

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

Amend Sections 708.14
Title 14, California Code of Regulations
Re: Big Game License Tag Drawing System

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

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing:

Date: December 13, 2023

Location: San Diego, CA

(b) Discussion Hearing:

Date: February 15, 2024

Location: Sacramento, CA

(c) Adoption Hearing:

Date: April 18, 2024

Location: San Jose, CA

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).

BACKGROUND

The Fish and Game Commission (Commission) periodically considers recommendations from the Department of Fish and Wildlife (Department) in establishing big game mammal hunting regulations. Specifically, the Department manages deer, bighorn sheep, pronghorn antelope and elk resources in California. Deer hunting tags, elk hunting tags, bighorn sheep hunting tags, and pronghorn antelope hunting tags are required to hunt these species in California.

CURRENT REGULATIONS

Regulations describing hunting zones and seasons for deer are described in sections 360 and 361, bighorn sheep in Section 362, pronghorn antelope in Section 363, and elk in Section 364. The Department distributes hunting tags for deer, elk, bighorn sheep, and pronghorn antelope annually via a big game drawing for a specific area and season. Some deer tags for certain hunt zones include both an early archery-only season and a subsequent "general" season by firearm and archery.

Public demand for certain deer tags and all bighorn sheep, pronghorn antelope, and elk hunting tags exceeds the available opportunities; therefore, a modified preference point system (subsection 708.14(a)) provides preference to hunters who have applied for, but not drawn, tags in past drawings. Before the start of the hunting license year (which runs from

July 1 through June 30), a hunter may apply through the Automated License Data System (ALDS) between April 15 and June 2 for a deer, bighorn sheep, pronghorn antelope, or elk hunting tag. If the hunter is not drawn, the hunter receives a preference point which gives that hunter preference in future drawings for that game species. A portion of the tags for each species are issued randomly to allow some opportunity for new hunters or hunters that do not have enough preference points to draw through the preference point portion of the drawing.

Many big game hunts require years of accumulated preference points to even have the opportunity. Others require the maximum number of preference points, and are “once in a lifetime” draws. For deer, hunters may make up to three hunt choices. Applicants can indicate their preferred first tag choice, which is considered along with the number of accumulated preference points. All remaining unsuccessful applications are then sorted by second tag choice, in random number order (starting with the lowest random number to the highest random number). A second round of drawings is then conducted for any zones and hunts with tags remaining without consideration of accumulated points.

Deer tags are classified pursuant to subsection 708.1(a)(2)(A) by three types:

- Premium, which include those tags where the tag quota filled on or before the first business day after July 1 in the immediately preceding license year;
- Restricted, which include all non-Premium tags where the tag quota filled on or before on or before the first business day after August 1 in the immediately preceding license year; and
- Unrestricted, which include those tags where the tag quota did not fill on or before the first business day after August 1 in the immediately preceding license year.

Existing regulations in subsections 708.14(j) and 708.14(k) outline the process for returning a big game tag if a hunter was unable to hunt under their first choice. That process requires the hunter to submit to the Department a written request to retain their existing preference point total and earn one preference point for that year. Request for refunds for bighorn sheep, pronghorn, and elk tag fees also exists under subsection 708.14(k). The Department may consider the request if the tag is returned to the Department’s License and Revenue Branch before the season starts for which the tag is valid. Tags are offered to the first alternate, and so on. If a hunt area is inaccessible for sixty-six percent (66%) or more of a hunt season due to a public land closure caused by wildfire, customers may return their tags for preference points reinstatement and, if applicable, tag refund.

This regulatory proposal would affect hunters who were drawn for deer hunts in zones defined in Title 14 Section 708.1 and described as Premium Deer Hunt Tags, bighorn sheep hunts in zones defined in Title 14, Section 362, pronghorn antelope hunts in zones defined in Title 14, Section 363, and elk hunts in zones defined in Title 14, Section 364.

PROPOSED REGULATORY CHANGES

The proposed changes focus on preference point reinstatement for members of a party and for apprentice hunters. The last time these regulations were subject to major amendment was April 18, 2022. The proposed amendments here represent the results of the

Department's internal discussions, input from Petition 2021-17, and public comment. The proposed changes are necessary to make hunting opportunities more equitable.

1. The party preference point rule needs to be changed regarding how tags may be returned. Propose that individual party members may return tags only if their points are less than or equal to the party points average. For party members who have more points than the party's point average, all members of the party must return their tags for point reinstatement.
2. Require a completed harvest report for postseason tag returns. Change wording to explicitly state that the entire tag needs to be returned (including carcass portion) – otherwise the carcass portion could be used illegitimately.
3. Apprentice hunters must return all premium first-choice tags to be eligible for preference points reinstatement since they can apply twice in the lottery and both tags carry full point value.
4. Non-substantive editing and renumbering to improve the clarity and consistency of the regulatory language has been made in this section.

Amend Subsection 708.14(j): Process for requesting preference point reinstatements and tag refunds for deer.

For the phrase “unfilled tag”, amend to “entire unfilled tag (including carcass portion)”

Subsection 708.14(j)(1) - For the phrase “unfilled tag”, amend to “entire unfilled tag (including carcass portion)”

The party preference point rule currently has a loophole that allows hunters with few preference points to repeatedly leverage the preference points of other hunters who have many preference points, because the hunters with many preference points can return their tag for point reinstatement year after year. At the end of the paragraph, add: “If returning tags as member of a party, individual party members may return tags only if their points are less than or equal to the party's point average. For party members who have more points than the party's point average to have their points reinstated, all members of the party must return their tags for point reinstatement.” This clarification is necessary because hunters with few preference points can unduly benefit from hunters with many preference points to repeatedly get drawn for premium hunts by leveraging the party preference point system as currently written.

Subsection 708.14(j)(2)(A) - Remove entirely as it is obsolete as the timing of the 2021 hunting license year has already passed.

Subsection 708.14(j)(2)(B) - is now re-numbered as subsection 708.14(j)(2)

Amend Subsection 708.14(k): Process for requesting preference point reinstatements and tag refunds for elk, antelope, or bighorn sheep tag in the big game drawing.

For the phrase “unfilled tag”, amend to “entire unfilled tag (including carcass portion)” - This change is necessary to eliminate the possibility for illegitimate use of the carcass portion of the tag.

Subsection 708.14(k)(1) - For the phrase “unfilled tag”, amend to “entire unfilled tag

(including carcass portion)” - This change is necessary to eliminate the possibility for illegitimate use of the carcass portion of the tag.

Subsection 708.14(k)(2)(A) - Remove entirely as it is obsolete as the timing of the 2021 hunting license year has already passed.

Subsection 708.14(k)(2)(B) - is now re-numbered as subsection 708.14(k)(2)

Add Subsection 708.14(l): Preference point reinstatement for apprentice hunters.

Subsection 708.14(l): Add “Apprentice hunters must return all premium first-choice tags to be eligible for preference points reinstatement. All returned tags must meet eligibility requirements for point reinstatement. Tagholders must submit written request along with entire unfilled tags (including carcass portion) for preference point reinstatement.” This change is necessary because under current regulations, junior license hunters may apply and be drawn for multiple premium tags. The addition of the apprentice tag rule is to prevent abuse of gaining preference points while simultaneously keeping a premium tag.

Non substantive changes

Non substantive changes are made throughout Section 708.14 to correct for spelling, punctuation, and gender neutrality.

(b) Goals and Benefits of the Regulation

The goal of the proposed regulation is to remove a loophole in the tag return rules, thus improving equity of hunting opportunity. All other changes further improve equity of hunter opportunity and/or facilitate administration.

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

Authority: Sections 200, 203, 219, 265, 270, 275, 331, 332, 1050, 1572, 4302 and 10502, Fish and Game Code.

Reference: Sections 110, 200, 201, 203, 203.1, 219, 255, 265, 270, 275, 331, 332, 713, 1050, 1570, 1571, 1572, 3950, 3951, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 4902, 10500 and 10502, Fish and Game Code

(d) Specific Technology or Equipment Required by Regulatory Change

None

(e) Identification of Reports or Documents Supporting Regulation Change

None

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

- The Wildlife Resources Committee discussed the proposed regulations at its January 13, 2022, January 11, 2023, and September 19, 2023 meetings.

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

The no-change alternative was considered and rejected because it would not attain project objectives of providing for equitable hunting opportunities.

(b) No Change Alternative

Without the proposed changes, the outstanding issues concerning the regulations currently governing preference points would remain unaddressed.

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. The proposed amendments are economically neutral to business.

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

The Commission anticipates no impact on the creation or elimination of jobs within the state, no impact on the creation of new business, the elimination of existing businesses or the expansion of businesses in California as minor variations in hunting regulations are, by themselves, unlikely to provide a substantial economic stimulus to the state.

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

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

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

None

(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

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

No impacts to the creation or elimination of jobs are anticipated from this regulatory amendment.

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

No impacts to the creation of new businesses or the elimination of existing businesses within the State are anticipated from this regulatory amendment.

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

No impacts to the expansion of businesses currently doing business within the State are anticipated.

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

The Commission does not anticipate impacts on the health and welfare of California residents.

(e) Benefits of the Regulation to Worker Safety

No impacts to worker safety are anticipated.

(f) Benefits of the Regulation to the State's Environment

The proposed changes should have no environmental effect.

(g) Other Benefits of the Regulation

Increased equity of hunting opportunities.

Informative Digest/Policy Statement Overview

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

The California Department of Fish and Wildlife (Department) manages deer, bighorn sheep, pronghorn antelope, and elk resources in California. Deer hunting tags, bighorn sheep hunting tags, pronghorn antelope hunting tags, and elk hunting tags are required to hunt these species in California. The Department distributes hunting tags for certain deer, bighorn sheep, pronghorn antelope, and elk annually via the big game drawing. Public demand for deer, bighorn sheep, pronghorn antelope, and elk hunting tags exceeds the available opportunities; therefore, a modified preference point system (Section 708.14) provides preference to hunters who have applied for, but not received, tags in past drawings. Each year a hunter applies for a deer, bighorn sheep, pronghorn antelope, or elk hunting tag and is not drawn, that hunter receives a preference point which gives that hunter preference in future drawings for that species. A portion of the tag quota for deer, bighorn sheep, pronghorn antelope, and elk tags are allocated by preference point drawing each year. A portion of tags are issued randomly to allow some opportunity for new hunters and hunters that do not have enough preference points to draw through the preference point portion of the drawing.

Proposed changes to subsection 708.14(j) would remedy a loophole issue in that hunters with few preference points can unduly benefit from hunters with many preference points to repeatedly get drawn for premium hunts by leveraging the party preference point system as currently written.

Under current regulations, junior license hunters may apply and be drawn for multiple premium tags. The addition of the apprentice tag rule is to prevent abuse of gaining preference points while simultaneously keeping a premium tag.

Currently the regulation language does not explicitly state that the entire tag including the carcass portion must be returned for point reinstatement. We propose to make this explicit. Finally, it is proposed that apprentice hunters must return both drawing tags in order to receive preference point reinstatement since they are allowed to enter the drawing twice.

The proposed changes are as follows:

1. The party preference point rule needs to be changed regarding how tags may be returned. Propose that for pre-season tag returns, individual party members may return tags only if their points are less than or equal to the party points average. For party members who have more points than the party's point average, all members of the party must return their tags for point reinstatement.
2. Require a completed harvest report for postseason tag returns. Change wording to explicitly state that the entire tag needs to be returned (including carcass section) – otherwise the carcass section could be used illegitimately.
3. Apprentice hunters must return all premium first-choice tags to be eligible for preference points reinstatement since they can apply twice in the lottery and both tags carry full point value.
4. Non-substantive editing and renumbering to improve the clarity and consistency of the regulatory language has been made in this section.

Benefit of the Regulations:

The proposed regulation changes will make hunting opportunities more equitable and close loopholes that allow leveraging of the system.

Consistency and Compatibility with Existing Regulations:

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the state Constitution specifies that the Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to adopt regulations governing big game hunting (California Fish and Game Code Section 200). No other state agency has the authority to adopt regulations governing big game hunting. The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the CCR for any regulations regarding the adoption of big game hunting regulations; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

§ 708.14. Big Game License Tag Drawing System.

(a) General Conditions

(1) Except as otherwise provided, the department shall award license tags for premium deer, bighorn sheep, elk and pronghorn antelope hunts, as described in sections 360(b) and (c), 361, 362, 364 and 363, using a Modified-Preference Point drawing system.

(2) Except as otherwise provided, the Modified-Preference Point drawing system shall award proportions of hunt tag quotas, as specified for each species, using the following drawing methods:

(A) Preference Point Drawings. Tags are awarded based on the following order of priority: an applicant's hunt choice (first choice only for deer), accumulated point totals by species (highest to lowest), and computer-generated random number (lowest to highest).

(B) Draw-By-Choice Drawings. Tags are awarded according to an applicant's hunt choice and computer-generated random number (lowest to highest), without consideration of accumulated points.

(3) Except as otherwise provided, applicants unsuccessful in receiving a tag for premium deer (based on first choice selection), bighorn sheep, elk or pronghorn antelope hunts shall earn one (1) preference point for use in future Big Game Drawings.

(4) To earn and accumulate a point for any species, a person shall comply with all application requirements for that species as specified in sections 708.1, 708.9, 708.10 and 708.11 including the following conditions:

(A) Applicants for premium deer license tags, pronghorn antelope license tags, or elk license tags shall be at least 12 years of age on or before July 1 of the license year for which they are applying.

(B) Applicants for Nelson ~~big horn~~ bighorn sheep license tags shall be at least 16 years of age on or before July 1 of the license year for which they are applying.

(C) Applicants shall possess a valid annual California hunting license valid for the hunting season requested.

(D) Applications for bighorn sheep, pronghorn antelope and elk hunts shall include the appropriate nonrefundable processing fees as specified in Section 702.

(E) ~~Any applicant~~ Applicants shall apply for a premium deer license tag, bighorn sheep license tag, pronghorn antelope license tag and elk license tag through the department's Automated License Data System terminals at any department license agent or department license sales office by June 2 each year.

(F) Each applicant who submits a premium license tag, as noted in (E) above, through the department's Automated License Data System terminals at department license agents and department license sales offices shall receive a "big game drawing receipt" printed from the terminal. The receipt shall contain the customer's name and permanent identification number, proof of entry into the big game drawing for the license year, hunt choices for each species, accumulated preference points for each species, and Party Identification Number.

(G) Except for apprentice deer hunt applicants, applicants shall not submit more than one drawing application for each species during the same license year.

(b) Party Applications, Residency

(1) No more than six persons shall apply together as a party for premium deer license tags. Applicants for premium deer license tags may be residents or nonresidents.

(2) No more than two residents shall apply together as a party for elk license tags. Nonresidents shall not apply as a party for elk license tags.

(3) No more than two residents shall apply together as a party for pronghorn antelope license tags. Nonresidents shall not apply as a party for pronghorn antelope license tags.

(4) Applicants shall not apply as a party for bighorn sheep license tags.

(5) Each year upon application, each applicant shall specify if the applicant is applying as an individual, a party leader or joining an existing party.

(6) Applicants applying as an individual or as a party leader shall be assigned a Party Identification Number from the department's Automated License Data System terminal at the time of application each year. Applicants shall be assigned a Party Identification Number for each species.

(7) To apply as a party, the party leader shall apply first and provide ~~his/her~~ their assigned Party Identification Number to the other party members.

(8) Applicants joining an existing party shall provide the Party Identification Number of the party leader when ~~he/she applies~~ they apply to join the party.

(9) Applicants joining a party shall be assigned the same tag choices in the same order of preference as the party leader.

(10) All party members shall be awarded tags according to the choices selected by the party leader.

(c) No applicant shall earn more than one (1) preference point per species, per drawing, for use in future drawings. Preference points are accumulated by species and shall not be transferred to another species or another person. Preference points are not zone or hunt specific.

(d) Except as otherwise provided, successful applicants receiving tags for their first choice premium deer, bighorn sheep, elk or pronghorn antelope hunts shall lose all preference points for that species.

(e) For party applications, the department shall use the average preference point value of all party members (total preference points for the party divided by number of party members) as the basis for consideration in the drawing for that species. Point averages shall not be rounded.

(f) Except as otherwise provided, persons who do not wish to apply for an antelope, elk, bighorn sheep or premium deer tags, may earn one (1) preference point for any or all of these

species, by submitting the appropriate application(s), as specified in sections 708.1, 708.9, 708.10 and 708.11, and selecting the point code number for that species, as defined by the department, as the hunt choice (first choice only for deer) through the department's Automated License Data System terminals at any department license agent or department license sales office. Persons applying for a preference point in this manner shall be subject to the same application requirements as regular drawing applicants as specified in subsection 708.14.

(g) The department shall maintain records of preference points earned by individual applicants based on the identification number assigned to each customer by the department's Automated License Data System. The customer's identification number, Get Outdoors ID (GO ID), will be printed on each drawing receipt issued by the Automated License Data System. Applicants shall notify the department's License and Revenue Branch in Sacramento, in writing, of any changes or corrections regarding name, mailing address, or date of birth.

(h) Persons not applying for premium deer, bighorn sheep, elk, or pronghorn antelope hunts through the department's Big Game Drawings for five (5) consecutive years shall have their preference points for that species reduced to zero (0). For the purposes of this subsection, persons whose applications are disqualified from drawing shall be considered the same as persons not applying. Applying for preference points as described in (f) above, will keep an applicant's file active.

(i) Any person may appeal incomplete, late and ineligible applications or applications submitted without the appropriate processing fee that were not included in the department's big game drawing and the hunter did not earn a preference point. The appeal shall be in writing and describe the basis for the appeal. The appeal shall be received by the department's License and Revenue Branch in Sacramento, or if mailed, postmarked on or before May 31 of the following year. The department, upon consideration of the appeal, may grant the appeal and award one preference point to the appellant. If the department grants the appeal for a preference point, the appellant shall pay all the applicable fees. The department shall not award a preference point unless the appellant pays all the applicable fees.

(j) Any applicant who was drawn for the applicant's first deer tag choice in the big game drawing (becoming a tag holder) and cannot hunt for any reason may return their entire unfilled tag (including carcass portion) and submit a written request to retain their accumulated preference point total and earn one preference point for deer for that license year. If the request is granted, the tag holder shall retain the preference point total the tag holder accumulated prior to the big game drawing and earn one preference point for deer for that license year. The department shall not refund the fees paid for a resident deer tag. To be eligible for preference point reinstatement, tag holders must meet one of the criteria below:

(1) Before a season starts. The tag holder must return the entire unfilled tag (including carcass portion) with their written request to the department's License and Revenue Branch, P.O. Box 944209, Sacramento, CA 94244-2090, postmarked prior to the earliest date the tag is valid for hunting. For tags that are valid for both an archery season, and a general season pursuant to sections 360 and 361 of these regulations, the written request must be postmarked prior to the opening date of the earliest season. The department may refund the difference between the fee paid for a nonresident deer tag and a resident deer tag for any nonresident. Party members may return their deer tags only if their points are less than or equal to the

party's point average. For party members who have more points than the party's point average to have their points reinstated, all members of the party must return their tags for point reinstatement.

(2) After a season starts.

~~(A) For the 2021 hunting license year, a tag holder whose hunt zone was inaccessible for sixty-six percent (66%) or more of a hunt season (pursuant to sections 360 and 361 of these regulations) due to a public land closure caused by wildfire may return their unfilled tag with their written request for preference point reinstatement. For tags that are valid for both an archery season and a general season, only the general season shall be considered for the calculation of the percentage of hunt season lost. The tag holder must return their unfilled deer tag with their written request to the department's License and Revenue Branch, P.O. Box 944209, Sacramento, CA 94244-2090, postmarked prior to May 1, 2022. Requests postmarked on or after May 1, 2022 shall not be considered.~~

~~(B) Commencing with the 2022 hunting license year beginning July 1, 2022, a tag holder whose hunt zone was inaccessible for sixty-six percent (66%) or more of a hunt season (pursuant to sections 360 and 361 of these regulations) due to a public land closure caused by wildfire may return their unfilled tag with their written request for preference point reinstatement. For tags that are valid for both an archery season and a general season, only the general season shall be considered for the calculation of the percentage of hunt season lost. The tag holder must return their entire unfilled deer tag (including carcass portion) with their written request to the department's License and Revenue Branch, P.O. Box 944209, Sacramento, CA 94244-2090, postmarked on or prior to February 28 of the current license year. Requests postmarked after this date shall not be considered.~~

(k) Any applicant who was awarded an elk, antelope, or bighorn sheep tag in the big game drawing (becoming a tag holder) and cannot hunt for any reason may return their entire unfilled tag (including carcass portion) and submit a written request to retain their accumulated preference point total, earn one preference point for elk, antelope or bighorn sheep for that license year, and seek refund of the tag fee. The tag holder shall pay the nonrefundable processing fee specified in Section 702 with the request. If the request is granted, the tag holder shall retain the preference point total the tag holder accumulated prior to the big game drawing and earn one preference point for elk, antelope, or bighorn sheep. The department may refund the tag fee. To be eligible for preference point reinstatement and/or tag refund, tag holders must meet one of the criteria below:

(1) Before a season starts. The tag holder must return ~~the~~ their entire unfilled tag (including carcass portion) with their written request to the department's License and Revenue Branch, P.O. Box 944209, Sacramento, CA 94244-2090, postmarked prior to the opening date of the season for which the tag is valid.

(2) After a season starts.

~~(A) For the 2021 hunting license year, a tag holder whose hunt area was inaccessible for sixty-six percent (66%) or more of the hunt season (pursuant to sections 362, 363 and 364 of these regulations) due to a public land closure caused by wildfire may return their unfilled tag with their written request for preference point reinstatement and/or tag refund. The tag~~

~~holder must return their unfilled tag with their written request to the department's License and Revenue Branch, P.O. Box 944209, Sacramento, CA 94244-2090, postmarked prior to May 1, 2022. Requests postmarked on or after May 1, 2022 shall not be considered.~~

(B) Commencing with the 2022 hunting license year beginning July 1, 2022, a tag holder whose hunt zone was inaccessible for sixty-six percent (66%) or more of the hunt season (pursuant to sections 362, 363, and 364 of these regulations) due to a public land closure caused by wildfire may return their unfilled tag with their written request for preference point reinstatement and/or tag refund. The tag holder must return their entire unfilled tag (including carcass portion) with their written request to the department's License and Revenue Branch, P.O. Box 944209, Sacramento, CA 94244-2090, postmarked on or prior to February 28 of the current license year. Requests postmarked after this date shall not be considered.

(I): Apprentice hunters must return all premium first-choice tags to be eligible for preference points reinstatement. All returned tags must meet eligibility requirements for point reinstatement. Tagholders must submit written request along with entire unfilled tags (including carcass portion) for preference point reinstatement.

NOTE: Authority cited: Sections 200, 203, 219, 265, 270, 275, 331, 332, 1050, 1572, 4302 and 10502, Fish and Game Code.

Reference: Sections 110, 200, 201, 203, 203.1, 219, 255, 265, 270, 275, 331, 332, 713, 1050, 1570, 1571, 1572, 3950, 3951, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 4902, 10500 and 10502, Fish and Game Code.