

Revised Proposed Regulatory Language

KEY

Language originally proposed to be deleted is shown in ~~strikeout~~.

Language originally proposed to be added is shown in underline.

Language originally proposed to be added but now proposed to be removed is shown in ~~underline/double-strikeout~~.

Language newly proposed to be added is shown in double-underline.

Language newly proposed to be deleted is shown in ~~double-strikeout~~.

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. A special hunt is a hunting opportunity, not otherwise specified in Fish and Game Code or these regulations, available to anyone with a valid annual California hunting license and any required validations or applicant statuses, for which the department may issue permits where participation is limited to a set number of available permits. Special hunt permits do not alter any season, size limit, bag limit or hunting quota specified in Fish and Game Code or these regulations.~~
- (1) ~~The department shall establish the conditions parameters of each hunt with consideration for public interest, hunter and public safety, department capacity and staffing, hunt quality, wildlife habitat 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.~~
- (2) The hunt parameters will include, but are not limited to, species, location, season, maximum hunting party size, whether one or more additional hunter(s) or nonhunter(s) are allowed, the number of permits available, applicant statuses (apprentice, mobility impaired, new hunter, military veteran) method of take, and permit issuance method. For the purpose of this section, a “nonhunter” is a person in attendance at a special hunt who is not listed on any permit for that hunt, but who is invited as a guest or guardian of a permit holder. A nonhunter may only aid a permit holder in finding, pursuit, and attempting to take game, but a nonhunter may not themselves use a firearm, air rifle or archery equipment to take a game bird or game mammal during the special hunt.
- (A) Apprentice Status: The department may offer ‘~~apprentice~~’ “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 their 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~~ pursuant to 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, new hunters, or parties that include at least one such new hunter.~~ For purposes of this section, an individual is considered a new hunter beginning on the date of issuance of their first 1-day, 2-day or annual California hunting license, and for a period extending through the remainder of the license year from the date of issuance and for the following four consecutive subsequent license years.

(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.

(3) For the purpose of this section only, a “hunting party” is one or more hunters who apply together for a special hunt permit on a single application.

~~(2)~~ (4) A “hunt group” is a designated grouping of one or more special hunt opportunities from which applicants may select and apply for a special hunt. The department shall establish “~~hunt groups~~” hunt groups based on common conditions ~~hunt 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.

(5) The department shall announce the availability of special hunt opportunities and the parameters of the hunts at least 30 calendar days prior to the earliest hunt date by posting information on the department website (<https://wildlife.ca.gov/>) concurrent with the availability of special hunt permit applications in the department’s Automated License Data System (ALDS).

(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)~~ 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~~ Issuance Method

(1) The issued upon request issuance method is used when the demand for the opportunity is not expected to exceed the number of available permits. Permits will be issued upon department receipt of a complete application in ALDS.

(2) Procedures

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

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

~~(3)~~(C) 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~~ Issuance Method

(1) The draw-by-choice issuance method is used when demand for the opportunity exceeds the number of available permits. These hunts may have assigned hunting areas that can support multiple hunters and may allow party applications. A party application is an application with multiple hunters on the application with the party leader. Applicants may submit one application for one or more hunt opportunities within a hunt group. Applicants prioritize their selections in their order of preference, up to the maximum number of hunt choices allowable from among the hunts in the hunt group pursuant to subsection (d)(2)(E). Applicants will be awarded a maximum of one permit from among all the hunts in the hunt group. The hunt group parameters will specify the maximum number of hunters that may apply as a hunting party on an application. When applying as a hunting party, either all party members are successful, or all are unsuccessful.

(2) Procedures

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

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

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

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

~~(A)~~1. To apply as a hunting party, the party leader shall apply first and provide the assigned party identification number to the other party members.

~~(B)~~2. An applicant joining an existing hunting party shall provide the party identification number of the party leader. An applicant joining a hunting party shall be assigned the same application choice(s) as the party leader.

~~(5)~~(E) 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

~~reference.~~ The department will set the maximum hunt choices based on the parameters of the hunt grouping group and the number of permits available within that hunt group.

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

~~(7)~~ (G) 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)~~ (H) Permits are awarded to applications based on hunt choice and random number (lowest to highest) until the permit quota has been met. ~~When a party application is processed in the drawing and the available permit quota is greater than or equal to number of party members, all party members will be awarded a permit. If the remaining quota is less than the total number of party members, all party members will be unsuccessful.~~

(e) Draw-By-Hunt Procedures—Issuance Method

(1) The draw-by-hunt issuance method is used when the demand for the opportunity exceeds the number of available permits. Applicants in these drawings are applying for a single hunt opportunity. These hunts allow for applications of only one hunter. The hunt parameters will state whether the permit holder is allowed to bring one or more hunter(s) or nonhunter(s) to the hunt. Additional hunters or nonhunters cannot participate in the hunt if unaccompanied by the named permit holder. The draw-by-hunt permit is non-transferable. This issuance method is used to award permits for a hunt group where multiple similar special hunt opportunities occur over the course of a hunting season. Drawings occur separately for each hunt.

(2) Procedures

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

~~(2)~~ (B) 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)~~ (C) Each applicant may apply only once for each hunt.

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

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

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

(f) Drawing Results. Successful applicants will be notified via email, telephone, or U.S. postal mail. Unsuccessful applicants will not be notified. Drawing results will be available by logging in to ~~the customer's ALDS profile~~ the applicant's profile in the department's Online License Sales and Services website.

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.