

State of California
Fish and Game Commission
Final 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. Dates of Statements of Reasons

- (a) Initial Statement of Reasons Date: March 15, 2023
- (b) Final Statement of Reasons Date: June 27, 2024

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

(d) Adoption of sufficiently-related changes

 Date: May 15, 2024 Location: teleconference

III. Update

The Commission adopted the originally proposed regulations at its August 22-23, 2023, meeting and filed the rulemaking with the Office of Administrative Law (OAL) on October 10, 2023. The Commission withdrew the rulemaking from OAL on November 15, 2023 in order to address deficiencies. The Commission issued a notice of sufficiently-related changes to the regulations on April 29, 2024 and adopted the sufficiently-related changes on May 15, 2024. There have been no other changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.

IV. Update to the Initial Statement of Reasons (ISOR)

Wherever the original ISOR has been amended, the added text will appear in **bold**, deleted text will appear with ~~strikethrough~~.

- (a) **Update to** 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) R3 Action Program in the R3 Action Plan and 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> .

The strategy outlines the need and understanding to facilitate a variety of tasks, including the participation of “adult onset” hunters, “reactivation” of former hunters without recent participation in hunting, supporting the participation of “youth and families” in hunting programs, improving “marketing and public perception” surrounding hunting, improving hunting “access and opportunity”, and providing opportunities for “mentorship” in the hunting community.

Among the recommendations made in the R3 Implementation Strategy, a primary task was identified by partners to “create new electronic resources for hunting, fishing, shooting sports and foraging and evaluate, update and digitize any existing print and electronic resources to be more effective, relevant, inclusive, appealing, and user-friendly.” The strategy recommends that the Department modernize its website and its tools by making them more user-friendly and modernize its hunting and fishing licensing technology. This recommendation of the Implementation Strategy ties back to the work of several of the original partner subcommittee groups which identified the necessity for improvement of the Department’s electronic resources to benefit existing user groups, such as military veterans, mobility impaired persons, junior apprentice hunters, and persons new to hunting. 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. R3 emphasizes that bringing 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 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 **hunters**, junior hunters **and mobility impaired 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 **Automated License Data System (ALDS)** 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)~~ **ALDS** where most other Department licenses, permits and validations may be purchased **including opportunities already currently offered for military veteran only waterfowl hunt reservations**.
- 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" **participants**. 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) Drawings, ~~was~~ **were** 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.

Purpose of 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 hunters, ~~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~~ **their** 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~~ **new hunters** 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~~ **A five-year** interval for designation of new hunters is considered **by the Department to be** 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.~~

Revision of subsection (a):

The revised proposed regulations describe special hunts more clearly. Generally, these hunting opportunities that are established by the Department are limited in

number. The purpose of special hunt permits is meant to encourage the participation of various hunter constituencies in a quality hunting experience to implement the goals of the R3 Program. Therefore, it is necessary to provide a transparent and accessible method for fair and equitable distribution of the limited number of permits to qualifying hunters, such as possession of required licenses, validations and/or applicant status. This subsection is clarified for consistency with subsection (b)(2) to state that the purchase of an annual California hunting license is required to be eligible to apply for special hunts. This clarification is necessary because while the first-time purchase of a one-day or two-day non-resident hunting license in California initiates new hunter status to the purchaser pursuant to subsection (a)(2)(C), it does not confer eligibility to apply for special hunt opportunities. An annual hunting license ensures the applicant possesses the required licensure for special hunt participation regardless of the hunt date(s) for any special hunt opportunity that the applicant may be awarded within the current license year. This subsection is further clarified to say that a special hunt does not alter any established season, size limit, bag limit, or hunting quota.

(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.

Revision of subsection (a)(1):

The Department is uniquely authorized with the administration of the lands and wildlife of California. Currently, the Department establishes hunt parameters with consideration for hunter safety, hunt quality, and species abundance. The revised proposed regulations add public interest, public safety, Department capacity and staffing, and wildlife habitat to the items considered by the Department in establishing the parameters for special hunts. This is necessary to provide transparency to the public because public interest, public safety, Department capacity and staffing, and wildlife habitats do factor into the Department’s decision to authorize a special hunting opportunity. Identifying these decision factors in advance of establishing a special hunt helps the public to better understand how special hunts fit together with the other objectives and priorities of the Department.

Public interest is necessary for the Department to consider in establishing hunt parameters because although the Legislature affords the Department authority to issue permits and collect fees, the lands where special hunts occur and the wildlife resources therein, are held in the public’s trust. Thus, although other conditions may be satisfied to justify or support a special hunt, and although the Department may have the authority to do so, public interest in a hunt is a critical element to fulfilling the Department’s mission, “To manage California’s diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public” and in accordance with objectives of the

policy of the state as provided in Section 1801 of the Fish and Game Code, including, by not limited to “[providing] for the beneficial use and enjoyment of wildlife by all citizens of the state”.

Public safety is necessary for the Department to consider when establishing hunt parameters because hunting involves the use of rifles, shotguns, archery and other weapons, which pose inherent risk to the health and safety of special hunt participants and other users. Considering public safety when establishing hunt parameters reduces the potential for serious injury or death of participants and other users and improves the benefits for the public.

Department capacity and staffing are necessary to consider in establishing hunt parameters because a sufficient number of staff and Department resources must be present at each hunt particularly in the context of hunter and public safety, teaching proper hunter ethics, and facilitating the development of hunting skills and techniques. Proper staffing improves the quality of the hunt experience for permittees and oversight for the use of the lands, facilities, and infrastructure where the special hunts occur. The optimal ratio of staff to hunt participants depends on external factors including the species hunted, the method of take, whether hunting dogs are allowed, and the hunters’ status(es) and thus are all considered by Department hunt managers.

It is necessary to consider wildlife habitat in establishing special hunt parameters because the decision to hold a special hunt and the optimal number of participants to utilize but not damage or degrade wildlife habitats where a special hunt occurs, depends on external factors like the moisture content of the soils and plants, the structure, age, rareness or other qualities of vegetation or wildlife that is present, the demography and phenology of the plants and wildlife in the hunt zone owing to their lifecycles and their behaviors. Thus, wildlife habitat must be considered in establishing hunt parameters for both the quality of the hunt to the permitted participants, and also a factor relating to hunter safety and the preservation of floristic and wildlife resources held in the public trust.

The remaining portion of subsection (a)(1) is deleted and renumbered to become subsection (a)(2) to clarify and simplify the regulations by creating a separate subsection which provides examples of hunt parameters.

Addition of subsection (a)(2)

The originally proposed regulations provided a list of examples of parameters for special hunts, including replacing “number of reservations available” in current regulations with “number of permits available” and adding “permit issuance method.” The revised proposed regulations add “whether one or more additional hunter(s) or nonhunter(s) are allowed,” replace “party size” with “hunting party size” and revise language regarding applicant statuses, such that the list of example parameters includes species, location, season, maximum hunting party size, whether additional hunters or nonhunters may join the hunt, the number of permits, applicant status, method of take, and permit issuance method.

Changing “number of reservations available” to “number of permits available” is necessary to provide consistent terminology for special hunt permit issuance regulations; applicants are applying for a permit, not a reservation.

Adding “permit issuance method” is necessary to include as a hunt parameter because the Department may assign the permit issuance method depending on whether the demand for the opportunity is expected to exceed the number of available permits, whether staff administering the hunt need to identify all participants in advance of the hunt due to limited spatial capacity in the hunt zone, or other logistical considerations.

Adding “whether one or more additional hunter(s) or nonhunter(s) are allowed” is necessary to inform the public that this parameter may be variable between hunts.

Replacing “party size” with “hunting party size” is necessary to provide consistent terminology for special hunt permit issuance regulations. The term “hunting party” is defined in subsection (a)(3) and is used in subsections (a)(4), (d)(1) and (d)(2).

Replacing language regarding “applicant attributes” with language regarding “applicant statuses” is necessary to provide consistent terminology for special hunt permit issuance regulations. The “applicant statuses” are defined in subsections (a)(2)(A) – (a)(2)(D).

The revised proposed regulations add a definition of “nonhunter” and specify that a nonhunter may accompany the permit holder but is not authorized to use a firearm or other method of take. Special hunt permits issued pursuant to the draw-by-hunt issuance method may allow the permit holder to bring one or more nonhunters to the hunt, so adding a definition of nonhunter, and what they may and may not do, is necessary for clarity. A nonhunter is most often a friend, family member, or guardian of the permittee.

The proposed definition of “nonhunter” for the purposes of special hunts is necessary because the definition of “take” in Fish and Game Code Section 86 is broad, and it is reasonable that the layperson could infer that someone who accompanies a permit holder on a special hunt is participating in the “take” of wildlife when accompanying a permit holder in the pursuit of game. Except as provided in Section 3040 of the Fish and Game Code, the recreational take of wildlife in California is unlawful for an individual who does not possess a valid California hunting license, as well as any additional tags or validations that may be required for a particular species or hunt. The proposed definition of “nonhunter” recognizes that special hunts occur in a limited and/or controlled setting, where mentorship and the support of family or friends is prioritized and recognizes that these mentors, family members or friends may not have a current hunting license or appropriate tag or validation. It is necessary that a “nonhunter” in the context of special hunts have the ability to aid the permit holder in the pursuit of game in this controlled setting, but not themselves use a weapon to kill an animal. The Department’s Law Enforcement Division believes that this definition of a nonhunter is enforceable and provides transparency to the purpose and intent of the lawful participation of mentors, family members and friends in the development of an

individual's hunting skills, ethics and ability when attending a special hunt as a nonhunter at the invitation of a permit holder.

Revisions of Subsections (a)(2)(A) through (a)(2)(D)

(a)(42)(A) This subsection allows certain hunts to be set aside for apprentice hunters in accordance with the R3 policy.

Revision of subsection (a)(2)(A):

The revised proposed regulations correct a punctuation error by replacing single quotation marks with double quotation marks around the word apprentice for consistency with punctuation in the section.

(a)(42)(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)(42)(B)1. This subsection introduces the definitions of a "mobility impaired hunter" defined as possessing one of the items described in subsections (a)(42)(B)1.a. and b.

(a)(42)(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.

Revision of subsection (a)(2)(B)1.a.:

In the revised proposed regulations, the word "their" is added preceding the word "possession" to make clear that it is the disabled person or disabled veteran named on the vehicle registration who must be in possession of the documentation while hunting.

(a)(42)(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)(42)(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)(42)(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.~~

Revision of subsection (a)(2)(C):

The originally proposed regulatory language "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", has been removed. The revised proposed regulations specify that "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.”

Including new hunters in the special hunt parameters is necessary to the implementation of the goals and strategies of the R3 Program. The addition of new hunters as an applicant status for special hunt permit issuance in ALDS is meant to encourage the participation of persons new to hunting in a quality experience, thus developing the experience and confidence of new hunters, and facilitating two of the goals of the R3 Plan: 1) reduce barriers to entry by providing an opportunity for new hunters to participate in the Department’s many hunting offerings; 2) increase availability of hunting opportunities to new hunters. These goals support the purpose of securing a future for recreational hunting in California.

The National R3 data indicates that hunting participation is a gradual process that occurs over a period of several years. The proposed interval, their first season and four additional seasons, recognizes that adult-onset hunters require time to overcome barriers to participation in hunting and uses the best available data to limit the pool of applicants who qualify for this status to those most likely to participate, thus maintaining a quality and readily available hunt opportunity and providing the best incentive to recruit new hunters.

In accordance with FGC Section 3037, a license year extends from July 1 through June 30. A new hunter may purchase their first license at any time during any license year. As an example, if someone purchased their first hunting license on September 1, 2024, new hunter status would begin September 1, 2024 and end on June 30, 2029 whether or not they purchase any other licenses.

Though the first time purchase of a one-day or a two-day non-resident hunting license will initiate new hunter status for that hunter, the purchase of an annual California hunting license is a prerequisite to apply for a special hunt permit pursuant to subsection (b)(2).

(a)(42)(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

Addition of new subsection (a)(3):

A definition of “hunting party” is added for clarity and states that for the purposes of this section only, a hunting party is one or more hunters who apply together for a special hunt permit on a single application. While the common interpretation of the term is considered a group of people hunting together, due to the modal configuration of the ALDS system when executing a draw by choice drawing, a hunting party may be one hunter when the parameter for the maximum hunting party size is set to one. This permit will be issued to a single individual called the party leader for the purposes of the ALDS drawing.

(a)(24) 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 subsections (a)(1) and (a)(2). 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.

Revision of subsection (a)(4):

The revised proposed regulations provide a definition of “hunt group” which clarifies that it is a grouping of special hunt opportunities. Applicants select those hunts from the hunt group in which they wish to participate. The parenthetical list of parameters “(species, season, method of take, etc.)” has been deleted since hunt parameters are identified in subsection (a)(2).

Addition of subsection (a)(5):

The revised proposed regulations add this subsection to inform potential applicants for special hunts about when special hunt opportunities will be announced and when special hunt applications will become available (at least 30 days prior), how special hunt opportunities will be announced (postings on the Department website), and that concurrent with the announcement, the applications will be available in ALDS.

The announcement and availability of special hunt applications at least 30 days prior to the hunt date or the first hunt in a hunt group, is necessary because it allows applicants a minimum of nine calendar days to select and apply for hunts since the draw-by-hunt and draw-by-choice issuance methods require that applications be submitted 21 days prior to the hunt. This ensures that there is sufficient time for customers to review and apply for special hunts while recognizing that the Department’s ability to establish the parameters of the special hunt depend in part on temporal factors which are increasingly difficult to know or estimate as the lead time prior to a special hunt is increased. Announcement and availability of special hunts 30 days in advance balances these competing needs for advanced notice and knowledge of the prevailing conditions on the day(s) of the hunt, so that the Department may effectively establish the parameters for the hunt. The Commission adopted the Department recommendation to utilize both the Department website (<https://wildlife.ca.gov/>), and the Department’s Automated License Data System for announcing the availability of special hunt applications because this is the way the Department currently announces Upland Game Bird Special Hunt Drawing opportunities under existing regulations in Section 715. Thus, the public is already familiar with these means for obtaining departmental and licensing information and these are the most relevant repositories of such information for the Department. Many departmental publications, electronic and paper mail distribution, social media, wildlife staff and law enforcement personnel already direct public information inquiries to these data repositories, making these locations the logical choice to post availability of special hunt applications.

(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.

Requiring the use of ALDS to apply for special hunts is necessary to the implementation of the goals and strategies of the R3 Program and for consistency with the application process used for licensing and other permits.

Among the recommendations made in the R3 Implementation Strategy, a primary task was identified by partners to “create new electronic resources for hunting, fishing, shooting sports and foraging and evaluate, update and digitize any existing print and electronic resources to be more effective, relevant, inclusive, appealing, and user-friendly.” The strategy recommends that the Department modernize its website and its tools by making them more user-friendly and modernize its hunting and fishing licensing technology.

As described earlier in this document, SAHORS is out of date, frequently malfunctions, and is incapable of generating necessary reports and ALDS has been the single source for issuing hunting licenses and conducting the drawings for big game license tags since 2010 and for upland game bird special hunts since 2017.

Revision of subsection (b)(1):

The revised proposed regulations replace “Automated License Data System” with the acronym “ALDS” because this acronym is defined in new subsection (a)(5).

(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 **an** applicant for an apprentice junior hunt must possess a valid junior hunting license, **is deleted.** ~~is replaced with language in subsection (a)(1)(A).~~ **Apprentice license status is addressed in subsection (a)(2)(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 ~~(e)(3), (d)(2) and (e)(2)~~ **(c)(2)(C), (d)(2)(B) and (e)(2)(B).**

(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~~ **issuance method.**

~~(e)(3)~~ Current subsection (c) **is deleted. Subsections (c) through (c)(2) are moved to proposed subsection (d) and revised. Subsection (c)(3) concerning notification of drawing results is moved to proposed subsection (f) and revised.**

(c) Issued Upon Request ~~Procedures~~ **Issuance Method.** 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.

Revision of proposed subsection (c):

The revised proposed regulations in this subsection change the subsection heading from “Issued Upon Request Procedures” to “Issued Upon Request Issuance Method,” provide a description of the issued upon request issuance method in subsection (c)(1), and renumber the issued upon request procedures as subsections (c)(2)(A) through (c)(2)(C).

Addition of a new subsection (c)(1):

This new subsection contains a description of the issued upon request method of permit issuance. Many hunts offered by the Department have historically been readily available to applicants and are therefore able to be issued without the need for a draw.

Addition of new subsection (c)(2):

Originally proposed subsections (c)(1), (c)(2), (c)(3) are renumbered to become (c)(2)(A), (c)(2)(B) and (c)(2)(C). There is no change to the original proposed regulatory text of these subsections.

~~(e)(1)~~ **(c)(2)(A)** 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 **is necessary to ensure** ~~ensures~~ that the hunter can plan their hunting trip.

~~(e)(2)~~ **(c)(2)(B)** 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.

~~(e)(3)~~ **(c)(2)(C)** 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~~ **Issuance Method.** Text from ~~previous~~ **current** 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.~~

Revision of proposed subsection (d):

The revised proposed regulations in this subsection change the subsection heading from “Draw-by-Choice Procedures” to “Draw-by Choice Issuance Method,” provide a description of the draw-by-choice issuance method in subsection (d)(1) and renumber the draw-by-choice procedures as subsections (d)(2)(A) through (d)(2)(H).

Addition of new subsection (d)(1):

The revised proposed regulations add this new subsection to describe the draw-by-choice method of permit issuance. The provided definition incorporates text, revised for clarity, from originally proposed subsections (d)(5) and (d)(7). The draw-by-choice issuance method is fully described as a popular hunting opportunity where the demand exceeds the number of available permits; a party leader represents the interests of the hunting party in prioritizing and selecting individual hunts from a hunt group. A draw-by-choice application may be limited to only the (1) party leader but typically allows for a hunting party of up to four members. All hunting party members share the same outcome of the drawing whether successful or unsuccessful. Applicants will be awarded a maximum of one permit from among all the hunts in the hunt group. A party application is defined for clarity as an application with multiple hunters on the application with the party leader.

A party application is necessary when the assigned hunting area is shared among multiple hunters hunting as a party, as well as between multiple parties hunting within the hunting area. This is most common in upland game bird hunts where permit holders enter a common hunt zone (a field or open designated area) where the special hunt takes place. The party application allows the Department to know the maximum number of participants in advance which is necessary in order for the Department to ensure a safe and quality hunting experience since in Draw-by-Choice special hunts, multiple hunting parties may hunt while moving within the designated field or zone during the special hunt, thus they may encounter and must necessarily be aware of other hunting parties during the hunt, unlike typical issued-upon-request and draw-by-hunt special hunts where hunters who hunt together are either: 1) the only hunters issued a hunt permit who may be moving within the hunt zone, or 2) stationary at a location such as a hunting blind.

Addition of new subsection (d)(2):

The revised proposed regulations add this new subsection to establish the procedures for draw-by-choice issuance method for permits.

Originally proposed subsections (d)(1) - (d)(8) are renumbered to become (d)(2)(A) through (d)(2)(H).

~~(d)(1)~~ **(d)(2)(A)** Current subsection (b)(7), specifying the application deadline, is revised for clarity and moved to this subsection.

~~(d)(2)~~ **(d)(2)(B)** 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)~~ **(d)(2)(C)** 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)(32)~~**(C)**. This clarifies to the public that the option for party application is not always available for every ~~Draw-By-Choice~~ **draw by choice** hunt drawing.

Revision of subsection (d)(2)(C):

The revised proposed regulations remove the word “individual” to provide consistency and clarity with respect to the newly provided definition of “hunting party” contained in new subsection (a)(3) and the reference to “party leader” in the description of the draw-by-choice issuance method in subsection (d)(1). In addition, the term “party” is updated to “hunting party” for clarity.

~~(d)(4) through (d)(4)(B)~~ **(d)(2)(D), (d)(2)(D)1., and (d)(2)(D)2.** 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)(2)(D), (d)(2)(D)1., and (d)(2)(D)2.**

Revision of subsection (d)(2)(D):

The revised proposed regulations remove “as an individual or” because under the newly provided definition of “hunting party” in subsection (a)(3), an individual who applies for a permit alone is considered a party leader. This change provides greater consistency with the definitions and descriptions in this section. In addition, the term “party” is updated to “hunting party” in subsections (d)(2)(D)1. and (d)(2)(D)2. for clarity.

~~(d)(5)~~ **(d)(2)(E)** 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 **(d)**. 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.

Revision of subsection (d)(2)(E):

The revised proposed regulations remove the first sentence describing the limit of one application per hunt group and allowable number of hunt choices. This provision is added to the new subsection (d)(1), which now provides a definition for the draw-by-choice method of permit issuance. The word “grouping” is replaced with “group” to be consistent with the definition of a “hunt group” contained in subsection (a)(2).

~~(d)(6)~~ **(d)(2)(F)** 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.

Revision to subsection (d)(2)(F):

The revised proposed regulations update the term “party” to “hunting party for clarity.

~~(d)(7)~~ **(d)(2)(G)** This subsection specifies that the Department will conduct ~~Draw-By-Choice~~ **draw-by-choice** drawings at least 10 business days prior to the earliest hunt date. This provides consistency with subsections (c)(12)(A) and ~~(e)(72)(F)~~. 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. **Having permits available 10 days prior to the start date is necessary to ensure that the hunter(s) can plan their hunting trip.**

~~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.~~

Revision of subsection (d)(2)(G):

The revised proposed regulations move the provisions for applications that exceed the permits available to subsection (d)(2)(H).

~~(d)(8)~~ **(d)(2)(H)**. 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-permit~~ quota has been met.

Revision of subsection (d)(2)(H):

The revised proposed regulations in subsection (d)(2)(H) describe how hunting party applications are successful when there are available permits, however, if the remaining quota is less than the total number of party members, all party members will be unsuccessful. This provides clarity to and is consistent with revised proposed subsection (d)(1) which states that when applying as a hunting party, either all party members are successful, or all are unsuccessful.

If an application is processed in the drawing and the available permit quota is greater than or equal to the total number of party members, the application will be successful. However, if 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.

(e) **Draw-By-Hunt Procedures Issuance Method.** This subsection specifies the new “draw-by-hunt” **method of permit issuance and** procedures using ALDS. This method is used when demand for the opportunity exceeds the number of available permits. ~~Draw-by-Hunt~~ **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.

Revision of subsection (e):

The revised proposed regulations in this subsection change the subsection heading from “Draw-by-Hunt Procedures” to “Draw-by-Hunt Issuance Method,” provide a description of the draw-by-hunt issuance method in subsection (e)(1) and renumber the draw-by-hunt procedures as subsections (e)(2)(A) through (e)(2)(F).

Addition of new subsection (e)(1):

The revised proposed regulations in this new subsection clarify the draw-by-hunt issuance method for awarding permits: a single hunt for a high demand opportunity; one hunt per application; one hunter applicant per hunt permit application; permittee may be able to bring other hunters or nonhunters to the hunt; the draw-by-hunt permit is non-transferable; additional hunters or nonhunters cannot participate in the hunt if unaccompanied by the named permit holder; applicants may apply for multiple individual opportunities during the season.

The addition of “nonhunters” in this subsection is necessary to allow for the limited participation of nonhunters who may be in attendance as observers or parental guardians of the permit holder. The Department is able to ensure a safe and quality hunt experience without the need to precisely know the number of participants in the draw-by-hunt special hunts because the successful permit holder and any additional hunters or nonhunters invited by the permit holder are assigned to a single specific location such as a hunt blind. Thus, having additional hunters or nonhunters within an individual hunt blind does not impact safety with respect to the line of fire and does not contribute to the likelihood of individual hunters or groups of hunters encountering each other in the field during the special hunt. The draw-by-hunt application allows the Department to provide greater latitude to the permit holder to invite hunting or non-hunting partners on short notice, or to substitute partners. This method for permit issuance also serves the Department’s need to meet the R3 goals of reducing barriers to participation in hunting, simplifying the application process and increasing the availability of opportunities to participate in special hunts.

Addition of new subsection (e)(2):

The revised proposed regulations add this subsection to establish the procedures for the draw-by-hunt method of permit issuance.

Originally proposed subsections (e)(1), (2) and (4) through (7) are renumbered to become (e)(2)(A) through (e)(2)(F).

~~(e)(1)~~ **(e)(2)(A)**: 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)(4)~~**(A)**.

Revision of subsection (e)(2)(A):

The revised proposed regulations replace “Automated License Data System” with the acronym “ALDS.” This acronym is defined in new subsection (a)(5).

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

Originally proposed subsection (e)(3) is revised and incorporated into subsection (e)(1).

~~(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)~~ **(e)(2)(C)** 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)~~ **(e)(2)(D)** 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)~~ **(e)(2)(E)** This subsection specifies that permits are awarded to applications based on hunt choice **selection** and random number (lowest to highest) until the permit quota has been met. ~~and This method is necessary to ensure~~ ensures a fair and equitable process of distributing available permits.

Revisions of subsection (e)(2)(E):

In the revised proposed regulations, the word “choice” is changed to “selection” to avoid confusion with the draw by choice method.

~~(e)(7)~~ **(e)(2)(F)** 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 ~~(e)(4)~~ **(c)(2)(A)** and ~~(d)(7)~~ **(d)(2)(G)**. **Having permits available 10 days prior to the start date is necessary to ensure that the hunter can plan their hunting trip.**

(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.

Revision of subsection (f):

The revised proposed regulations add “via email, telephone or U.S. postal mail” to this subsection to provide specificity about how customers will be notified about the successful results of drawings. The text specifying where customers may find results (whether successful or unsuccessful) is updated to state that “results will be available by logging into the applicant’s profile in the department’s Online License Sales and Services”.

The results of the ALDS drawings are posted to the Department’s Online License Sales and Services website where applicants can find special hunt drawing results. Successful applicants will be able to claim their permit at this site by simply logging in with their profile using their Get Outdoors Identification Number (GO ID) number.

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

(b) Update to 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 **hunters** 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.

V. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting Those Considerations.

One comment was received during the original notice period of June 2 through August 22, 2023. No comments were received during the 15-day notice period of April 29, through May 15, 2024.

(1) Pamela Williams, email dated July 28, 2023.

I do not support the Department’s R3 strategy or any policies or changes to policies that promote recreational killing of wildlife, including fish.

I'm disappointed that the Commission and the Department fail to understand that public sentiment is increasingly against wanton killing and increasingly enamored of wildlife watching and coexistence.

I assume that the Department and Commission believe in the North American principle that wildlife is held in the public trust for all citizens, not just for those whose hobby is killing. Or is that lip service only?

Response:

The comment is noted. The Commission and Department are mandated to maintain diversified recreational uses of wildlife, including sport hunting, consistent with the maintenance of healthy, viable wildlife resources. While the comment is outside the scope of this rulemaking, the Commission encourages all stakeholders to continue engaging the Department in future rulemakings and other management actions related to wildlife issues.

VI. 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~~ **drawings** for the Apprentice special hunting opportunities offered by the Department.

(c) Consideration of Alternatives

In view of information currently possessed, no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

VII. 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 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 of 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

VIII. Update to 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 eligibility rules for special hunt permit applicants who apply for special hunt opportunities using the "new hunter" applicant status.** The costs for the maintenance of ALDS is offset by a per application fee of three percent, or about \$0.08 per item.

Updated 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 hunts. ~~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/disabled 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.

UPDATE

The Commission adopted the originally proposed regulations at its August 22-23, 2023, meeting and filed the rulemaking with the Office of Administrative Law (OAL) on October 10, 2023. The Commission withdrew the rulemaking from OAL on November 15, 2023 in order to address deficiencies.

The Commission issued a notice of the following sufficiently-related changes to the regulations on April 29, 2024:

Revisions to subsection 715(a) describe special hunts more clearly. Generally, these hunting opportunities that are established by the Department are limited in number. The revisions to this subsection also identify additional hunt specific criteria that the Department will use to establish the parameters of each hunt and provide additional examples of hunt parameters. Definitions for non-hunter, hunting group and hunting party are added and the definition of new hunter is revised as compared to the originally proposed definition. Information on when and how special hunt opportunities will be announced and minor edits to correct punctuation and add clarity and specificity are also provided.

Revisions to subsection 715(b)(1) abbreviate “Automated License Data System” as “ALDS.”

Revisions to subsections 715(c), (d), and (e) provide a description for each permit issuance method to describe the hunt conditions that would favor the Department’s selection of that permit issuance method. The procedures for each method are updated for clarity, consistency and specificity.

Revisions to subsection 715(f) specify how successful applicants will be notified and how to access drawing results electronically through the Department’s Online License Sales and Services website.

The Commission adopted the sufficiently-related changes on May 15, 2024. There have been no other changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.