6
5. Admittance of Testimony and Exhibits into the Record	7
6. Compliance with Rules 2.1 and 3.2	7
7. Evaluation of CEMA Application	8
7.1. Liberty’s Request for CEMA Recovery is Approved	8
7.1.1. Liberty Properly and Timely Established a CEMA for the 2017 Winter Storms	8
7.1.2. The Costs for which Liberty Seeks Recovery Were Proximtely Caused by an Officially Declared Disaster	9
7.1.3. The Costs for which Liberty Seeks Recovery were Appropriately Booked	11
7.1.4. Liberty’s Accounting Methodology is Reasonable, Justified, and Consistent with the Law	13
7.1.5. Liberty’s Proposed Revenue Requirement is Reasonable, Incremental, Justified, and Recoverable	17
7.1.5.1. Liberty’s Carrying Charges are Approved	19
7.1.5.2. Liberty-A-3 Settlement is Not Reasonable and Not in the Public Interest	20
7.1.6. Cost Recovery is Approved through a CEMA Surcharge Adjustment; Advice Letter Filing	26
7.2. Approval of Application 17-10-018 Allows for the Provision of Safe and Reliable Electric Service	26
8. Comments on Proposed Decision	27
9. Assignment of Proceeding	27
Findings of Fact	27
Conclusions of Law	28
ORDER	29

DECISION AUTHORIZING LIBERTY UTILITIES (CALPECO ELECTRIC) TO RECOVER COSTS RECORDED IN THE CATASTROPHIC EVENT MEMORANDUM ACCOUNT RELATED TO 2017 WINTER STORMS**Summary**

This decision grants Liberty Utilities the authority it requests to recover the incremental expenses and capital expenditures, including carrying costs, it incurred in 2017 to address catastrophic winter storms. This decision provides for a total Catastrophic Event Memorandum Account California-allocated revenue requirement of \$3,598,929.18 to be recovered over a one-year period beginning within 60 days of issuance of this decision.

This proceeding is closed.

1. Background

During January-February 2017, there were severe snow storms in several counties in and around the Lake Tahoe area that damaged the equipment and facilities of Liberty Utilities (Liberty). The storms caused widespread customer outages, requiring Liberty to supplement its work crews, and requiring Liberty to procure new maintenance and capital equipment. Liberty undertook this catastrophic-event work in counties for which the Governor had issued state of emergency declarations.

Liberty tracked its catastrophic-event work in a Catastrophic Event Memorandum Account (CEMA). Later, Liberty filed an Application seeking recovery of storm-related costs recorded in its CEMA. Liberty now seeks recovery of \$4.578 million in total incremental costs, including \$3.238 million in operations and maintenance expenses, \$1.340 million in capital expenditures, and

carrying charges: it proposes a revenue requirement of \$3.599 million associated with its CEMA-eligible costs.¹

The Office of Ratepayer Advocates (subsequently renamed during the course of this proceeding as The Public Advocates Office (Cal Advocates)) timely filed a Protest. Cal Advocates asserted that Liberty's Application incorrectly accounted for CEMA costs. Cal Advocates also asserted that certain costs were not appropriate for CEMA recovery.

A self-identified ad-hoc group of large electrical customers known here as the A-3 Customer Coalition (A-3) filed to become a Party to the proceeding (its name denotes that its members take electrical service through Liberty's Tariff Schedule A-3). Liberty's Application proposed amortizing the revenue requirement over a one-year period with an average impact to customer bills of 4.54 percent,² spread across customer classes based upon the share of distribution revenues for each customer class, with recovery to occur through an adjustment to the current CEMA surcharge that is already included in Liberty's tariffs. A-3, in addition to asserting that Liberty's Application's CEMA costs were too high, also asserted that the Application's proposed rate recovery allocation was unfair.

2. Procedural History

On October 25, 2017, Liberty filed its Application seeking approval and reimbursement of alleged operations and maintenance expenses and costs and

¹ The cost figures cited here are from Liberty's Opening Brief, and are reduced from the figures set forth in its Application, which had asserted the following CEMA recovery figures: \$4.846 million in total incremental costs, including \$3.379 million in operations and maintenance expenses and \$1.467 million in capital expenditures, with a proposed revenue requirement of \$3.802 million.

² The amount of 4.5 percent is based upon the original revenue requirement of \$3.802 million.

capital-related expenditures booked into its CEMA due to the 2017 winter storms. Liberty sought to amortize the incurred costs in rates over a one-year period.

On November 30, 2017, Cal Advocates filed a Protest.

On January 18, 2018, A-3 filed a Motion to become a party, which was granted by Administrative Law Judge (ALJ) Ruling on January 19, 2018.

On February 13, 2018, a Prehearing Conference (PHC) was held. All parties appeared. During the PHC, the scope, schedule, and other procedural matters were discussed.

On March 14, 2018, the assigned Commissioner's Scoping Memo was filed, setting forth the issues and the schedule for the proceeding. The parties thereafter engaged in discovery.

On August 17, 2018, by ALJ Ruling, the schedule was modified.

On October 12, 2018, Liberty and A-3 filed a Joint Notice of Proposed Settlement.

On October 29, 2018, an evidentiary hearing was conducted.

On November 1, 2018, Liberty and A-3 filed a Joint Motion for Adoption of Settlement Agreement (Joint Motion).

On November 28, 2018, the parties filed Opening Briefs, and on December 12, 2018, the parties filed Reply Briefs.

On December 12, 2018, the case was submitted.

3. Governing Law

In order to obtain approval for its CEMA request, a utility such as Liberty must be compliant in having properly and timely established a CEMA for these events in accordance with Public Utilities (Pub. Util.) Code § 454.9 and Resolution E-3238.

Pub. Util. § 454.9 reads in full as follows:

- (a) The commission shall authorize public utilities to establish catastrophic event memorandum accounts and to record in those accounts the costs of the following:
- (1) Restoring utility services to customers.
 - (2) Repairing, replacing, or restoring damaged utility facilities.
 - (3) Complying with governmental agency orders in connection with events declared disasters by competent state or federal authorities.
- (b) The costs, including capital costs, recorded in the accounts set forth in subdivision (a) shall be recoverable in rates following a request by the affected utility, a commission finding of their reasonableness, and approval by the commission. The commission shall hold expedited proceedings in response to utility applications to recover costs associated with catastrophic events.

Resolution E-3238's Ordering Paragraphs read in pertinent part as follows:

1. Each regulated public utility... is authorized to establish a [CEMA] and to record therein its costs of: (a) restoring utility services to its customers; (b) repairing, replacing or restoring damaged utility facilities; (c) complying with governmental agency orders in connection with events declared disasters by competent state or federal authorities... Each... shall file to become effective on thirty days' notice an advice letter with proposed tariff sheets reflecting its establishment...
2. Should a declared disaster occur, each affected utility... shall, if possible, inform the Executive Director by letter within 30 days after the catastrophic event if it has starting booking costs in the [CEMA]...
3. The costs recorded in a utility's [CEMA] may be recovered in rates only after a request by the affected utility, a showing of reasonableness, and approval of the Commission...

Under the statute and the Resolution, a regulated utility may recover reasonable costs incurred to address a catastrophic event, provided that the costs

are incremental to existing allowances in rates. More specifically, Resolution E-3238 orders that a CEMA could record costs for: “(a) restoring utility services to its customers; (b) repairing, replacing, or restoring damaged utility facilities; and (c) complying with governmental agency orders in connection with events declared disasters by competent state or federal authority.” Here, we examine Liberty’s compliance with these requirements for CEMA recovery.

3.1. Standard of Determination

Determination of the issues of law and fact in this proceeding are made in accordance with the Commission’s Rules. The standard for the Commission’s determinations in a contested ratesetting matter such as this is a preponderance of the evidence. (*See, generally, Decision (D.) 08-12-058 at 17-19.*)

4. Scope of the Issues

As stated in the Scoping Memo, the following issues are within the scope of this proceeding:

- I. Should the Commission approve Liberty’s request for a CEMA recovery?
 - A. Did Liberty properly and timely establish a CEMA for these events in accordance with Pub. Util. Code § 454.9 and Resolution E-3238?
 - B. Were the costs for which Liberty seeks recovery proximately caused by an officially declared disaster in accordance with Pub. Util. Code § 454.9 and Resolution E-3238?
 - C. Did Liberty appropriately book in its CEMA the Operations and Maintenance (O&M) expenses and the capital-related expenditures for service restoration in accordance with Pub. Util. Code § 454.9 and Resolution E-3238?
 - D. Were Liberty’s accounting method(s) used for booking in its CEMA the O&M expenses and the capital-related

expenditures for service restoration reasonable, justified, and consistent with the law?

- E. Is Liberty's proposed revenue requirement associated with its CEMA-eligible costs incremental, reasonable, justified, and recoverable within the law?
- F. Is Liberty's proposed cost allocation methodology across customer classes based on the share of distribution revenues for each customer class through a CEMA revenue requirement surcharge over a one-year period reasonable, justified, and consistent with the law?
- G. Should the Commission approve Liberty's proposed cost recovery through adjustment of its current CEMA surcharge, and subject to the Liberty proposal to file an advice letter to terminate the CEMA surcharge at such time as the revenue requirement is fully collected?

II. Are there any safety concerns associated with Liberty's request for approval of a CEMA recovery?

5. Admittance of Testimony and Exhibits into the Record

In this proceeding, testimony and exhibits were admitted on the record at the October 29, 2018 Evidentiary Hearing. Also, on November 2, 2018, Liberty moved for admission of an exhibit into the record; on January 11, 2019, that Motion was granted by ALJ Ruling.³ The testimony and exhibits comprising the record in this matter are sufficient evidence to support this Decision.

6. Compliance with Rules 2.1 and 3.2⁴

The Application must be procedurally and substantively compliant with Rule 2.1 regarding the statement of relief sought, reference to statutory authority,

³ Exhibit LIB-04.

⁴ California Code of Regulations, Title 20, Division 1, Chapter 1; hereinafter, Rules.

information regarding the applicant, and sufficient additional procedural information. Also, as a ratemaking proceeding, the Application must be procedurally and substantively compliant with Rule 3.2 regarding applicant information in order to obtain authority to increase rates. Here, Liberty's Application is procedurally and substantively compliant with these Rules, and therefore the merits of the underlying Application may be considered.

7. Evaluation of CEMA Application

7.1. Liberty's Request for CEMA Recovery is Approved

As discussed in the following sections, Liberty has met the requirements of Pub. Util. Code § 454.9 and Resolution E-3238 by a preponderance of the evidence and is granted recovery of CEMA costs incurred as a result of the January 2017 storms, including carrying costs. Liberty is granted recovery of \$3,598,929.18 through an adjustment of its existing CEMA surcharge for a period of one-year. Liberty may recover costs according to the parameters adopted herein.

7.1.1. Liberty Properly and Timely Established a CEMA for the 2017 Winter Storms

Liberty's Application supported its position that it had properly and timely established a CEMA for these catastrophic events. Liberty sent a letter to the Commission on January 26, 2017⁵ providing CEMA notice relative to these emergency events and provided cost estimates as required.

While Cal Advocates questions the appropriateness and methodology of Liberty's CEMA cost accounting, it does not appear to dispute the sufficiency of

⁵ Application, Appendix A

Liberty's adherence to the CEMA process in accordance with Pub. Util. Code § 454.9 and Resolution E-3238. Therefore, we find Liberty in general compliance with requirements for establishing this CEMA because it acted pursuant to declared catastrophic events and was timely in its notification.

7.1.2. The Costs for which Liberty Seeks Recovery Were Proximately Caused by an Officially Declared Disaster

On January 23, 2017, Governor Brown signed a Declaration of a State of Emergency related to the 2017 winter storms.⁶ As a result, Liberty asserts that it undertook repairs necessary to restore service as a result of an officially declared disaster.

A general description of the catastrophic events, as presented in Liberty's Application, is as follows:

Beginning on January 3, 2017, a series of powerful and record-breaking winter storms struck Liberty CalPeco's service territory, resulting in significant damage to Liberty CalPeco's facilities and causing widespread and prolonged customer outages throughout its service territory. The prolific snowfall was a result of a series of atmospheric rivers, which carried vast amounts of moisture into central and northern California in January and February.

The snowfall in the Lake Tahoe area set all-time records, with precipitation in the North Sierra Region for the 2016-2017 winter being almost double the average. On several days during the storms, Liberty CalPeco's service territory received over four feet of snow. The record snowfall led to many downed trees, avalanches, and mud slides, which took out Liberty CalPeco's lines and led to extended outages. During some periods, the threat of avalanches

⁶ Application, Appendix B.

and impassible roads due to snow accumulation delayed restoration efforts.

During the first week of storms, Liberty CalPeco's system sustained outages on 15 of its circuits – affecting over 17,000 customers – due to falling trees and downed wires. Outages caused by falling trees and downed wires continued during the following weeks of the storms, impacting thousands of customers. The loss of three power sources into North Lake Tahoe caused by mud slides and falling trees during the second week of the storms impacted 22,000 customers.

To restore service and repair damaged facilities as quickly as possible under extreme conditions, Liberty CalPeco supplemented its three field crews working around the clock during the storms with 12 additional crews, consisting of both contractor and NV Energy crews, to remediate potentially hazardous situations, respond to outages, clear vegetation, and repair and replace damaged facilities. In addition to field crews, Liberty CalPeco's procurement and customer service employees worked extremely long hours throughout the storm restoration efforts to procure equipment and materials and communicate with customers and emergency personnel about the progress of restoration efforts and to respond to customer calls. Following the restoration of power after the conclusion of these events, crews continued the work required to permanently repair damaged facilities.

Liberty CalPeco prioritized its restoration efforts in accordance with its Emergency Management Plan, which prioritizes transmission and substations, followed by circuits, primary taps, secondary lines, and finally individual services. When planning restoration efforts, Liberty CalPeco also followed its objectives in the following order: (1) protect the life, safety and health of employees and the public; (2) protect the property and assets of the Company and Public; (3) protect the environment; and (4) provide for the expeditious restoration of service and return to normal operations. During the restoration efforts, Liberty CalPeco replaced 13,286 feet of overhead line, 10 transformers, and 9 poles, in addition to various other pieces of related equipment. (Application at 2-4.)

Cal Advocates asserts that it cannot verify that the costs are incremental, reasonable and justified in part because of the accounting methodology used by Liberty (discussed in Section 7.1.4 below). That assertion would also imply an argument as to whether the costs are directly related to the 2017 winter storms.

Liberty provided evidence that the costs are proximately caused by the 2017 winter storms through a statement that its accounting department set up “specific work orders to record both capital and expense costs related to the storm-related repairs.”⁷ Furthermore, Liberty states “Only those costs associated with the event are charged to the work order.”⁸ In Rebuttal Testimony, Liberty provided copies of specific invoices showing storm-related work⁹ and described at length the break-down and coding of such costs during evidentiary hearings. Cal-Advocates did not provide any compelling evidence to the contrary.

Without as yet addressing the issue of the appropriateness and methodology of Liberty’s CEMA cost accounting, the Commission finds that, as a general statement, Liberty’s incurred costs and expenditures were related to the 2017 winter storms.¹⁰

7.1.3. The Costs for which Liberty Seeks Recovery were Appropriately Booked

Pub. Util. Code § 454.9 and Resolution E-3238 required Liberty to appropriately book its CEMA-related costs. As identified by E-3238, these

⁷ Exhibit LIB-02 at 1.

⁸ *Ibid.*

⁹ Exhibit LIB-03 at Appendix A.

¹⁰ This determination is made as to the final expenses and expenditures Liberty presented in its Opening Brief, which varies from the expenses and expenditures proposed in the Application.

recorded expenses and expenditures must be for “restoring utility services to its customers” and “repairing, replacing, or restoring damaged utility facilities.” In utility parlance, these are often referred to as operations and maintenance (O&M) expenses and capital-related expenditures for service restoration. Liberty contends that it began appropriately booking costs into its CEMA.¹¹

In its initial application, Liberty sought recovery of \$3,378,747.42 in incremental O&M expenses and \$1,466,756.42 in incremental capital-related expenditures to respond to the 2017 winter storms, for a total of \$4,845,503.84, and consistent with those costs, Liberty sought a revenue requirement of \$3,802,066.48.

Over the course of the proceeding, in response to testimony submitted by Cal Advocates and A-3, Liberty revised its figures to reflect the removal of \$140,240 in straight-time labor costs from its O&M expenses, \$102,296 in straight-time labor from its capital additions, and \$26,576 in capital additions that were not considered used and useful, along with small miscellaneous adjustments, resulting in a final CEMA cost booking total of \$4,577,949.58.¹² Liberty also adjusted its federal tax rate downward from 34 percent to 21 percent, reflecting the Tax Cuts and Jobs Act of 2017. This resulted in Liberty revising its requested revenue requirement downward to \$3,598,929.18, inclusive of carrying charges (discussed further below).

Here is Liberty’s Opening Brief’s updated recitation of its CEMA-related costs:

¹¹ LIB-02 beginning at 1.

¹² Liberty Opening Brief at 9-10.

Liberty Utilities (CalPeco Electric) LLC
Recorded CEMA O&M Expenses and Capital Expenditures

O&M Expenses

	Internal Labor	Inventory	Employee Reimbursibles	Contracting Expenses	Total
Jan-17	715,887.00	31,283.28	17,880.80	120,386.35	885,437.43
Feb-17	119,550.70	-	2,654.40	1,689,172.30	1,811,377.40
Mar-17	122,405.92	-	-	289,512.79	411,918.71
Apr-17	-	-	-	35,883.88	35,883.88
May-17	-	-	-	-	-
Jun-17	-	-	-	-	-
Jul-17	-	70.50	-	-	70.50
Aug-17	-	-	-	-	-
Sep-17	-	-	-	-	-
Oct-17	-	-	-	93,730.42	93,730.42
Total	957,843.62	31,353.78	20,535.20	2,228,685.74	3,238,418.34

Capital Expenditures

	Total Capital
Jul-17	298,842.73
Aug-17	57,698.00
Sep-17	50,235.00
Oct-17	932,755.51
	1,339,531.24

No party disputed that Liberty appropriately booked its CEMA-costs across O&M (as broken down above) and capital expenditures. Therefore, an affirmative finding is warranted. The costs for which Liberty seeks recovery in the instant application are appropriately booked. A discussion on the timing of booked costs (accounting methodology) follows.

7.1.4. Liberty's Accounting Methodology is Reasonable, Justified, and Consistent with the Law

Cal Advocates recommends a total revenue requirement of \$1.925 million, reflecting a disallowance of \$1.655 million in O&M expenses and \$666,026 in capital expenditures (including carrying costs), in addition to other

disallowances that were accepted by Liberty (*see* previous section).¹³ In support of its recommendation for disallowances, Cal Advocates asserts that Liberty's data has been "unreliable and its revised Table A [Exhibit LIB-04] does not substantiate its request."¹⁴ Cal Advocates' principle concern surrounds the accounting methodologies and supporting documentation set forth by Liberty, especially as it relates to O&M expenses.

Cal Advocates principally argues that Liberty has not substantiated its requests because the CEMA O&M contracting expenses exceeded total company O&M contracting expenses for February 2017. Furthermore, Cal Advocates asserts that \$1,504,184 should not be allocated for February 2017 based on the date Liberty received the invoices. Finally, Cal Advocates argues, Liberty's adjusted accounting removing accruals (*see* LIB-04) results in a negative total O&M for April; therefore, CEMA costs cannot be positive for that month.

Responding to Cal Advocates assertions, Liberty stated that in its original supplied accounting (Original Table A), Liberty excluded monthly accruals. Its Revised Table A includes monthly accruals for contracting expenses and shows total company expenses for the month of February that are greater than CEMA costs.¹⁵ Furthermore, Liberty explains that costs may be accrued "later in a different month from when services are rendered, especially in times of great stress, such as during the January 2017 snow storms."¹⁶ Regarding negative total company expenses in April, Liberty points to its testimony at evidentiary

¹³ Cal Advocates Opening Brief at 4.

¹⁴ Cal Advocates Opening Brief at 1.

¹⁵ Liberty Utilities Reply Brief at 3-4.

¹⁶ Reporter's Transcript (RT) at 53:7-54:2.

hearings, where it discussed that inclusion of monthly accruals may result in negative numbers, but this does not mean core charges were negative.¹⁷

Cal Advocates also argues that the Commission should disallow recovery of \$605,672 in capital expenses recorded in October 2017 because Liberty “incorrectly recorded \$1,023,498 for October 2017 when actual CEMA capital expenditure for October 2017 was \$417,826, using Liberty’s jobs place in service dates.”¹⁸ Liberty responds that Cal Advocates has chosen an arbitrary date (October 2017) and erroneously believes that all costs should have been closed by this time. Liberty asserts that the \$605,672 in capital expenses were storm related, and that Liberty submitted its CEMA application when capital jobs were still in the process of being closed to plant-in-service.¹⁹ Liberty continues that the jobs were completed in the field before October 2017, and the equipment replaced in those jobs was energized and considered “used and useful” by Liberty’s engineering staff before October 2017.²⁰

Finally, Liberty states that, in the case of the capital costs at issue, an invoice “fell through the cracks”; therefore, Liberty could not book the costs until it became aware of such costs. By the time Liberty became aware of the costs, Liberty could not backdate these to get them accrued into the months of January, February or March because the books were already closed for those months.²¹ Liberty argues that a delay in booking should not render costs ineligible for

¹⁷ RT at 61:10-27

¹⁸ Cal Advocates Opening Brief at 5.

¹⁹ Liberty Reply Brief at 6.

²⁰ *Ibid.*

²¹ Liberty Opening Brief at 11.

CEMA recovery.²² Liberty asserts that it used Generally Accepted Accounting Principles, it created specific work orders for storm-related costs, and it established and followed incremental cost criteria.

Although it is challenging to follow Liberty's accounting methodologies and easily track through expenditures related to the 2017 storms, Cal Advocates' arguments to disallow O&M and capital expenditures based on timing and accruals are without merit. Furthermore, Cal Advocates has failed to show how Liberty's accounting methodologies are inconsistent with the law. Conversely, Liberty has adequately and thoroughly explained all accounting anomalies through a description of the effect of monthly accruals and the impact of real-world events on booking costs in busy conditions following a severe storm.

Liberty's exclusion of accruals in its Original Table A and the resulting impact on total company O&M costs are reasonable, as are the impacts on total O&M costs of inclusion of accruals in LIB-04. Liberty's exclusion of costs due to a missing invoice and inclusion of such costs at a later date because previous months' books were closed is reasonable and justified given real-world events. The Commission must consider individual circumstances, and concludes here that to disallow expenses solely due to justifiable delay in booking would be inconsistent with the intent of recovery of CEMA-related costs.

Therefore, the Commission finds that Liberty's accounting methodologies are reasonable, justified, and consistent with the law. Liberty is advised, however, that in future CEMA requests, it should provide a thorough and detailed explanation of how it employs various accounting methodologies, such

²² Liberty Reply Brief at 6.

as the addition of certain costs to its asserted accrual-basis accounting system, and a roadmap for following CEMA expenses from invoice to booking.

7.1.5. Liberty's Proposed Revenue Requirement is Reasonable, Incremental, Justified, and Recoverable

As identified by Pub. Util. Code § 454.9, CEMA expenses must be reasonable, which in Commission parlance has come to mean that these costs must be incremental and justified.²³ Liberty asserts that it established and followed appropriate incremental cost criteria relating to restoring services and repairing or replacing damaged facilities. It also asserts that these costs were not already provided for through its rates -- and that "If the costs would have been incurred irrespective of the January 2017 snow storms, the costs were not considered incremental."²⁴ In its Reply Brief, A-3 iterates that, as part of the Settlement Agreement, discussed in more detail below, it agrees that Liberty's recorded CEMA costs, as adjusted, were incremental, and Liberty should recover the costs incurred in its CEMA.²⁵

Cal Advocates, however, asserts that Liberty has failed to meet the standard of proof to demonstrate that its CEMA request is incremental; therefore, Cal Advocates cannot verify that the costs incurred are indeed proximately related to the 2017 winter storms (i.e., that they are incremental).²⁶ Cal Advocates states that the invoices provided for February and March 2017 do

²³ See, generally, D.16-04-004.

²⁴ Liberty Opening Brief at 7, citing to Exhibit LIB-02 at 2.

²⁵ A-3 Reply Brief at 2.

²⁶ See, generally, Exhibit ORA-01; see also, generally, Cal Advocates Opening Brief.

not substantiate Liberty's O&M CEMA requests. Liberty provided Cal Advocates with a list of 475 invoices for that time period along with a copy of the invoices themselves; however, Cal Advocates argues that the costs in the invoices include O&M, capital, and balancing account costs, not O&M contracting expenses. More specifically, Cal Advocates states that it could not ascertain O&M contracting expenses for February or March 2017, nor could it match invoices to any particular month. Cal Advocates argues that Liberty's data is unreliable, and that therefore its alleged storm-related expenses cannot be verified.²⁷

Liberty responds that it complied with the ALJ order to provide contracting invoices. Furthermore, Liberty states that "Charges and transactions may not necessarily have a one-to-one relationship to invoices, and, for this reason, appropriate personnel review invoices during the normal course of business in order to assign multiple charge codes."²⁸ Liberty asserts that it has provided invoices, been responsive to Cal Advocates' requests regarding accounting, and has removed those expenses that were not appropriate to the CEMA. Therefore, Liberty requests that the Commission reject Cal Advocates' recommended disallowances because Cal Advocates failed to provide any basis for its position other than to argue mere booking timing discrepancies.²⁹

We have reviewed the evidence and make the following findings. First, Liberty provided a detailed explanation of the work completed, including pictures of storm damage. Second, Liberty provided copies of invoices for costs

²⁷ Cal Advocates Opening Brief at 14-15.

²⁸ Liberty Reply Brief at 4-5.

²⁹ *Id.* at 5.

related to the 2017 storms, along with a division of those costs between O&M and capital expenditures. Third, Liberty provided a detailed explanation of the breakdown of the invoices and explained how the services rendered related to the 2017 storms.³⁰ Finally, as discussed above, Liberty has accurately and adequately explained its accounting of CEMA expenses in relationship to overall company expenses, thus showing the incremental nature of the CEMA costs. Cal Advocates argued that the evidentiary record does not support the incremental and justified nature of Liberty's CEMA bookings; however, Cal Advocates has failed to demonstrate that the evidentiary record is insufficient. Therefore, Cal Advocates' argument is rejected.

The evidentiary standard in this case is a preponderance of the evidence. Liberty has met that standard. Liberty has shown that its proposed revenue requirement, including the proposed cost recovery across customer classes as set forth in Section 7.1.5.2, is reasonable, incremental, justified, and recoverable under governing law. Therefore, Liberty Utilities' CEMA-related expenditures are approved (including carrying costs, as discussed below).

7.1.5.1. Liberty's Carrying Charges are Approved

Liberty requests recovery of carrying charges in the amount of \$74,232.87, despite its tariff lacking a provision for the recovery of such carrying charges. Liberty argues that the Commission has approved recovery of carrying charges in other CEMA cases. Liberty further argues that all of its other balancing and

³⁰ RT beginning at 15:3.

memorandum accounts include carrying charges, in accordance with utility general practice.³¹

Cal Advocates points out that Liberty acknowledged that it did not have an applicable tariff in place for carrying charges.³² Cal Advocates is correct in that Liberty's tariff contains no such provision for the recovery of carrying charges. However, the Commission finds that to approve recovery of carrying charges in this case is reasonable because the actual incurred costs by Liberty necessarily include carrying charges.

Therefore, the Commission approves \$74,232.87 in carrying charges associated with the 2017 winter storms. However, in the future, if Liberty wishes to recover carrying charges, it should seek modification of its tariff through the appropriate process to include such a provision. Absent such modification, Liberty risks losing the right to seek such carrying costs in any future CEMA cost recovery Application.

7.1.5.2. Liberty-A-3 Settlement is Not Reasonable and Not in the Public Interest

Liberty and A-3's Joint Motion concerns a proposal for settlement of the allocation of Liberty's CEMA cost recovery. In the settlement, A-3 agreed to withdraw its opposition to the asserted CEMA costs, and Liberty agreed to a cost recovery allocation that differed from the cost recovery allocation found in the Application. Cal Advocates did not take a position regarding the settlement.

Rule 12.1(d) states "The Commission will not approve settlements, whether contested or uncontested, unless the settlement is reasonable in light of

³¹ RT at 40:27 - 41:15.

³² RT at 10:15-19.

the whole record, consistent with the law, and in the public interest.” Here, the nature of the settlement is not inherently inconsistent with the law, but it must be reviewed to determine whether it is reasonable in light of the record and in the public interest.

In Exhibit LIB-02, submitted along with its Application, Liberty sought to obtain its CEMA cost recovery allocation by proposing certain distribution revenue-based percentages across its residential, commercial/industrial, and lighting customer classes and their sub-classes. Liberty provided Tables to delineate how those subclasses would fare with rate increases set forth in percentages by class and by projected total dollars of increased revenue by subclass so as to generate its then-requested revenue recovery of \$3,802,066.48 in a one-year period.³³

However, later in the proceeding, Liberty reduced its rate recovery request from \$3,802,066.48 to \$3,598,929.18. In its Opening Brief (and, identically found in the Joint Motion), Liberty again produced a Table identifying customer classes (although this time the Table failed to specify the particular impact on the “CARE Domestic Service” Residential subclass).³⁴

The Opening Brief / Joint Motion Table is of a different format, only enabling an understanding of the relative allocation of 100 percent of the rate increase across (all but one of the) subclasses, and without a set of percentage increases per class or of the absolute amount of the \$3,598,929.18 revenue increase that would be generated by the proposed rate increases per subclass.

³³ Exhibit LIB-02 at 7-8, Tables 3 and 4.

³⁴ Opening Brief at 15.

The Table also delineates the Liberty proposal's subclass relative percentage position, the A-3 proposal's subclass relative position, and the "Settling Parties' Agreement" subclass relative percentage position. Because the Opening Brief / Joint Motion Table is in a different format from the Table found in Exhibit LIB-02, it makes analysis difficult to understand (regardless that it notes that the subclasses' relative percentage allocations were derived from an afore-cited Exhibit LIB-02 Table).³⁵

The Joint Motion asserts that there is an "absence of clear Commission precedent on how costs of this sort of catastrophic event should be allocated."^{36,37}

The Joint Motion then explains as follows:

Liberty proposed to allocate the costs based on each customer class's share of distribution revenues, and cited Energy Division's disposition of [Liberty] Advice Letter 65-E and 65-E-A as precedent for this allocation approach. A-3 based its proposed allocation on the concept, and the Commission's policy, that rates should be based on cost-causation... [following discussion of storm damage] A-3 recommended an allocation based on the relative marginal customer cost used to develop rates in Liberty's last general rate case... The Settlement Agreement resolves this dispute by allocating 50% of the adopted CEMA revenue requirement based on Liberty's proposed allocation and 50% of the adopted CEMA revenue requirement based A-3's proposed allocation...

³⁵ Joint Motion at 4, footnote 6, referencing Exhibit LIB-02, Table 3.

³⁶ Joint Motion at 3.

³⁷ The parties are correct that there is no absolute formulation for revenue recovery of CEMA costs that is applied universally to all California public utilities pursuant to Commission CEMA decisions. However, utilities typically either have a Distributed Revenue Adjustment Mechanism in place and seek authorization for revenue recovery through that means, or simply seek authorization for revenue recovery through allocation to customer distribution rates, as Liberty initially sought here.

As noted, Rule 12.1(d) factors that the Commission must consider in determining whether to approve a settlement (in addition to lawfulness) are whether the settlement is reasonable in light of the whole record and in the public interest. Here, the contesting parties deviated from the Commission's generally used methodology of basing allocation on class share of distribution revenue and instead struck a compromise to also base allocation on cost-causation -- i.e., whether some classes should bear a lesser or greater burden due to their respective means of receiving electricity. Simply stated, A-3 sought a reduced burden of the CEMA-related revenue recovery allocation due to the assertion that their class customers received their electricity through undergrounded lines, while the other classes received their electricity through overhead lines, and it was these overhead lines that were damaged in the storms and led to the bulk of the CEMA costs.³⁸

The first question to consider under the Rule 12.1(d) rubric is reasonableness in light of the whole record. Exhibit A3-01 was received into evidence (without objection or cross-examination). That Exhibit -- which is testimony of a Colorado consultant from an energy services and consulting firm -- reads in part as follows:

Q. Did the storms cause damage to all of Liberty's power lines?

A. No. Underground lines were not damaged and only about half of Liberty's 42 circuits required repairs.

³⁸ There is no apparent direct evidence that A-3 receives its electricity through undergrounded distribution power lines, but this is a reasonable inference to draw from the Joint Motion's assertion that "In A-3's view...[the Liberty allocation proposal would require] many customers who are served through underground lines to bear a disproportionate share of the costs." (Joint Motion at 3.)

Q. Did the damaged lines serve all Liberty customers?

A. No, the outages only affected a subset of Liberty customers. Liberty services approximately 49,000 electric customers while the outages only affected approximately 24,000 customers.

Q. Have you prepared a more appropriate allocation of CEMA cost?

A. Yes. I developed a cost allocation based on the relative marginal customer cost Liberty used to develop rates in its most recent rate case. While marginal customer costs are not a perfect allocator for the CEMA costs, it has two advantages over the distribution revenue allocator proposed by Liberty. First, the marginal customer cost allocator does not include an electrical consumption component which skews the allocation of the CEMA cost to high usage customers despite the fact that customer usage has nothing to do with CEMA cost causation. Second, the marginal customer cost allocator recognizes that increases in the miles of overhead lines built to serve customers increases the potential for storm related repair costs.³⁹

A-3's consultant did not identify with greater particularity which customer classes or subclasses are served by the approximately half of the Liberty circuits that were damaged, and observed that "Based on Liberty's responses to A3CC data requests... it does not appear that a direct assignment of CEMA costs is possible."⁴⁰ It is clear that the A-3 proposal does not provide an effective means to allocate costs to those customers who received their electricity through the damaged circuits. Instead, the A-3 proposal primarily carves out a revenue recovery reduction for those customers who receive electricity through undergrounded lines. Whether or not its intention is fair, it is incomplete, as it

³⁹ Exhibit A3-01 (Prepared Testimony of C. Drew Clayton) at 9.

⁴⁰ Exhibit A3-01 at 12.

does not distinguish between overhead line customers whose lines were damaged from those overhead line customers whose lines were not damaged.

Moreover, A-3's allocation proposal is an incomplete analysis of the construction of various customer rates. It seeks to base allocation on the marginal cost determination in Liberty's last general rate case. As A-3's consultant elsewhere acknowledged, "marginal cost... reflects the theoretical cost of adding another customer to Liberty's system."⁴¹ Whether or not this description is complete, it does not directly reflect allocation by consumption.

The A-3 proposal also fails to address the fact that different customer classes already receive electricity at different rates based in part on consumption. Table 3 of Exhibit LIB-02 demonstrates that not all Liberty customers have the same rates, with rate variation (with proposed CEMA cost adjustments already included) from \$.209/KWh to \$2.070/KWh: given that ten-fold spread in rates, the A-3 proposal fails to capture the significant intentionality of the Liberty general rate case customer rate scheme. That customer rate scheme reflects the Commission's careful consideration of the public interest.

Therefore, in light of the whole record, and in light of the public interest, and in keeping with the Commission's generally-applied analysis of CEMA cost allocation through each customer's share of distribution revenues, the Liberty proposal for revenue recovery is wholly adopted, without the compromise reflected in the settlement put forth in the Joint Motion. Allocation through each customer's share of distribution revenues is a straight-forward utility revenue

⁴¹ Exhibit A3-01 at 11.

recovery mechanism and it is reasonable, just, and efficient. For these reasons, the Joint Motion is denied.

7.1.6. Cost Recovery is Approved through a CEMA Surcharge Adjustment; Advice Letter Filing

Liberty proposes recovering CEMA costs associated with the 2017 winter storms through an adjustment to its current CEMA surcharge, which is already included in its tariffs. Liberty's proposed surcharge rates are designed to collect the total CEMA revenue requirement over a one-year period. Liberty proposed that actual collections through the proposed surcharge will be monitored.

Within sixty (60) days of issuance of this decision, Liberty must file a Tier 1 advice letter to modify its CEMA surcharge to recover \$3,598,929.18 in approved revenue requirement associated with the 2017 winter storms, to be recovered in a one-year period. Liberty must monitor the actual collections received through the surcharge. Liberty must file a Tier 1 advice letter to cease inclusion of this CEMA collection surcharge once the full amount of CEMA costs approved in this application is collected from ratepayers, subject to over-collection or under-collection being added to Liberty's Base Revenue Requirement Balancing Account at the end of the one-year period.

7.2. Approval of Application 17-10-018 Allows for the Provision of Safe and Reliable Electric Service

The actions taken by Liberty to address the 2017 winter storms promote the public safety by addressing emergency situations as they arise. Approval of CEMA-incurred costs allows Liberty to provide safe and reliable electric service as required by Pub. Util. Code § 451. This decision does not raise any additional safety considerations beyond those already addressed by Liberty in responding to emergency events and seeking recovery of costs through the CEMA.

8. Comments on Proposed Decision

The proposed decision of ALJs Semcer and Jungreis in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on _____, and reply comments were filed on _____ by _____.

9. Assignment of Proceeding

Martha Guzman Aceves is the assigned Commissioner and Melissa Semcer and Jason Jungreis are the assigned ALJs in this proceeding.

Findings of Fact

1. During January-February 2017, there were severe snow storms in several counties in and around the Lake Tahoe area that damaged the equipment and facilities of Liberty. The storms caused widespread customer outages, requiring Liberty to supplement its work crews, and requiring Liberty to procure new maintenance and capital equipment.
2. Liberty's work and expenses to procure new maintenance and capital equipment pursuant to the storms were necessary and reasonable.
3. Liberty's work took place in counties for which the Governor had issued state of emergency declarations.
4. Liberty's CEMA \$4,577,949.58 cost bookings total reflect the work Liberty actually performed and expenses Liberty actually incurred, and these costs were incremental, reasonable, justified, and actually expended.
5. Liberty requests recovery of carrying charges in the amount of \$74,232.87. While Liberty's tariff contains no such provision for the recovery of carrying charges, recovery of carrying charges in this case is reasonable.

6. The Liberty-A3 settlement was not reasonable and was not in the public interest.

7. The actions taken by Liberty to address the 2017 winter storms promote the public safety by addressing emergency situations as they arise.

8. All issues of Application 17-10-018 are resolved.

Conclusions of Law

1. The Governor's state of emergency declarations constitute disaster declarations by a competent state official for purposes of Pub. Util. Code § 454.9 and Resolution E-3238.

2. Liberty properly and timely established a CEMA for these catastrophic events in accordance with Pub. Util. Code § 454.9 and Resolution E-3238, and on January 26, 2017, Liberty properly and timely sent a letter to the Commission providing notice relative to these emergency events and appropriately providing cost estimates as required.

3. Liberty appropriately booked its CEMA-related costs so as to meet the requirements of Pub. Util. Code § 454.9 and Resolution E-3238.

4. Liberty's CEMA-related revenue requirement of \$3,598,929.18 is for costs, including related carrying charges, that were actually incurred, incremental, reasonable, justified, and actually expended such as to meet the requirements of Pub. Util. Code § 454.9 and Resolution E-3238.

5. Liberty's proposed revenue requirement is reasonable, incremental, justified, and recoverable in accordance with the requirements of Pub. Util. Code § 454.9.

6. Approval of CEMA-incurred costs allows Liberty to provide safe and reliable electric service as required by Pub. Util. Code § 451, and therefore is a benefit to ratepayers.

7. The Commission should deny the Joint Motion for Adoption of Settlement Agreement, filed November 1, 2018.

8. Within sixty (60) days of issuance of this decision, Liberty should file a Tier 1 advice letter to modify its CEMA surcharge to recover \$3,598,929.18 in approved revenue requirement associated with the 2017 winter storms, including related carrying charges, to be recovered in a one-year period. Liberty should monitor the actual revenue collection received through the surcharge.

9. Liberty should file a Tier 1 advice letter to cease inclusion of this CEMA collection surcharge once the full amount of CEMA costs approved in this application have been collected from ratepayers, subject to over-collection or under-collection being added to Liberty's Base Revenue Requirement Balancing Account at the end of the one-year period.

10. Approval of CEMA-incurred costs allows Liberty to provide safe and reliable electric service as required by Pub. Util. Code § 451.

11. Motions made in this proceeding that have not been expressly ruled upon are deemed denied.

12. This proceeding should be closed.

O R D E R

IT IS ORDERED that:

1. Liberty Utilities (Liberty) is authorized to recover revenue requirement associated with the 2017 storm-related costs that Liberty booked into its Catastrophic Event Memorandum Account, including carrying charges, totaling \$3,598,929.18.

2. Liberty Utilities (Liberty) is authorized, within sixty (60) days of issuance of this decision, to file a Tier 1 advice letter to modify its Catastrophic Event Memorandum Account (CEMA) surcharge to recover \$3,598,929.18 in approved revenue requirement associated with the 2017 winter storms, to be recovered in a one-year period. Liberty must monitor the actual revenue collection received through the surcharge. Liberty must file a Tier 1 advice letter to cease inclusion of this CEMA collection surcharge once the full amount of CEMA costs approved in this application have been collected from ratepayers, subject to over-collection or under-collection being added to Liberty's Base Revenue Requirement Balancing Account at the end of the one-year period.

3. The November 1, 2018 Joint Motion for Adoption of Settlement Agreement is denied.

4. Application 17-10-018 is closed.

This order is effective today.

Dated _____, at San Francisco, California.

ALJ/UNC/JSJ/jt2



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FILED
03/08/19
11:17 AM

Application of Liberty Utilities (CalPeco Electric) LLC (U933E) for Authority to Recover Costs Recorded in its Catastrophic Event Memorandum Account.

Application 17-10-018

INFORMATION REGARDING SERVICE

I have electronically served all persons on the attached official service list who have provided an e-mail address for the above-captioned proceedings.

Upon confirmation of this document's acceptance for filing, I will cause a Notice of Availability of the document to be served by U.S. mail on all parties listed in the "Party" category of the official service list for whom no e-mail address is provided.

Dated March 8, 2019, at San Francisco, California.

/s/ JOYCE TOM

Joyce Tom

N O T I C E

Persons should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TDD# (415) 703-2032 five working days in advance of the event.

***** SERVICE LIST A1710018*****

Last Updated on 06-MAR-2019 by: AMT

***** PARTIES *****

Brian T. Cragg
Attorney
GOODIN, MACBRIDE, SQUERI & DAY , LLP
505 SANSOME STREET, SUITE 900
SAN FRANCISCO CA 94111
(415) 392-7900
BCragg@GoodinMacBride.com
For: A3 Customer Coalition

Sharon Yang
Director Of Legal Services
LIBERTY UTILITIES (WEST REGION)
EMAIL ONLY
EMAIL ONLY AA 00000
(562) 299-5120
Sharon.Yang@LibertyUtilities.com
For: Liberty Utilities (CalPeco Electric) LLC

Selina Shek
Legal Division
RM. 4107
505 Van Ness Avenue
San Francisco CA 94102 3298
(415) 703-2423
sel@cpuc.ca.gov
For: Public Advocates Office (formerly ORA)

***** STATE EMPLOYEE *****

Charlotte Chitadje
Public Advocates Office
AREA 3-C
505 Van Ness Avenue
San Francisco CA 94102 3298
(415) 703-3049
cc3@cpuc.ca.gov

Jason Jungreis
Administrative Law Judge Division
505 Van Ness Avenue, RM. 5043
San Francisco CA 94102 3298
(415) 703-2109
jsj@cpuc.ca.gov

Melissa K. Semcer
Administrative Law Judge Division
300 Capitol Mall
Sacramento CA 95814 4309
(916) 823-4773
unc@cpuc.ca.gov

***** INFORMATION ONLY *****

Julia Ende
Energy Division
RM. 4011
505 Van Ness Avenue
San Francisco CA 94102 3298
(415) 703-1688
je6@cpuc.ca.gov

Geoffrey Inge
Dir - Regulatory Services
KINECT ENERGY
777 29TH STREET, STE. 200
BOULDER CO 80027
(303) 442-2719
GInge@KinectEnergy.com

Daniel W. Marsh
Mgr - Rates & Regulatory Affairs
LIBERTY UTILITIES (CALIFORNIA)
9750 WASHBURN ROAD
DOWNEY CA 90241-7002
(562) 299-5104
Dan.Marsh@LibertyUtilities.com

Marina MacLatchie
Executive Division
RM. 418
300 Capitol Mall
Sacramento CA 95814 4309
(916) 823-4747
mmd@cpuc.ca.gov

Amara Hayashida
Case Mgr. - Regulatory Affairs
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B23
SAN FRANCISCO CA 94105
(415) 973-8935
AKH5@pge.com

Case Coordination
PACIFIC GAS AND ELECTRIC COMPANY
EMAIL ONLY
EMAIL ONLY CA 94177
(415) 973-4336
RegRelCPUCCases@pge.com

(End of Service List)



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

Departments: Board of Supervisors

TIME REQUIRED 15 minutes

PERSONS APPEARING BEFORE THE BOARD Sheriff Braun, Nate Greenberg

SUBJECT Discussion of Phone, Internet, and Power Outage (March 22-24)

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

A discussion of the phone, Internet, and power outage (including 911 service) that occurred from 3/22 - 3/24/2019 throughout Mono and Inyo Counties, as far south as Ridgecrest. Discussion to include cause(s), response and any follow-up actions the County could take or support others in taking to prevent such outages in the future.

RECOMMENDED ACTION:

Provide direction to staff regarding possible follow-up with service providers or others and County response.

FISCAL IMPACT:

None.

CONTACT NAME: Scheereen Dedman

PHONE/EMAIL: x5538 / sdedman@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)
No Attachments Available

History

Time	Who	Approval
3/27/2019 4:20 AM	County Administrative Office	Yes
3/26/2019 2:25 PM	County Counsel	Yes
3/27/2019 3:09 PM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

Departments: County Counsel

TIME REQUIRED 15 minutes

PERSONS APPEARING BEFORE THE BOARD Jason Canger

SUBJECT Appointment of New Member to Tri-Valley Groundwater Management District

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Appoint Ms. Geri Bassett of Bishop, California to fill the current vacancy on the Board of Directors of the Mono County Tri-Valley Groundwater Management District created by the enactment of SB 1084 (Berryhill) pursuant to the recommendation made by the Board of Directors at its March 27, 2019 meeting.

RECOMMENDED ACTION:

Appoint Ms. Geri Bassett to the Board of Directors of the Mono County Tri-Valley Groundwater Management District; provide any direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Jason Canger

PHONE/EMAIL: (760) 924-1712 / jcanger@mono.ca.gov

SEND COPIES TO:

None

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time

3/28/2019 10:25 AM

Who

County Administrative Office

Approval

Yes

3/28/2019 6:31 AM

County Counsel

Yes

3/27/2019 3:08 PM

Finance

Yes



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

Departments: Community Development

TIME REQUIRED 10 minutes

PERSONS APPEARING BEFORE THE BOARD Wendy Sugimura

SUBJECT FY 18-19 Community Development Department Budget Adjustment

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Amendments to Contract Services in the Building and Planning & Transportation budgets to provide for the Mono County Civic Center project and the unanticipated volume of development applications.

RECOMMENDED ACTION:

1. Approve a Building Division budget amendment adding \$50,000 of revenue, which will be a transfer in from the Civic Center budget, and \$50,000 in expenditures to Contract Services for the Mono County Civic Center project. 2. Approve a Planning & Transportation budget amendment adding \$230,280 of Planning Permit revenue and \$230,280 in expenditures to Contract Services to provide for consultant costs on development applications. (4/5 vote required).

FISCAL IMPACT:

No impact to the General Fund. Civic Center costs are already budgeted in a separate account under Public Works and funds will be transferred to cover costs incurred by the Building Division. Development application costs for environmental documentation under the California Environmental Quality Act are fully funded by the applicant.

CONTACT NAME: Wendy Sugimura

PHONE/EMAIL: 760-924-1814 / wsugimura@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p> staff report</p>

History

Time

Who

Approval

3/23/2019 3:57 PM	County Administrative Office	Yes
3/26/2019 6:23 PM	County Counsel	Yes
3/27/2019 3:12 PM	Finance	Yes

Mono County Community Development Department

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

April 2, 2019

To: The Honorable Board of Supervisors

From: Wendy Sugimura, Director
Megan Mahaffey, Accountant

RE: FY 18-19 Community Development Department Budget Adjustment

RECOMMENDATION

1. Approve a Building Division budget amendment adding \$50,000 of revenue, which will be a transfer in from the Civic Center budget, and \$50,000 in expenditures to Contract Services for the Mono County Civic Center project.
2. Approve a Planning & Transportation budget amendment adding \$230,280 of Planning Permit revenue and \$230,280 in expenditures to Contract Services to provide for consultant costs on development applications.

FISCAL IMPACT

No impact to the General Fund. Civic Center costs are already budgeted in a separate account under Public Works and funds will be transferred to cover costs incurred by the Building Division. Development application costs for environmental documentation under the California Environmental Quality Act are fully funded by the applicant.

DISCUSSION

After the deadline to submit midyear budget requests, the Community Development Department was engaged for building permit services for the Civic Center project and received eight new development applications.

A new contract for building plan check services for the Civic Center was approved by the Board of Supervisors on February 19, 2019, and this budget amendment adds appropriate funds into the Building Division budget for payment of those services.

Permit applications are difficult to predict as they are entirely dependent upon individual private applicants. The number of applications received this fiscal year was unexpected, and the budget adjustment allows staff to contract consultants for necessary environmental work to process applications in a timely manner.



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

TIME REQUIRED

SUBJECT Closed Session - Human Resources

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
No Attachments Available

History

Time

Who

Approval



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

TIME REQUIRED

SUBJECT Closed Session - Initiation of
Litigation

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: One.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Anne Larsen

PHONE/EMAIL: 760 924-1707 / alarsen@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p>No Attachments Available</p>
--

History

Time	Who	Approval
3/23/2019 3:50 PM	County Administrative Office	Yes
3/26/2019 9:26 AM	County Counsel	Yes
3/22/2019 1:52 PM	Finance	Yes



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

TIME REQUIRED

SUBJECT Closed Session - Exposure to
Litigation

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)
No Attachments Available

History

Time	Who	Approval
3/23/2019 3:53 PM	County Administrative Office	Yes
3/26/2019 6:24 PM	County Counsel	Yes
3/26/2019 4:57 PM	Finance	Yes



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

TIME REQUIRED

SUBJECT Closed Session - Existing Litigation

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: County of Mono v. Amerisourcebergen Drug Corp. Cardinal Health, McKesson Corporation, Purdue Pharma L.P., Purdue Pharma, Inc, The Purdue Frederick Co., Inc. et al., U.S. Dist. Court for Eastern California, Case No. 2:18-cv-00149-MCE-KJN.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Anne Larsen

PHONE/EMAIL: 760 924-1707 / alarsen@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)
No Attachments Available

History

Time	Who	Approval
3/27/2019 4:18 AM	County Administrative Office	Yes
3/26/2019 9:24 AM	County Counsel	Yes
3/27/2019 2:53 PM	Finance	Yes



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE April 2, 2019

TIME REQUIRED

SUBJECT Closed Session - Public Employment

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer (CAO).

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p>No Attachments Available</p>
--

History

Time

Who

Approval