

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

Amend Section 554
Title 14, California Code of Regulations
Re: Cooperative Deer Hunting Areas

I. Dates of Statements of Reasons

- (a) Initial Statement of Reasons Date: October 1, 2023
- (b) Pre-adoption Statement of Reasons Date: March 20, 2024
- (c) Final Statement of Reasons Date: April 29, 2024

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, 2023 Location: San Jose, CA

III. Update

At its April 18, 2024 meeting, the Fish and Game Commission (Commission) adopted the proposed update to the Cooperative Deer Hunting Area application process, addition of a definition of “immediate family member,” and reduction of tags in zones X3a, X5a, and X5b, as provided in the Final Regulatory Text, attached.

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

Comments from 12/13/24 to present.

Comment Number	Name, Organization, Type, and Date	Comment Summary	Response
1	Chris Bowles (California Bowmen Hunters/State Archery Association, President, 12/13/2024)	Supports big game hunting in California.	The Department acknowledges support for the proposal.
2	Bill Gaines (WSF, CDA, RMEF), 12/13/24	In support of all proposed changes.	The Department acknowledges

Comment Number	Name, Organization, Type, and Date	Comment Summary	Response
			support for the proposal.
3	Bill Gaines (WSF, CDA, RMEF), 2/15/24	In support of all proposed changes	The Department acknowledges support for the proposal.
4	J.R. Young, 2/15/24	In support of all proposed changes	The Department acknowledges support for the proposal.
5	Marilyn Jasper, 2/15/24	Asks the commission to be aware of a recent United Nations report called "State of the World's Migratory Species."	Comment noted.

No public comments specifically pertaining to cooperative deer hunting areas were received.

V. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

As an alternative to the one tag only rule for zones X3a, X5a, and X5b, a percentage (proposed 5-20 percent of the number of public license tags for the corresponding public hunt) could be used for the quota of deer landowner tags.

(b) No Change Alternative

Without the proposed changes, the outstanding issues concerning the regulations currently governing landowner tags would remain unaddressed.

(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.

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 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. Considering the relatively small number of deer landowner tags over the entire state, this proposal is 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. Californians are expected to benefit generally from sustainable management of natural resources in the state.

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

None.

- (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.

Updated 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 Cooperative Deer Hunting Area (deer “landowner (LO) tags”) program that is administered by the California Department of Fish and Wildlife (Department) was initially established as a public access program to encourage protection and enhancement of deer habitat. With the creation of the SHARE public access program in 2010, it shifted to a landowner tag program. Current regulations for Cooperative Deer Hunting Areas (Section 554) require that landowners who own a minimum of 640 acres in a draw zone may apply for up to two deer tags. Landowners must apply for tags and identify the customer(s) that the tags will be issued to and pay the appropriate fees with their application. For approved applications, the regions sell the tags to the identified customers in the Automated License Data System (ALDS). There are several instances of outdated and confusing language within the regulation that need to be updated and clarified.

Currently, LO tags are not limited by zone and tags are issued in addition to public tag quotas resulting in some zones issuing a greater proportion of LO to public tags. Tag issuance needs to be reduced in these zones.

The proposed changes are as follows:

Add Section 554(b)

- (b) Application Process.
 - (1) Definitions.
 - (2) Eligibility Requirements.
 - (3) Application Materials.
 - (4) Application Form.
 - (5) Review and Approval.

Add Section 554(b)(1): Provide a definition for immediate family member.

Add Section 554(b)(2): Clarify that a landowner application can be for up to two deer tags that can be designated to the landowner or an immediate family member of the landowner.

Add Section 554(b)(2): Reduce the number of available tags to one per application in zones X3a, X5a, and X5b.

Add Section 554(b)(2) and (b)(5): Update “one deer tag” language. Clarify that individuals shall not be eligible for a cooperative deer hunting tag if they hold a deer tag in the same license year for a premium or restricted hunt as defined in 708.1.

Section 554(b)(3): **Add application materials.**

Application materials need to be added; includes the application, proof of ownership, proof of property size, and applicable fees. Unsuccessful Deer Tag Letter can be used as proof of payment.

Section 554(b)(4): **Add application form.**

Need to list the information required within the application.

Add Section 554(b)(5): Update the following regional office addresses:

Region 3 2825 Cordelia Rd, Suite 100 Fairfield 94594 (707) 428-2002

Region 5 3883 Ruffin Road, San Diego 92123 (858) 467-4201

Region 6 3602 Inland Empire Blvd., Ste C-220, Ontario 91764 (909) 484-0167

Benefit of the Regulations:

Updated and clarified the application instructions, corrected outdated terms within the regulation, and reduced the number of tags issued in zones of concern (X3a, X5a, and X5b).

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 landowner tags (California Fish and Game Code Section 1575). No other state agency has the authority to adopt regulations governing landowner tags. 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 landowner tag regulations; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

Update: No changes were made to the proposal following publication of notice. At its April 18, 2024 meeting, the Commission adopted the proposal as detailed in the Initial Statement of Reasons.

Not elaborated on in the ISOR, though part of the adopted changes, were the requirements on individuals in Section 554(b)(2)(A). These requirements mirror the requirements set forth in California Fish and Game Code Sections 3031 (regarding requirement to possess a license) 4332 (age 12 minimum to purchase a deer tag and limitation of one deer tag).

Language in Section 554(b)(5) was also struck regarding the return of incomplete application forms by the Department within 15 days of receipt. These provisions were outdated, since most correspondence is done electronically, and also created difficult circumstances where re-submitted applications were received after applicable deadlines. This language strikeout is meant to keep the application process straightforward for stakeholders.

A new form (DFW 1409 (Rev. 10/23)), incorporated by reference in the regulations, was adopted and is required by these regulations. The form is titled “2024 Application for Cooperative Deer Hunting Area Permit” and includes:

- **Deer tag fees, priced in accordance with Fish and Game Code Section 713.**
- **Instructions for submitting the application form.**

- **List of required supportive documentation (application form; check, money order, or unsuccessful deer tag letter as payment of the applicable fee; proof of ownership; and proof of property size). These supportive document requirements are authorized by Fish and Game Code Section 1054 as proof related to the issuance of any license, tag, permit, or other privilege or entitlement.**
- **Boxes for the applicant to provide information, including name, relationship to the landowner, mailing address, phone number, driver's license/state ID number, and GO ID number. This information is necessary for the Department to identify the applicant, contact the applicant, accurately issue tags and/or any other documents to the applicant, and cross check the applicant's provided information with state databases for accuracy.**
- **The same boxes as listed above for a second applicant, if applicable.**
- **A box for indicating the deer hunting zone in which the qualifying lands are located, for record keeping and deer management purposes.**
- **A statement acknowledging the terms of the program and the issuance of the deer tag, swearing that the information provided is complete and correct, and acknowledging and agreeing to follow the regulations set forth in Section 554, Title 14, California Code of Regulations.**
- **A box for printed name, landowner signature, and signature date, for the landowner to affirm the statement above.**
- **A box for printed name, applicant signature, and signature date, for the applicant to affirm the statement above.**
- **A box for the Department of Fish and Wildlife's Regional Manager's signature, region, and signature date, affirming a statement that the California Department of Fish and Wildlife shall review the Application for Cooperative Deer Hunting Area Permit, verify the content thereof, and certify that the lands consist of critical deer habitat prior to the issuance of a Cooperative Deer Hunting Area Permit and deer tag.**
- **The adopted, final regulatory language for Section 554.**