

## **FISH AND GAME CODE - FGC**

### **DIVISION 4. BIRDS AND MAMMALS [3000 - 4904]**

*( Division 4 enacted by Stats. 1957, Ch. 456. )*

#### **PART 3. MAMMALS [3950 - 4904]**

*( Part 3 enacted by Stats. 1957, Ch. 456. )*

### **CHAPTER 11. Bighorn Sheep [4900 - 4903]**

*( Chapter 11 added by Stats. 1986, Ch. 745, Sec. 3. )*

#### **4900.**

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.**

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.**

- (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. Effective January 1, 2015.)*

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.

*(Amended by Stats. 2010, Ch. 408, Sec. 14. Effective January 1, 2011.)*