

STAFF SUMMARY FOR APRIL 19-20, 2023

6. PERMITS AND DRAWS FOR SPECIAL HUNTS**Today's Item****Information** ☐**Action** ☒

Consider authorizing publication of notice of intent to amend regulations regarding special hunt permit issuance and drawings in the Department Automated License Data System (ALDS).

Summary of Previous/Future Actions

- | | |
|-------------------------------|--------------------------|
| • WRC vetting | September 15, 2022; WRC |
| • Today notice hearing | April 19-20, 2023 |
| • Discussion hearing | June 14-15, 2023 |
| • Adoption hearing | August 22-23, 2023 |

Background

The Department uses draws for issuing almost all hunting permits, with most opportunities having transitioned from an antiquated special hunts system to ALDS; however, some hunts remain in the system because existing regulations do not accommodate drawings using ALDS.

The application and attendance rates for apprentice hunts through the antiquated system are low; in the most recent season, there were fewer applications than permits available. The Department's Recruitment, Retention and Reactivation (R3) Program focuses on reversing the decline in, and reducing barriers associated with, hunting, fishing, foraging and shooting sports participation.

Among the goals found in the Department's Statewide R3 Implementation Strategy are improving marketing and outreach activities that support outdoor pursuits, and creating and integrating electronic resources to aid the public in accessing those outdoor pursuits. In part, the Department's R3 strategy highlights a need to establish a better system to provide uniquely tailored hunting opportunities and social support to new adult and junior (under age 16) hunters, disabled/mobility-impaired hunters, and military veteran hunters. DFW data indicates that public exposure and interest in hunts have increased significantly when the hunts are brought into ALDS (e.g., turkey and pheasant).

DFW proposes regulatory changes to add all special hunts to ALDS to provide "one-stop" shopping for customers and give DFW flexibility to accommodate additional hunting draws. Specific objectives for the proposal include:

- ensuring fair and equitable distribution of available permits;
- facilitating implementation of the goals and strategies outlined by the Department's R3 Program, R3 action plan and R3 implementation strategy;
- reducing barriers to entry into the draw process by providing an opportunity for new hunters to participate in the Department's many hunting offerings through the use of ALDS;

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- increasing availability of hunting opportunities to new hunter education graduates and junior hunters;
- increasing availability of hunting opportunities to disabled hunters; and
- applying the current (updated for 2023) application fee to the new special hunt draws.

The proposed changes would provide summary statistics allowing assessment of program goals, marketing, and outreach for the special hunt draws.

Today, DFW will provide an overview of the proposed changes (exhibits 1 through 3).

Significant Public Comments (N/A)**Recommendation**

Commission staff: Authorize publication of the notice as recommended by the Department in the initial statement of reasons (ISOR; Exhibit 2) and discussed today.

Committee: Support proposed regulation changes for upland game hunting draws, as proposed by the Department.

Department: Authorize publication of a notice of intent to amend regulations governing special hunt permit issuance and drawings using ALDS.

Exhibits

1. [Department memo transmitting ISOR](#)
2. [Draft ISOR and informative digest](#)
3. [Proposed regulatory language](#)
4. [Draft economic and fiscal impact statement \(STD. 399\) and addendum](#)

Motion

Moved by _____ and seconded by _____ that the Commission authorizes publication of a notice of its intent to amend sections 702 and 715 regarding special hunt permit issuance and drawings in the Department Automated License Data System.

Memorandum

Date: April 7, 2023

To: Melissa Miller-Henson
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director

Subject: **Submission of Initial Statement of Reasons for Agenda Item for the April 19-20, 2023 Fish and Game Commission Meeting to Amend Sections 702 and 715, Title 14, California Code of Regulations (CCR), RE: Special Hunt Permit Issuance and Drawings in ALDS**

The Department of Fish and Wildlife (Department) requests that the Fish and Game Commission (Commission) authorize publishing notice of its intent to amend sections 702 and 715 of Title 14, CCR. The Department is proposing the following changes to the current Special Hunt drawing procedures:

- 1) Move the current drawings from the outdated *Special and Apprentice Hunts Online Registration System* (SAHORS) to the Automated License Data System (ALDS) to insure fair and equitable distribution of available permits.
- 2) Facilitate the implementation of the goals and strategies outlined by the Department's Recruitment, Retention and Reactivation (R3) Action Program, the R3 Action Plan and Implementation Strategy.
- 3) Reduce barriers to entry into the draw process by providing an opportunity for new hunters to participate in the Department's many hunting offerings through the use of the ALDS;
- 4) Increase availability of hunting opportunities to new hunter education graduates and junior hunters; and
- 5) Increase availability of hunting opportunities to disabled hunters.
- 6) Apply the current (updated for 2023) application fee to the new Special Hunt Draws.

If you have any questions regarding this item, please contact Scott Gardner, Wildlife Branch Chief, at (916) 801-6257. The public notice for this rulemaking should identify Matt Meshriy, Upland Game Biologist, as the Department's point of contact. He can be reached at (916) 801-8708.

cc: Chad Dibble, Deputy Director
Wildlife and Fisheries Division

Scott Gardner, Branch Chief
Wildlife Branch
Wildlife and Fisheries Division

Melissa Miller-Henson, Executive Director
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State of California
Fish and Game Commission
Initial Statement of Reasons for Regulatory Action

Amend Sections 702 and 715
Title 14, California Code of Regulations
Re: Special Hunt Permit Issuance and Drawings in ALDS

I. Date of Initial Statement of Reasons: March 15, 2023

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: April 19-20, 2023

Location: Fresno

(b) Discussion Hearing

Date: June 14-15, 2023

Location: Sacramento

(c) Adoption Hearing

Date: August 22-23, 2023

Location: Fortuna

III. Description of Regulatory Action

(a) Statement of Specific Purpose of Regulatory Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary

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

The proposed regulations are intended for and necessary to the implementation of the goals and strategies outlined by the California Department of Fish and Wildlife's (Department) *Recruitment, Retention and Reactivation (R3) Action Program in the R3 Action Plan and R3 Implementation Strategy*. The R3 Program focuses on reversing the decline and reducing barriers associated with hunting, fishing, foraging and shooting sports participation. For more information on the background of R3, please see the Department's website <https://wildlife.ca.gov/R3> .

Among the goals found in the R3 Implementation Strategy are to improve marketing and outreach activities that support outdoor pursuits, and the creation and integration of electronic resources to aid the public in accessing those outdoor pursuits. In part, the Department's R3 strategy highlights a need for the establishment of a better system to provide uniquely tailored hunting opportunities and social support to new adult and junior (under age 16) hunters, disabled/mobility impaired hunters, and military veteran hunters. Bringing new hunters into the field is essential to developing their experience and confidence, thus the Department's facilitation of these special hunt mentorship opportunities is key to securing a future for recreational hunting in California.

National R3 data indicates that recruitment into hunting participation is a gradual process that occurs over a period of several years. Presently, the Department provides special hunting

opportunities according to the *Policy and Definitions for Upland Game Bird Apprentice Hunts*. In accordance with the policy, and since 2011, the Department has offered new and junior hunters opportunities through the *Special and Apprentice Hunts Online Registration System* (SAHORS) accessible only through the Department's website. There are substantial limitations for available hunts due to the outdated SAHORS system:

- The SAHORS system is not supported by the Department's Data and Technology Division (IT). Often requests for IT help cannot be fulfilled due to the out of date system requirements. This is an impediment to the Department's ability to ensure equity and transparency.
- These hunt draws are coordinated by Department staff, rather than dedicated ALDS specialists and licensing analysts. The process of executing a drawing using SAHORS requires the operator to work sequentially through each hunt drawing because propagation of the random draw results through a series of web servers is a process that occurs over a period of up to 20 minutes and commonly fails.. Ancillary information and statistics must be captured and extracted from the SAHORS by copying and pasting individual cells from the website interface into Excel. SAHORS does not store information after the date of the hunt and SAHORS has no utilities to output any system data other than the final hunt roster for a given drawing.
- Special Hunt permit issuance for disabled hunters currently relies on SAHORS to execute drawings according to the *Policy and Definitions for Upland Game Bird Apprentice Hunts*. Because of the limited accessibility of SAHORS there is a potential barrier to some disabled users.
- Significant concerns have been raised about the equitability of applying for hunts in the SAHORS as hunters are less familiar with SAHORS than with the Automated License Data System (ALDS) where most other Department licenses, permits and validations may be purchased.
- All selections in SAHORS are treated like "first choices." Customers can apply for as many hunts as they wish, which without well-defined limits, decreases an applicant's probability of success to be drawn for an individual hunt. This affects participation rates since hunters are under no obligation (no fee and unlimited choice) to attend on the day of the hunt. Day-of-hunt participation is often lower than what could be supported with existing available hunting opportunities if permits were distributed more equitably among qualifying applicants for these opportunities.
- SAHORS does not store or export data that is valuable to understanding the efficacy of the Department's R3 efforts. This may include an individual's history of Special Hunts participation and cross referencing special hunt participants with purchases of other licenses, permits and validations for other outdoor activities. By better understanding the types and the timing of activities that the Department's new hunters engage in, the Department can better tailor its special hunting opportunities and individual hunt parameters to meet the needs of the hunting public. ALDS can store, query and reference customer data to provide a more tailored electronic resource for the public as well as provide the data integration and management necessary for the Department to assess the implementation of current strategies outlined in the R3 Implementation Strategy. ALDS is capable of adding new functionality to accommodate these special hunt opportunities.

- A key demographic in R3 are “adult-onset”. This refers to persons that have completed hunter education but have not yet purchased their hunting license, sometimes taking years to do so. These hunters may be of any age. SAHORS does not provide for special hunt drawing opportunities that target these adult-onset hunters as an encouragement to begin their hunting experience.

Current Regulations

Since first entering use in 2010, the ALDS (as set forth in Section 700.4) has been the single source for issuing hunting licenses and conducting the drawings for big game (deer, elk) license tags (sections 708.15 and 708.16). The current provisions of Section 715, approved in 2017, regarding the Upland Game Bird Special Hunt (UGH) Drawing, was introduced in order to fairly distribute limited UGH opportunities. However, the ALDS system is capable of far more.

The terms “new hunter” and “mobility impaired hunter” are not defined in regulations. Current regulations for deer, antelope and elk special hunts use the term “Apprentice,” synonymously with “junior hunter,” as defined in Fish and Game Code (FGC) subdivision 3031(a)(2) when defining eligibility for deer, antelope and elk special hunts. The term “disabled license holder” is not currently defined in regulation; however, Section 3033, FGC, specifies eligibility requirements for reduced fee hunting licenses for disabled veterans and recovering service members.

Current provisions of subsections 715(a) through 715(c) allow for the use of ALDS to conduct drawings and issue permits to licensed hunters for hunting opportunities using the “Draw-by-Choice” drawing functionality in ALDS. However, these regulations do not accommodate the issuance of permits for new hunters, disabled hunters or military veteran hunters because these opportunities are governed by an existing policy that relies on SAHORS for issuance of these permits.

Proposed Regulations

The amendments to Section 715 are designed to facilitate three R3 goals:

- 1) reduce barriers to entry by providing an opportunity for new hunters to participate in the Department's many hunting offerings through the use of the ALDS;
- 2) increase availability of hunting opportunities to new hunter education graduates and junior hunters; and
- 3) increase availability of hunting opportunities to veterans and disabled hunters.

The proposed regulation changes would bring new special hunt opportunities into ALDS where the public currently accesses other Department licenses, permits, and validations. This will result in improved efficiency of permit application and issuance for the public. ALDS provides greater equity and transparency to the process of permit issuance and drawings. ALDS also has significant IT support within the Department.

Accessing drawing opportunities in ALDS is much more straight-forward for new hunters since all hunters must use this system to purchase licenses and validations and to apply for tags and other draws. ALDS is updated in real time to recognize a new hunter's eligibility for hunt groupings based on the upload of a recent California Hunter Education Certificate

to that graduate's ALDS profile. Facilitation in ALDS is expected to increase application rates for these opportunities. This was observed when spring turkey hunts were moved from SAHORS to ALDS. Therefore, this move would support the Department's R3 Plan by providing information on the activity status of new hunters through time, something the Department needs in order to assess whether these hunting opportunities have an impact on retaining new hunters.

In accordance with the R3 Implementation Strategy and to improve new hunter participation in drawings, these regulations would allow the Department to offer opportunities that provide recent hunter education graduates with an educational, controlled, and safe setting to learn hunting skills and hunter ethics. Thus, achieving the goal of providing a positive experience and necessary social support for new hunters. To align with this, it is proposed that a new category of hunter be defined in these regulations in order to facilitate permit issuance for special hunt opportunities which can target this broader group of adult-onset hunters. The proposed definition of a "new hunter" is someone issued their first California Hunter Education Certificate of completion within the last four years and who has not held a California hunting license for more than four license years.

National R3 data indicates that recruitment into hunting participation is a gradual process that occurs over a period of several years. The proposed four-year interval for designation of new hunters is considered adequate to recruit adult-onset hunters, which are the largest recruitment demographic.

Similarly, the R3 Implementation Strategy aims to improve participation for apprentice, disabled/mobility impaired, and veterans. These regulations would allow the Department to offer opportunities that provide apprentice, disabled/mobility impaired, and military veteran hunters with an educational, controlled, and safe setting to learn hunting skills and hunter ethics.

Proposed Regulation Changes to Section 702. Fees.

Subsection 702(c)(1)(X). This subsection is renamed from "Upland Game Bird Special Hunt Drawing Application Fee" to the more generalized "Special Hunt Drawing Application Fee". The fee is updated in accordance with Section 713, FGC, to \$2.50. In accordance with Section 1050, FGC, the fee is an amount sufficient to recover all reasonable administrative and implementation costs of the department relating to the addition of the Special Hunt Draws described in Section 715.

Additionally, a small three percent nonrefundable application fee (\$0.08) for ALDS is charged in accordance with Section 700.4.

Proposed Regulation Changes to Section 715.

Section 715. Special Hunt Permit Issuance and Drawings in ALDS. A new title to the section emphasizes the addition of the draw system to ALDS.

(a) Special Hunts. "Upland Game Bird" is removed from the subsection title. The hunt draws are not restricted to upland game bird hunts; the proposed changes to the regulation will allow ALDS to be used for drawings for other species. Limited opportunity creates a need for a fair and equitable process of distributing available permits.

(a)(1) The proposed changes to this subsection replace the word “conditions” with “parameters” to clarify those elements to be considered, replace “number of reservations available” with “permit issuance method,” and provide some specific demographics as examples of applicant attributes which define the opportunity. The department will set all the parameters and the number of available permits for each draw, unless there is already a specified hunt in regulation.

(a)(1)(A) This subsection allows certain hunts to be set aside for apprentice hunters in accordance with the R3 policy.

(a)(1)(B) This subsection allows certain hunts to be set aside for mobility impaired, disabled veteran, and recovering service member hunters in accordance with the R3 policy.

(a)(1)(B)1. This subsection introduces the definitions of a “mobility impaired hunter” defined as possessing one of the items described in subsections (a)(1)(B)1.a. and b.

(a)(1)(B)1.a. This subsection provides the description and definition of a mobility impaired hunter based on possession of a special disabled license plate issued pursuant to California Vehicle Code Section 5007.

(a)(1)(B)1.b. This subsection provides the description and definition of a mobility impaired hunter based on possession of a disabled person parking placard issued pursuant to California Vehicle Code Section 22511.55 or California Vehicle Code Section. 22511.59.

(a)(1)(B)2. This subsection provides the definition of a “disabled license holder” for hunters who possess a hunting license issued pursuant to FGC Section 3033.

(a)(1)(C) This subsection allows certain hunts to be set aside for new (adult) hunters in accordance with the R3 policy and defines a new hunter as someone who has been issued their first California Hunter Education Certificate of completion within the last four years and has not held a California hunting license for more than four license years.

(a)(1)(D) This subsection allows certain hunt opportunities to be set aside for hunters based on veteran status, and provides the requirement for applicants to be considered “veteran status.”

(a)(2) Existing text in this subsection specifies that each hunt shall be assigned to a “hunt group(s)” based on hunt conditions and that the Department will run a separate drawing for each hunt group. The proposed regulation changes “conditions” to “parameters” consistent with subsection (a)(1). In addition, “run a separate drawing” is replaced with “establish the permit issuance methods specified in subsections (c) through (e).” This change is necessary to accommodate the new types of hunting opportunities that will be available.

(b) New subsection title replacing “Upland Game Bird” with “General Application and Eligibility and Procedures.”

(b)(1) This subsection states that applicants for special hunt permits would now be required to apply through the Department’s ALDS terminals at Department license agents, Department license sales offices or on the Department’s website.

(b)(2) There are no changes to this subsection which specifies that the applicant may be a resident or nonresident with the appropriate hunting license.

(b)(3) This subsection, specifying that applicant for an apprentice junior hunt must possess a valid junior hunting license, is replaced with language in subsection (a)(1)(A).

(b)(4) This subsection, stating that two-day nonresident hunting licenses shall not be used to apply for Upland Game Bird Special Hunt Drawings, is repealed as it is redundant with language in subsection (b)(2) requiring an annual hunting license. In addition, the proposed regulations will not be limited to drawings only for upland game birds.

(b)(5) Text from this subsection is moved to subsections (c)(3), (d)(2) and (e)(2).

(b)(6) through (b)(8) and (c) through (c)(2) These subsections, related specifically to upland game bird special hunt application and drawing procedures, are revised and replaced with language in proposed subsection (d) regarding draw-by-choice drawings.

(c)(3) Current subsection (c)(3) concerning notification of drawing results is moved to proposed subsection (f) and revised.

(c) Issued Upon Request Procedures. This subsection is proposed to outline the new “issued upon request” procedures using ALDS. This method is used when the demand for the opportunity is not expected to exceed the number of available permits.

(c)(1) This subsection specifies that permits for the hunt group will be made available at least 10 days prior to the hunt start date. Having permits available 10 days prior to the start date ensures that the hunter can plan their hunting trip.

(c)(2) This subsection specifies that eligible applicants are limited to one permit per hunt group and may claim a permit until all available spaces are filled. Limiting the number of permits per applicant is necessary to ensure a fair and equitable process of distributing available permits.

(c)(3) This subsection informs the applicant of the requirement to submit a non-refundable application fee and where to find the amount of the fee.

(d) Draw-By-Choice Procedures. Text from previous subsections (b)(6) through (b)(8) and (c) through (c)(2) is revised and moved to subsection (d) which outlines the new draw-by-choice application and drawing procedures using ALDS.

Draw-by-choice is a method of fairly distributing the available permits when demand for the opportunity exceeds the number of available permits. Draw-by-choice is used for those hunts (for example, hunts for deer, wild birds, elk, other mammals) in which “parties” of hunters most often participate.

(d)(1) Current subsection (b)(7), specifying the application deadline, is revised for clarity and moved to this subsection.

(d)(2) Current subsection (b)(5), informing the applicant of the requirement to submit a non-refundable application fee and where to find the amount of the fee, is revised for clarity and moved to this subsection.

(d)(3) Current subsection (b)(8) is revised and moved to this subsection. “For drawings that allow party applications” is added to the text in new subsection (d)(3).). This clarifies to the public that the option for party application is not always available for every Draw-By-Choice hunt drawing,

(d)(4) through (d)(4)(B) Current subsections (b)(8)(A) through (b)(8)(C), regarding assignment and use of party identification numbers, are revised for clarity and moved to subsections (d)(4) through (d)(4)(B).

(d)(5) Current subsection (b)(6), specifying that an applicant may submit one application per hunt group with up to three hunt choices, is revised and moved to this subsection. Revisions to this the language specify that applicants may select up to the maximum number of available hunt choices within that hunt group, in their order of preference, and that the Department will set the maximum hunt choices based on the parameters of the hunt grouping and the number of permits available within that hunt group. The new language is more permissive and would allow the Department flexibility to offer any number of hunt choices within a hunt grouping in ALDS to better match hunt parameters and the availability of existing hunt opportunities to public demand.

(d)(6) The first two sentences of current subsection (c)(2), concerning the assignment of computer-generated random numbers, are revised for clarity and moved to this subsection.

(d)(7) This subsection specifies that the Department will conduct Draw-By-Choice drawings at least 10 business days prior to the earliest hunt date. This provides consistency with subsections (c)(1) and (e)(7). Ten days makes these opportunities accessible to a larger group of hunters since planning for a hunt trip involves logistical considerations that can take more than a week.

Additionally, if an application is processed in the drawing and the available permit quota is less than the total number of party members the application will be unsuccessful, thus ensuring that party applications in drawings will be processed according to the established hunt quota such that the quota is not exceeded. For example, if the last application drawn is for a party of four but only three permits remain, the computer will move to the next available application for one, two or three members until all permits are issued.

(d)(8) The provision in the third sentence of the current subsection (c)(2)) is moved to this subsection and revised to state that *permits* are awarded to applications based on hunt choice and random number (lowest to highest) until the reservation quota has been met.

(e) Draw-By-Hunt Procedures. This subsection specifies the new “draw-by-hunt” procedures using ALDS. This method is used when demand for the opportunity exceeds the number of available permits. Draw-by-Hunt is most often conducted for waterfowl hunts. These hunts do not require a party leader; each applicant is an individual. Generally, each hunt group is a specific location on a specific date. Each applicant applies once for each opportunity, for as many as they may like.

(e)(1) This subsection specifies that applications must be submitted via ALDS at least 21 days prior to the hunt date. This deadline is consistent with draw-by-choice applications specified in proposed subsection (d)(1).

(e)(2) This subsection informs the applicant of the requirement to submit a non-refundable application fee and where to find the amount of the fee.

(e)(3) This subsection specifies that party applications are not allowed but permits may be valid for one or more additional hunters provided that the permit holder participates in the hunt. This provision is necessary to specify that, unlike Draw-By-Choice permits, only one individual is named on the permit. When the permit conditions may allow for additional hunting or nonhunting individuals to participate, they may only do so in tandem with the permit holder.

(e)(4) This subsection specifies that each applicant may apply only once for each hunt. This provision is necessary to ensure a fair and equitable process of distributing available permits where each qualifying applicant has an equal chance of being drawn for a hunt.

(e)(5) This subsection specifies that each application will be assigned a computer-generated random number. This ensures that each applicant is given the same chance at a successful draw.

(e)(6) This subsection specifies that permits are awarded to applications based on hunt choice and random number (lowest to highest) until the permit quota has been met and ensures a fair and equitable process of distributing available permits.

(e)(7) This subsection specifies that the Department will conduct drawings at least 10 days prior to the earliest hunt date. This is consistent with the 10 days specified in proposed subsections (c)(1) and (d)(7).

(f) Drawing Results. Current subsection (c)(3), concerning notification of drawing results, is moved to this subsection and revised to specify that drawing results will be available by logging in to the customer’s ALDS profile. The provisions that successful applicants will be notified and unsuccessful applicants will not be notified is unchanged.

Authority and reference citations for Section 715 are proposed to be updated.

(b) Goals and Benefits of the Regulation

FGC subdivision 1050(b) provides that the Fish and Game Commission (Commission) shall determine the form of all licenses, permits, tags, reservations, and other entitlements and the method of carrying and displaying all licenses. The Commission determines that these changes will benefit the public and the Department by increasing the visibility of these new

hunter draw opportunities and the efficiency of the application process, by moving them from the lesser-known SAHORS to ALDS. The fee is for the recovery of reasonable administrative costs for permit issuance.

The proposed regulation will better promote fairness and equity in the accessibility of the Department's special hunt opportunities and will increase transparency in government by elucidating the details of the draw processes for these public hunting opportunities. The proposed regulation will increase public exposure to and attendance rates for special hunt opportunities targeted at new hunters, disabled and military veteran hunters, by streamlining all of the licensing and application processes into ALDS.

The proposed regulation will benefit the Department's R3 goals by 1) utilizing the capabilities of ALDS to increase public exposure to special hunt opportunities 2) simplifying the application process for the public and 3) leveraging more effective and powerful data management tools for the Department.

The proposed regulation would reduce staff time involved with maintaining a hunt permit drawing system separate from ALDS and reduce frustration on the part of the public.

(c) Authority and Reference Sections from Fish and Game Code for Regulation

Authority: Sections 200, 203, 265, 331, 332 and 1050, Fish and Game Code

Reference: Sections 200, 203, 203.1, 265, 331, 332, 713, 1050, 1055, 1055.1, 1570, 1571, 1572, 1573, 1745, 3682.1, 3950, 3951, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 4652, 4653, 4654, 4655, 4657, 4750, 4751, 4752, 4753, 4754, 4755, 4902, 10500 and 10502, Fish and Game Code

(d) Specific Technology or Equipment Required by Regulatory Change

This change will mean that the hunting public will access these special hunt opportunities directly using the same ALDS system that the hunting public currently uses for most other licenses, tags, permits and validations. ALDS can also be accessed through point-of-sale opportunities at retailers such as Walmart and hunting and fishing stores. The hunting public will no longer use the Department SAHORS within the Department's website to apply for special apprentice hunt opportunities.

(e) Identification of Reports or Documents Supporting Regulation Change

California Department of Fish and Wildlife, Statewide R3 Implementation Strategy, available from: <https://wildlife.ca.gov/R3>

(f) Public Discussions of Proposed Regulations Prior to Notice Publication

This regulation concept was presented at the September 16, 2021, September 15, 2022, and January 11, 2023, WRC meetings of the Commission's Wildlife Resources Committee where the National Wild Turkey Federation expressed support for the concept and its goal of broadening access and availability of special hunt opportunities for apprentice hunters.

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

(b) No Change Alternative

The no change alternative would maintain the existing stand-alone, web-based computer draw system for executing lotteries for the Apprentice special hunting opportunities offered by the department.

V. Mitigation Measures Required by Regulatory Action

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States.

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states because this action is a Department administrative procedure.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment.

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California because the proposed regulation is administrative in nature and relates to internal Department processes for implementing existing Department-sponsored special hunting opportunities that will not affect existing businesses or prompt the expansion businesses in California. The Commission anticipates generalized benefits to the health and welfare of California residents, and no impacts to worker safety, or to the state's environment.

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

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. However, eligible hunters that choose to apply for special hunt drawings will incur an application fee of \$2.50 to enter each draw for special hunts.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State

The Department projects an estimated \$12,000 increase in special hunt draw application fee revenue in the current year and ongoing. The fee is established to re-cover the per item implementation costs of the program. No costs/savings to federal funding to the state is anticipated.

(e) Nondiscretionary Costs/Savings to Local Agencies: None.

(f) Programs Mandated on Local Agencies or School Districts: None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.

(h) Effect on Housing Costs: None.

VII. Economic Impact Assessment

Functional updates to ALDS may be required to manage Hunter Education Certificate numbers which are used as screening criteria to allow qualified individuals (i.e., new hunter) to apply for those groupings of special hunt opportunities. The costs for the maintenance of ALDS is offset by a per application fee of three percent, or about \$0.08 per item.

Hunting opportunities are currently offered in the SAHORS at no cost. The application fee, to recoup reasonable costs for participation in the special hunt draws, will be \$2.50 per Section 702, Title 14, CCR.

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State

The Commission does not anticipate any impacts on the creation or elimination of jobs within the state because this action is a Department administrative procedure that will not affect the demand for jobs.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California because this action is a Department administrative procedure.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

The Commission does not anticipate any impacts on the expansion of businesses in California because this action is a Department administrative procedure.

(d) Benefits of the Regulation to the Health and Welfare of California Residents

The Commission anticipates generalized benefits to the health and welfare of California residents. For those who participate in the program, the regulation is intended to provide clarity to the hunting public and make it easier for the public to apply for and participate in Special Hunts.

(e) Benefits of the Regulation to Worker Safety: None.

(f) Benefits of the Regulation to the State's Environment: None.

(g) Other Benefits of the Regulation

The proposed regulation is intended to provide consistency across application types and to provide clarity to the hunting public to make it easier for the public to apply for and participate in Special Hunts.

Informative Digest/Policy Statement Overview

The amendments to Section 715, Title 14, California Code of Regulations (CCR), are designed to facilitate the implementation of the goals and strategies outlined by the California Department of Fish and Wildlife's (Department) Recruitment, Retention and Reactivation (R3) Action Program and the R3 Action Plan and R3 Implementation Strategy. The R3 Program focuses on reversing the decline and reducing barriers associated with hunting, fishing, foraging and shooting sports participation.

Among the goals found in the R3 Implementation Strategy are to improve marketing and outreach activities that support outdoor pursuits, and the creation and integration of electronic resources to aid the public in accessing those outdoor pursuits. In part, the Department's R3 strategy highlights a need for the establishment of a better system to provide uniquely tailored hunting opportunities and social support to new adult and junior (under age 16) hunters, disabled/mobility impaired hunters, and military veteran hunters. Bringing new hunters into the field is essential to developing their experience and confidence, thus the Department's facilitation of these special hunt mentorship opportunities is key to securing a future for recreational hunting in California.

Presently, the Department provides special hunting opportunities according to the Policy and Definitions for Upland Game Bird Apprentice Hunts. In accordance with the policy, and since 2011, the Department has offered new and junior hunters opportunities through the Special and Apprentice Hunts Online Registration System (SAHORS) accessible only through the Department's website. There are substantial limitations for available hunts due to the outdated SAHORS system. The current provisions of Section 715 are limited to upland wild bird hunts, and do not include other hunting opportunities offered by the Department. Section 715 does not provide additional opportunity to new, disabled, or veteran hunters.

Subsection 702(c)(1)(X) specifies the Upland Game Bird Special Hunt Drawing Application Fee.

The new provisions of Section 715 change the Special Hunt Draws to the Automated License Data System which can store, query and reference customer data to provide a more tailored electronic resource for the public as well as provide the data integration and management necessary for the Department to assess the implementation of current strategies outlined in the R3 Implementation Strategy. ALDS is capable of adding new functionality to accommodate these special hunt opportunities. This will result in improved efficiency of permit application and issuance for the public. ALDS provides greater equity and transparency to the process of permit issuance and drawings. ALDS also has significant IT support within the Department.

Accessing drawing opportunities in ALDS is much more straight-forward for new hunters since all hunters must use this system to purchase licenses and validations and to apply for tags and other draws. ALDS is continuously updated to recognize a new hunter's eligibility for hunt groupings based on the upload of a recent California Hunter Education Certificate to that graduate's ALDS profile. Facilitation in ALDS is expected to increase application rates for these opportunities. This was observed when spring turkey hunts were moved from SAHORS to ALDS. Therefore, this move would support the Department's R3 Plan by providing information on the activity status of new hunters through time, something the Department needs in order to assess whether these hunting opportunities have an impact on retaining new hunters.

The Department recommends the following changes to sections 702 and 715, Title 14, CCR:

702(c)(1)(X) The Upland Game Bird Special Hunt Drawing Application fee is renamed the Special Hunt Permit Application and is increased to \$2.50.

715(a) will define terminology and provide opportunities for new hunters, apprentice hunters, mobility impaired/disabled hunters and veterans.

715(b) will enable the use of ALDS for special applications and the equitable distribution of available permits.

715(c) sets forth the issuance procedures for additional method "Issued Upon Request".

715(d) provides procedures for "Draw-By-Choice" .

715(e) provides procedures for Draw-By-Hunt.

715(f) Provides an easy method for successful applicants to access drawing results online through ALDS.

Benefits of the regulations:

The benefits of the proposed regulations are improved access to hunting opportunities for new and apprentice hunters, mobility impaired/disables hunters and veterans. This is in accord with the goals of the Department and the Fish and Game Commission

Evaluation of incompatibility with existing regulations:

The Commission has reviewed its regulations in Title 14, CCR, and conducted a search of other regulations on this topic and has concluded that the proposed amendments to Section 702 and Section 715 are neither inconsistent nor incompatible with existing State regulations. No other State agency has the authority to promulgate hunting regulations.

Proposed Regulatory Language

Section 702, Title 14, California Code of Regulations, is amended to read:

**§702. Hunting Applications, Tags, Seals, Permits, Reservations and Fees;
Department Lands Applications, Passes, Special Use Permits, and Fees.**

. . . *[No changes to subsections (a) through (b)]*

(c) Hunting Tags

(1)	Tag/Application	Permit Fees	Processing Fees
. . . <i>[No changes to subsections (c)(1)(A) through (c)(1)(W)]</i>			
(X)	Upland Game Bird Special Hunt Drawing Application Fee		\$2.25 <u>\$2.50</u>

. . . *[No changes to subsections (d) through (d)(2)]*

NOTE: Authority cited: Sections 200, 203, 265, 331, 332 and 1050, Fish and Game Code.

Reference: Sections 200, 203, 203.1, 265, 331, 332, 713, 1050, 1055, 1055.1, 1570, 1571, 1572, 1573, 1745, 3950, 3951, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 4652, 4653, 4654, 4655, 4657, 4750, 4751, 4752, 4753, 4754, 4755, 4902, 10500 and 10502, Fish and Game Code.

Proposed Regulatory Language

Section 715, Title 14, California Code of Regulations, is amended to read:

§ 715. ~~Upland Game Bird Special Hunt Drawing~~ Special Hunt Permit Issuance and Drawings in ALDS.

- (a) ~~Upland Game Bird Special Hunts:~~ Special Hunts. Unless otherwise specified in Fish and Game Code or these regulations, the department may issue permits for hunt opportunities where participation is limited to a set number of available permits.
- (1) The department shall establish the ~~conditions~~ parameters of each hunt with consideration for hunter safety, hunt quality, and species abundance. The hunt ~~conditions~~ parameters will include, but are not limited to, species, location, season, maximum party size, ~~applicant attributes (age, disability, etc.),~~ method of take, take and the number of reservations available, permit issuance method, junior license holder status, disabled or mobility impaired status, recent California Hunter Education certification, and veteran status. Unless otherwise specified in these regulations, the department shall specify the number of permits available for the hunt.
- (A) Apprentice Status: The department may offer 'apprentice' hunting opportunities that are limited to junior hunters as defined in subdivision 3031(a)(2) of the Fish and Game Code or parties that include at least one junior hunter.
- (B) Mobility Impaired Status: The department may offer hunting opportunities that are limited to mobility impaired hunters and disabled license holders or parties that include at least one such hunter.
1. A "mobility impaired hunter" is defined as any person who possesses a valid California hunting license and one of the following:
 - a. A valid California special license plate for a disabled person or a disabled veteran issued pursuant to California Vehicle Code Section 5007. A copy of the vehicle registration showing the special license plate for a disabled person or a disabled veteran was issued to the person must be in possession while hunting.
 - b. A valid California disabled person parking placard issued pursuant to California Vehicle Code Section 22511.55 or California Vehicle Code Section 22511.59. The parking placard must be issued in the disabled person's name and the person must possess the placard identification card while hunting.
 2. A "disabled license holder" is defined as any person who has been issued a hunting license for the hunting license year per Fish and Game Code Section 3033.

(C) New Hunter Status: The department may offer hunting opportunities that are limited to applicants who have been issued their first California Hunter Education Certificate of completion within the last four years and have not held a California hunting license for more than four license years, or parties that include at least one such new hunter.

(D) Veteran Status: The department may offer opportunities that are limited to applicants based on veteran status. Veterans must provide their DD-214 Certificate of Release or Discharge from Active Duty, upon request.

(2) The department shall establish "hunt groups" based on common ~~conditions~~ parameters of hunts (species, season, method of take, etc.). Each hunt shall be assigned into a hunt group. The department will ~~run a separate drawing~~ establish the permit issuance method specified in subsections (c) through (e) for each hunt group.

~~(b) Upland Game Bird Special Hunt Application Procedures~~ General Application Eligibility and Procedures:

(1) Applicants ~~may~~ must apply through the department's Automated License Data System (ALDS) terminals at department license agents, department license sales offices or on the department's website.

(2) An applicant may be a resident or nonresident and must possess an annual hunting license valid for the hunting season for which the applicant is applying.

~~(3) An applicant for an apprentice junior hunt must possess a junior hunting license valid for the hunting season for which the applicant is applying.~~

~~(4) Two-day nonresident hunting licenses shall not be used to apply for Upland Game Bird Special Hunt Drawings.~~

~~(5) The applicant shall submit a non-refundable fee as specified in Section 702 of these regulations for each drawing application submitted.~~

~~(6) An applicant may submit one application per hunt group with up to three hunt choices. An applicant may only be drawn once per hunt group.~~

~~(7) Applications must be submitted at least 21 days prior to the first hunt date for each hunt group.~~

~~(8) Each applicant shall specify if the applicant is applying as an individual, a party leader or joining an existing party.~~

~~(A) Each applicant applying as an individual or as a party leader shall be assigned a Party Identification Number from the department's Automated License Data System at the time of application.~~

~~(B) To apply as a party, the party leader shall apply first and provide the assigned Party Identification Number to the other party members.~~

~~(C) An applicant joining an existing party shall provide the Party Identification Number of the party leader. An applicant joining a party shall be assigned the same application choices in the same order as the party leader.~~

~~(c) Upland Game Bird Special Hunt Drawing Procedures:~~

~~(1) The department will conduct drawings by hunt group within five (5) business days following the application deadline for the hunt group.~~

~~(2) Draw-By-Choice Drawings. Each application shall be assigned a computer-generated random number. Each party application shall be assigned a single computer-generated random number. Reservations are awarded to applications based on hunt choice and random number (lowest to highest) until the reservation quota has been met. A party application shall not be split to meet the number of reservations available.~~

~~(3) Successful applicants will be notified. Unsuccessful applicants will not be notified. Drawing results will be available on the department website, wildlife.ca.gov.~~

(c) Issued Upon Request Procedures

(1) Permits for the hunt group will be made available at least 10 days prior to the hunt season start date.

(2) Eligible applicants are limited to one permit per hunt group and may claim a permit until all available permits are issued.

(3) The applicant shall submit a non-refundable fee as specified in Section 702 of these regulations for each issued upon request permit.

(d) Draw-By-Choice Procedures

(1) Drawing applications must be submitted in ALDS at least 21 days prior to the first hunt date for each hunt group.

(2) The applicant shall submit a non-refundable fee as specified in Section 702 of these regulations for each application submitted.

(3) For drawings that allow party applications, each applicant shall specify if the applicant is applying as an individual, a party leader, or joining an existing party.

(4) Each applicant applying as an individual or as a party leader shall be assigned a unique party identification number from ALDS.

(A) To apply as a party, the party leader shall apply first and provide the assigned party identification number to the other party members.

(B) An applicant joining an existing party shall provide the party identification number of the party leader. An applicant joining a party shall be assigned the same application choice(s) as the party leader.

(5) Applicants are limited to one application per hunt group and may select up to the maximum allowable number of hunt choices within the hunt group, in their order of preference. The department will set the maximum hunt choices based on the parameters of the hunt grouping and the number of permits available within that hunt group.

(6) Each application shall be assigned a computer-generated random number. Party applications will be assigned one number for the entire party.

(7) The department will conduct drawings at least 10 business days prior to the earliest hunt date. When a party application is processed in the drawing and the available permit quota is less than the total number of party members, the department shall not exceed the quota established for each hunt and the application shall be unsuccessful.

(8) Permits are awarded to applications based on hunt choice and random number (lowest to highest) until the permit quota has been met.

(e) Draw-By-Hunt Procedures.

(1) Drawing applications must be submitted in the Automated License Data System at least 21 days prior to the hunt date.

(2) The applicant shall submit a non-refundable fee as specified in Section 702 of these regulations for each hunt for which they apply.

(3) Party applications are not allowed but permits may be valid for one or more additional hunters provided the permit holder participates in the hunt.

(4) Each applicant may apply only once for each hunt.

(5) Each application shall be assigned a computer-generated random number.

(6) Permits are awarded to applications based on hunt choice and random number (lowest to highest) until the permit quota has been met.

(7) The department will conduct drawings at least 10 business days prior to the hunt date.

(f) Drawing Results. Successful applicants will be notified. Unsuccessful applicants will not be notified. Drawing results will be available by logging in to the customer's ALDS profile.

NOTE: Authority cited: Sections 200, 203 and 1050, Fish and Game Code.

Reference: Sections 1050, ~~3500~~, and 3682.1 ~~and 3683~~, Fish and Game Code.

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT

DEPARTMENT NAME Fish and Game Commission	CONTACT PERSON David Thesell	EMAIL ADDRESS fgc@fgc.ca.gov	TELEPHONE NUMBER 916 902-9291
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Amend Sects. 702 and 715, CCR, Title 14, Re: Special Hunt Permit Issuance and Drawings in ALDS			NOTICE FILE NUMBER Z

A. ESTIMATED PRIVATE SECTOR COST IMPACTS *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- | | |
|--|---|
| <input type="checkbox"/> a. Impacts business and/or employees | <input type="checkbox"/> e. Imposes reporting requirements |
| <input type="checkbox"/> b. Impacts small businesses | <input type="checkbox"/> f. Imposes prescriptive instead of performance |
| <input type="checkbox"/> c. Impacts jobs or occupations | <input checked="" type="checkbox"/> g. Impacts individuals |
| <input type="checkbox"/> d. Impacts California competitiveness | <input type="checkbox"/> h. None of the above (Explain below): |

*If any box in Items 1 a through g is checked, complete this Economic Impact Statement.**If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.***Fish and Game Commission**2. The _____ estimates that the economic impact of this regulation (which includes the fiscal impact) is:
(Agency/Department)

- ☒ Below \$10 million
- ☐ Between \$10 and \$25 million
- ☐ Between \$25 and \$50 million
- ☐ Over \$50 million *[If the economic impact is over \$50 million, agencies are required to submit a [Standardized Regulatory Impact Assessment](#) as specified in Government Code Section 11346.3(c)]*

3. Enter the total number of businesses impacted: N/A

Describe the types of businesses (Include nonprofits): _____

Enter the number or percentage of total
businesses impacted that are small businesses: _____4. Enter the number of businesses that will be created: 0 eliminated: 0

Explain: _____

5. Indicate the geographic extent of impacts: ☒ Statewide
☐ Local or regional (List areas): _____6. Enter the number of jobs created: 0 and eliminated: 0Describe the types of jobs or occupations impacted: N/A7. Will the regulation affect the ability of California businesses to compete with
other states by making it more costly to produce goods or services here? ☐ YES ☒ NO

If YES, explain briefly: _____

ECONOMIC AND FISCAL IMPACT STATEMENT (REGULATIONS AND ORDERS)

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT (CONTINUED)

B. ESTIMATED COSTS *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ 12,000 per year

a. Initial costs for a small business: \$ N/A Annual ongoing costs: \$ N/A Years: _____

b. Initial costs for a typical business: \$ N/A Annual ongoing costs: \$ N/A Years: _____

c. Initial costs for an individual: \$ 2.50 Annual ongoing costs: \$ 2.50 Years: 1

d. Describe other economic costs that may occur: Special Hunt draws are proposed to transfer into the ALDS system with a \$2.50 per application fee to recover the program costs.

2. If multiple industries are impacted, enter the share of total costs for each industry: N/A

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements.

Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted. \$ N/A

4. Will this regulation directly impact housing costs? ☐ YES ☒ NO

If YES, enter the annual dollar cost per housing unit: \$ _____

Number of units: _____

5. Are there comparable Federal regulations? ☐ YES ☒ NO

Explain the need for State regulation given the existence or absence of Federal regulations: Game hunts are managed at the state level.

Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ N/A

C. ESTIMATED BENEFITS *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: Increase visibility, transparency, fairness, and equity for special hunt draw opportunities.

2. Are the benefits the result of: ☐ specific statutory requirements, or ☒ goals developed by the agency based on broad statutory authority?

Explain: _____

3. What are the total statewide benefits from this regulation over its lifetime? \$ not easily monetized

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: N/A

D. ALTERNATIVES TO THE REGULATION *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: No other alternatives were considered for the proposed inclusion of special hunt draws into an existing administrative program to be as accessible as all other types of hunts with draw applications.

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT (CONTINUED)

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: \$ N/A Cost: \$ N/AAlternative 1: Benefit: \$ N/A Cost: \$ N/AAlternative 2: Benefit: \$ N/A Cost: \$ N/A

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives:

N/A. Regarding the proposed Regulation: see section B.1. (p. 2) estimated statewide private sector costs and section C. 1. (p. 2) for a summary of benefits.

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs?

☐ YES☒ NOExplain: Not applicable to an administrative process.**E. MAJOR REGULATIONS** *Include calculations and assumptions in the rulemaking record.****California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.***1. Will the estimated costs of this regulation to California business enterprises **exceed \$10 million**? ☐ YES ☐ NO***If YES, complete E2. and E3******If NO, skip to E4***

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: _____

Alternative 2: _____

(Attach additional pages for other alternatives)

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

Alternative 1: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

Alternative 2: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding \$50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

☐ YES☒ NO*If YES, agencies are required to submit a Standardized Regulatory Impact Assessment (SRIA) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.*

5. Briefly describe the following:

The increase or decrease of investment in the State: _____

The incentive for innovation in products, materials or processes: _____

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: _____

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

FISCAL IMPACT STATEMENT**A. FISCAL EFFECT ON LOCAL GOVERNMENT** *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

- ☐ 1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ _____

- ☐ a. Funding provided in _____

Budget Act of _____ or Chapter _____, Statutes of _____

- ☐ b. Funding will be requested in the Governor's Budget Act of _____

Fiscal Year: _____

- ☐ 2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ _____

Check reason(s) this regulation is not reimbursable and provide the appropriate information:

- ☐ a. Implements the Federal mandate contained in _____

- ☐ b. Implements the court mandate set forth by the _____ Court.

Case of: _____ vs. _____

- ☐ c. Implements a mandate of the people of this State expressed in their approval of Proposition No. _____

Date of Election: _____

- ☐ d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected: _____

- ☐ e. Will be fully financed from the fees, revenue, etc. from: _____

Authorized by Section: _____ of the _____ Code;

- ☐ f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

- ☐ g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in _____

- ☐ 3. Annual Savings. (approximate)

\$ _____

- ☐ 4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

- ☒ 5. No fiscal impact exists. This regulation does not affect any local entity or program.

- ☐ 6. Other. Explain _____

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

FISCAL IMPACT STATEMENT (CONTINUED)**B. FISCAL EFFECT ON STATE GOVERNMENT** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ _____

It is anticipated that State agencies will:☐ a. Absorb these additional costs within their existing budgets and resources.☐ b. Increase the currently authorized budget level for the _____ Fiscal Year☐ 2. Savings in the current State Fiscal Year. (Approximate)

\$ _____

☐ 3. No fiscal impact exists. This regulation does not affect any State agency or program.☒ 4. Other. Explain The CA Department of Fish and Wildlife anticipates an estimated \$12,000 per year in additional special hunt draw application fee revenue.**C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ _____

☐ 2. Savings in the current State Fiscal Year. (Approximate)

\$ _____

☒ 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.☐ 4. Other. Explain _____

FISCAL OFFICER SIGNATURE

DATE

*The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.*

AGENCY SECRETARY

DATE

*Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.*

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER

DATE



STD. 399 Addendum

Amend Sections 702 and 715, Title 14, California Code of Regulations
Re: Special Hunt Permit Issuance and Drawings in ALDS

ECONOMIC IMPACT STATEMENT

The proposed regulations are intended for and necessary to the implementation of the California Department of Fish and Wildlife's (Department's) *Recruitment, Retention and Reactivation* (R3) *Action Plan*. R3 is focused on reversing the decline in hunting, fishing and shooting sports participation. For more information on the background of R3, please see the Department's Statewide R3 Plan and the Statewide R3 Implementation Strategy published in 2019.

Among the many goals and strategies of the R3 plan are the establishment of a better system of providing unique hunting opportunities to new adult and junior hunters and disabled/mobility impaired hunters. Bringing new hunters into the field is essential to their experience and confidence, thus securing a future for recreational hunting in California.

Fish and Game Code (FGC) subdivision 1050(b) provides that the Fish and Game Commission (Commission) shall determine the form of all licenses, permits, tags, reservations, and other entitlements and the method of carrying and displaying all licenses. The Commission determines that these changes will benefit the public and the Department by increasing the visibility of these new hunter draw opportunities and the efficiency of the application process, by moving them from a lesser-known permit system to the Automated License and Data System (ALDS). The fee is for the recovery of reasonable administrative costs for permit issuance.

The amendments to Section 715 are designed to facilitate three goals:

- 1) provide an easy method for new hunters to participate in the Department's many hunting offerings through the use of the ALDS;
- 2) increase availability of hunting opportunities to our new hunter education graduates and junior hunters; and
- 3) increase availability of hunting opportunities to our disabled hunters.

SECTION A. ESTIMATED PRIVATE SECTOR COST IMPACTS**Question 1. Answer g. Impacts Individuals.**

The proposed regulation will affect eligible licensed hunters if they choose to apply for a special hunt permit draw. Eligible "recent hunter education graduate" hunters, apprentice/junior hunters, mobility impaired persons and disabled veterans who choose to apply for a special hunt draw will pay \$2.50 per application administration fee (i.e., FGC subdivision (e) of Section 1050), plus a three percent (\$0.08) ALDS non-refundable surcharge (FGC subdivision (f) of Section 1050).

The choice to apply for a special hunt is discretionary for each individual eligible hunter. There is no requirement to participate, many other hunting opportunities are available outside of the special hunt draw process.

Section A

Question 6. Number of jobs created and eliminated. 0

The Commission does not anticipate that the proposed regulation would induce any impact on the creation or elimination of jobs.

SECTION B. ESTIMATED COSTS

Question 1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime?

\$12,000 = 4,800 (estimated individual sales) x \$2.50 (application fee) = estimated total statewide cost for the total sum of individuals to comply with regulation per year. Eligible “recent hunter education graduate” hunters, apprentice/junior hunters, mobility impaired persons and disabled veterans who choose to apply for a special hunt draw will pay \$2.50 per application administration fee (FGC subdivision (e) of Section 1050), plus a three percent (\$0.08) ALDS non-refundable surcharge (FGC subdivision (f) of Section 1050).

SECTION C. ESTIMATED BENEFITS

Question 1. Briefly summarize the benefits of the regulation.

These changes will benefit the public and the Department by increasing the availability of these new hunter draw opportunities in ALDS.

The proposed regulation will better promote fairness and equity in the accessibility of the Department’s special hunt opportunities.

The proposed regulation is intended to increase public exposure and attendance rates for special hunt opportunities targeting new hunters by streamlining of the application and permitting processes into ALDS.

The proposed regulation will benefit the Department’s R3 goals by utilizing the capabilities of ALDS to increase public exposure to special hunt opportunities as well as simplify the application process for the public and utilize more effective and powerful data management tools for the Department.

The application fee found in subsection 702(c)(1)(X) is updated in accordance with Section 713, FGC, to \$2.50, effective January 1, 2024. In accordance with Section 1050, FGC, the fee is an amount sufficient to recover all reasonable administrative and implementation costs of the department relating to the Special Hunt Draws described in Section 715.

Additionally, a small three percent nonrefundable application fee (\$0.08) for ALDS is charged in accordance with Section 700.4.

Because of the automated features of ALDS, it is expected that Department staff time (already devoted to the administration of special hunts under the current system) will not increase (and will possibly decrease), even with the goal of higher participation by eligible hunters, for which the \$2.50 fee serves to recover the per item implementation costs.

The health and welfare of state residents are generally affected by increased ease, fairness, and equity regarding the special hunt draw process. Worker safety, and the State's environment are not directly impacted by this action.

Section C

Question 3. What are the total statewide benefits from this regulation over its lifetime?

The total statewide benefits are not easily monetized. The benefits are greater fairness and equity in the accessibility of the Department's special hunt opportunities.

Question 4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation.

The Commission does not anticipate that the proposed regulation would induce any impacts on the expansion of businesses currently doing business within the state.

SECTION D. ALTERNATIVES TO THE REGULATION

Question 1.

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

FISCAL IMPACT STATEMENT

SECTION A. FISCAL EFFECT ON LOCAL GOVERNMENT

Answer 5. No Fiscal impact exists. This regulation does not affect any local entity or program.

SECTION B. FISCAL IMPACT ON STATE GOVERNMENT

Answer 4. Other. Explain: The Department anticipates an estimated \$12,000 per year in additional special hunt draw application fee revenue. The Department will abandon the outdated special hunt draw system (SAHORS). Administrative cost is set to be recovered by the per item fee of \$2.50, that has been established for existing draw applications (Section 702).

A small three percent nonrefundable application fee (\$0.08) for ALDS is charged in accordance with Section 700.4, to recover the cost of ALDS.

SECTION C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS

Answer 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.