

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

Amend Sections 353, 364, 364.1, 555, and 555.1
Title 14, California Code of Regulations

Re: Methods authorized for taking big game, elk hunting, SHARE elk hunts, cooperative elk hunting areas, conflict zone cooperative elk hunting areas

I. Date of Initial Statement of Reasons: January 8, 2026

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing:

Date: December 10, 2025

Location: Sacramento

(b) Discussion Hearing:

Date: February 12, 2026

Location: Sacramento

(c) Adoption Hearing:

Date: April 16, 2026

Location: Sacramento

III. Description of Regulatory Action

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

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

The California Fish and Game Commission (Commission) periodically considers recommendations from the California Department of Fish and Wildlife (Department) to amend elk hunting regulations. Considerations include recommendations for adjusting tag quotas (total number of hunting tags to be made available), setting hunt periods, modifying zone boundaries, and authorizing methods of take, among others, to help achieve management goals and objectives for elk. To maintain appropriate harvest levels and hunting quality, tag quotas must be adjusted periodically in response to dynamic environmental, biological, and social conditions.

The proposed changes focus on elk tag quotas in subsections 364(u) through (x), defining a new elk management zone in subsection 364(q), Shared Habitat Alliance for Recreational Enhancement (SHARE) elk tag quotas in subsections 364.1(i) through (l), method of take under subsection 353(d), and tag eligibility under subsections 364(k) and 364.1(b) and sections 555 and 555.1. The proposed amendments here represent the cumulation of the Department's internal, external discussion, and data analysis. The proposed changes are necessary to maintain sustainable hunt opportunities, and for consistency with the Elk Conservation and Management Plan (CDFW 2018) recommendations and with the California Fish and Game Code.

Background

A limited number of public elk hunting tags are offered annually via the big game drawing and SHARE program drawing, and public demand for elk hunting tags (as indicated by elk tag draw applications) has annually exceeded tag availability for the last ten years. In addition to harvest opportunity, public elk hunting also provides data that enhances the Department's ability to monitor elk populations including spatial, age, genetic, and disease information. As described in the Department's Elk Conservation and Management Plan (2018), the Department's goal is to increase elk hunting opportunities where feasible and compatible with population objectives, in which case recommendations will be offered to the Commission.

Individuals are awarded an elk hunting tag through the Department's Big Game Drawing or SHARE hunt program drawing. Landowners may apply for a Cooperative Elk Hunting Area (CEHA) tag if their property meets requirements set forth in 555 or 555.1 and located in an area open to elk harvest. Harvest of an elk is authorized for an individual awarded a tag for a specific elk hunt, SHARE property, or CEHA within a license year. Tag quotas are established based on a variety of factors including population density and abundance, age and sex composition, elk distribution, and human-elk conflict levels, among other population objectives and considerations.

Current Regulations

- Section 353 defines methods that are authorized for taking big game.
- Section 364 provides descriptions of elk hunt areas, season opening and closing dates, methods of take (e.g., general methods, archery only), tag designations (bull, spike bull, antlerless, either-sex), tag quotas, bag and possession limits, and special conditions for elk hunts.
- Section 364.1 defines season opening and closing dates, authorized methods of take, application instructions, tag quotas, and bag and possession limits for Department-administered SHARE elk hunts.
- Section 555 defines cooperative elk hunting areas, eligibility requirements, and the application process.
- Section 555.1 defines a conflict zone cooperative elk hunting area as an area of private land, at least 60 acres in size, in which landowners experience chronic, elevated levels of human-elk conflict; specifies the ratio of conflict zone cooperative elk tags that may be issued to public elk hunting tags; and specifies the valid dates of tags issued under the provisions of the section.

Proposed Regulations

The proposed amendments to sections 353, 364, 364.1, 555, and 555.1 have been developed to increase hunter opportunity while maintaining science-based management goals. These changes include adjusting tag quotas, expanding methods of take for SHARE elk hunts, and clarifying tag eligibility across general draw, SHARE, cooperative elk hunt area, and conflict zone cooperative area hunt types. The objectives of these proposed regulations are consistent with the Department's Elk Conservation and Management Plan goals to enhance hunting opportunities (Goal 3) and alleviate human-elk conflict (Goal 4).

Section 353 Methods Authorized for Taking Big Game

- **Amend Section 353** to include shotguns firing slugs as a method of take for SHARE elk hunts and reorganize the subsection into two parts for clarity and flow.
 - Problem Statement: On many SHARE enrolled properties, elk often occur near agricultural lands, roads and residential areas where the use of centerfire rifles may pose safety concerns or limit hunting access. Current regulations do not allow for the use of shotgun slugs for the take of elk, restricting management flexibility in these areas.
 - Statement of Purpose: The purpose of this regulation is to authorize the use of shotgun slugs as a method of take for SHARE elk hunts. This provides hunters with a safe, effective, and practical tool for harvest in areas where rifle use is less suitable.
 - Statement of Benefits: The proposed regulation will provide a range of benefits:
 - Safety benefits: Expands management options in proximity to residences and working lands where rifle use may be restricted or less safe.
 - Recreational opportunity: Increases hunter access by broadening legal methods of take, ensuring SHARE hunts can be implemented effectively.
 - Management benefits: Enhances the Department's ability to meet harvest objectives in areas where elk conflicts occur while maintaining fair chase standards.
 - Statement of Necessity: This regulation is necessary to provide a safe and effective method of take for elk SHARE hunts. Without the option of shotgun slugs, the Department is limited in its ability to offer hunting opportunities or achieve management objectives in areas where rifles are not appropriate.

Section 364 Elk Hunts, Seasons, and Number of Tags

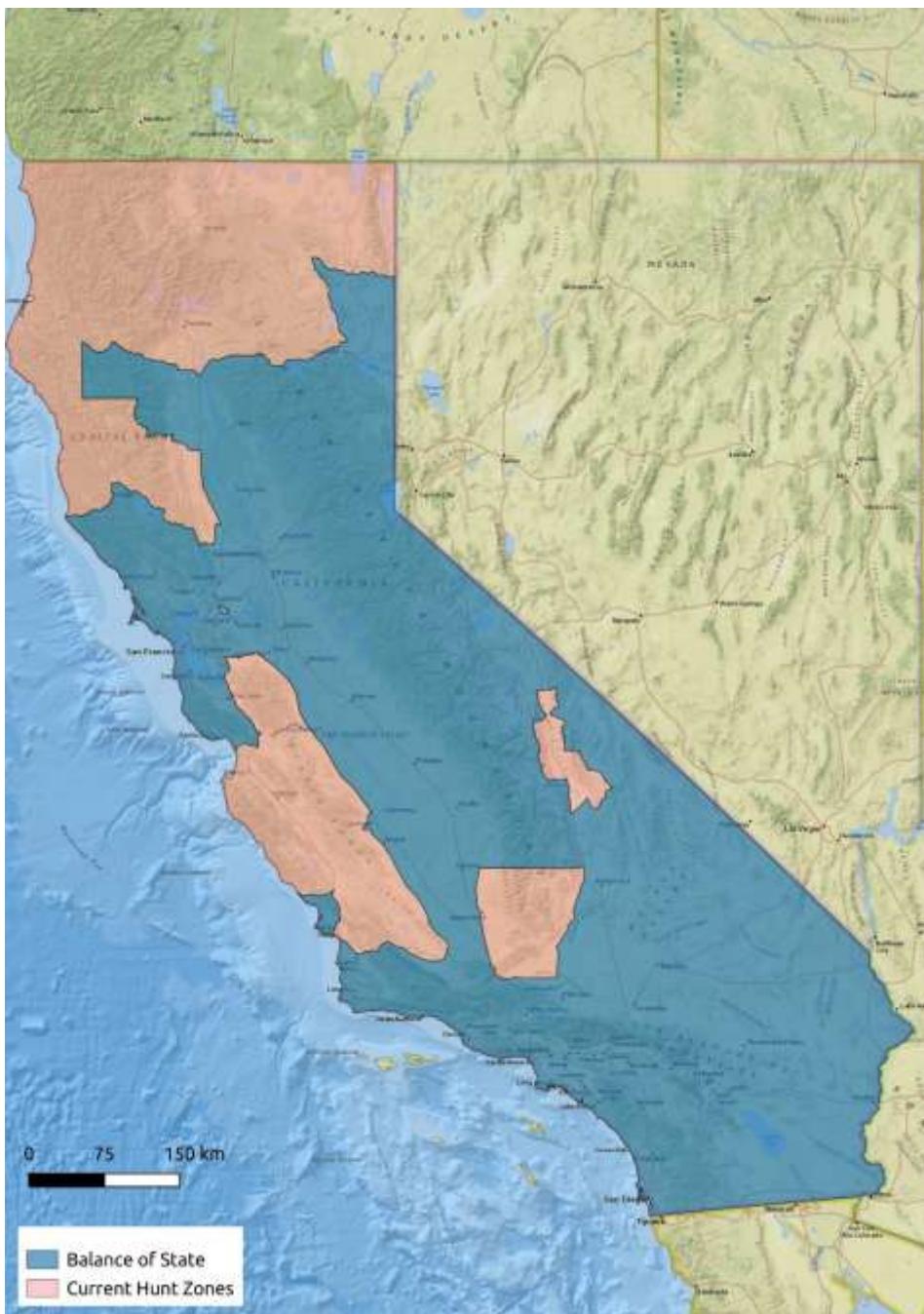
- **Add subsection 364(q)** to define a new “balance of state” zone:

“(q) Balance of State Elk Management Zone: That portion of the state not covered by any area defined in subsections 364(a) through (d).”

 - Problem Statement: Elk occur in areas of California outside of currently defined elk hunt areas, but no regulatory framework exists to allow for harvest opportunities in these regions. Without an established hunt area, the Department cannot use programs such as SHARE to offer equitable hunting access or encourage landowner participation in elk habitat stewardship. Furthermore, elk damage in localized areas outside of a hunt area cannot be addressed via harvest. This limits the Department's ability to meet its management objectives and reduces opportunities for hunters and landowners to benefit from elk populations occurring outside traditional elk hunt areas.
 - Statement of Purpose: The purpose of the proposed regulation is to establish a new balance of state zone that includes all areas of the state not currently defined in regulation as elk hunting areas. Establishing the new zone will allow the Department to expand public hunting opportunities through the SHARE program, incentivize private landowners to improve and maintain elk habitat, address potential damage more effectively, and ensure that elk is managed consistently across its range in California. The proposed balance of state zone will provide the Department and Commission with greater flexibility for providing recreational opportunity, conservation, and landowner engagement.

- Statement of Benefits: The proposed regulation will provide a range of benefits:
 - Increased recreational opportunity: Expands elk hunting opportunities for the public, through the SHARE program, thereby enhancing equitable access to elk hunting in California.
 - Habitat stewardship: Provides incentives for private landowners to enhance and maintain elk habitat, contributing to broader conservation goals and improved ecosystem health.
 - Regulatory benefits: Establishes a clear framework for managing elk statewide, ensuring the Department can fulfill its statutory responsibilities under California Fish and Game Code sections 1801 and 3952.
 - Social benefits: Builds positive partnerships between the Department, hunters, and private landowners by creating mechanisms for shared stewardship of elk populations.
 - Secondary benefits: Provides tools to address localized conflicts where necessary, while keeping the primary focus on opportunity, access, and conservation.
- Statement of Necessity: This regulation is necessary to ensure consistent management across the species' range, create opportunities for recreational access, and foster stronger partnerships with private landowners in support of elk conservation and sustainable use.

Map 1. Proposed Balance of State Elk Management Zone



- **Amend subsections 364(u)(5) through (11), 364(v)(5), 364(w)(2) through (5), and 364(x)(1)** to increase bull tag quotas for the Owens Valley Tule Elk Management Unit general methods, archery, and muzzleloader hunts including the Bishop, Tinemaha, West Tinemaha, Tinemaha Mountain, Independence, Whitney, and Lone Pine Elk hunt areas
 - Problem Statement: The tule elk population across the Owen's Valley hunt areas has increased to more than 400 individuals, with bull-to-cow ratios consistently ranging from 34:100 to 84:100. This greatly exceeds the bull-to-cow ratio management objective of 25:100. Despite rising minimum cow counts (the number of cows counted in surveys, thus the minimum number of cows in the population) over the past seven years, these elevated ratios have persisted, indicating that current management strategies are not achieving the desired demographic balance.

- Statement Purpose The purpose of the proposed regulation is to reduce the bull-to-cow ratio in the Owen's Valley tule elk hunt areas to the established management objective of 25:100. By adjusting tag allocations and harvest opportunities, the regulation will better balance herd demographics and ensure long-term sustainability of the population. This action directly addresses the identified problem of persistently elevated bull-to-cow ratios despite herd growth and aligns management practices with the objectives outlined in the Department's Elk Conservation and Management Plan and direction from the Commission.
- Statement of Benefits: The proposed regulation will provide several important benefits:
 - Regulatory benefits: Implementation of the regulation ensures that the Department fulfills its statutory responsibility to manage elk populations consistent with California Fish and Game Code Section 1801 which directs the Department and Commission to provide for the conservation, utilization, and sustainability of wildlife resources.
 - Social and recreational benefits: By balancing herd demographics, the regulation maintains high-quality hunting opportunities for both bull and antlerless elk while ensuring equitable access across user groups.
- Statement of Necessity: The proposed regulation is necessary to bring herd demographics into alignment with elk bull-to-cow ratio management objectives, ensure compliance with the Department's Elk Conservation and Management Plan, and fulfill the Commission's statutory mandate under the California Fish and Game Code to conserve and sustainably manage wildlife populations. Without this regulatory change, demographic imbalances will persist, undermining long-term management goals.

An increase of 26 tags across hunts in the Owens Valley Tule Elk Management Unit is proposed. Where adjustments are proposed, current tag quotas are shown in strikeout and the proposed tag quotas are shown in underline. The Department will recommend final tag quotas to the Commission at the adoption hearing. Areas for which tag quota adjustments are not proposed are not included in the table below (Table 1); but all elk hunt areas are shown in the proposed regulatory language for this rulemaking.

Table 1. Proposed Elk Tag Quota Changes Section 364

Subsection	Elk Hunt	Bull Tags	Antlerless Tags	Either-Sex Tags
(v)(5)(A)	Bishop Apprentice	<u>0</u> <u>1</u>	0	0
(x)(1)(A)	Bishop Muzzleloader Only Period 1	<u>0</u> <u>1</u>	0	0
(u)(5)(A)	Bishop Period 3	<u>0</u> <u>2</u>	0	0
(u)(5)(B)	Bishop Period 4	<u>0</u> <u>2</u>	0	0
(u)(6)(A)	Independence Period 2	<u>4</u> <u>2</u>	1	0
(u)(6)(B)	Independence Period 3	<u>0</u> <u>1</u>	1	0
(w)(3)(A)	Lone Pine Archery Only Period 1	<u>0</u> <u>2</u>	1	0
(u)(7)(A)	Lone Pine Period 2	<u>4</u> <u>2</u>	0	0
(u)(7)(B)	Lone Pine Period 3	<u>0</u> <u>1</u>	0	0
(w)(2)(A)	Owens Valley Multiple Zone Archery Only	<u>3</u> <u>5</u>	0	0
(u)(8)(A)	Tinemaha Period 2	<u>0</u> <u>1</u>	0	0
(w)(4)(A)	Tinemaha Archery Only Period 1	<u>0</u> <u>1</u>	0	0
(u)(10)(A)	Tinemaha Mountain Period 1	<u>0</u> <u>1</u>	0	0
(u)(10)(B)	Tinemaha Mountain Period 2	<u>0</u> <u>1</u>	0	0
(u)(9)(A)	West Tinemaha Period 1	<u>1</u> <u>2</u>	0	0
(u)(9)(B)	West Tinemaha Period 2	<u>0</u> <u>2</u>	0	0
(u)(9)(C)	West Tinemaha Period 3	<u>0</u> <u>2</u>	0	0
(w)(5)(A)	Whitney Archery Only Period 1	<u>0</u> <u>2</u>	0	0
(u)(11)(A)	Whitney Period 2	<u>4</u> <u>2</u>	0	0

- **Amend subsections 364(w)(7) through (9),** to add subsection letter “(A)”. These are non-substantive changes for consistency with the subsection numbering format in Section 364.

Section 364.1 Department Administered Shared Habitat Alliance for Recreational Enhancement (SHARE) Elk Hunts

- **Amend subsections 364.1(i), (j), and (l)** to increase elk SHARE tag quotas.
 - Problem Statement: Elk populations continue to increase, with elk expanding into spaces outside of defined hunt areas, ergo they cannot be hunted. Private landowners throughout the state are interested in enrolling in the SHARE program but due to the current limited tag allotments or due to being outside of a defined hunt area cannot be onboarded into the program. Similarly, enrolled landowners who are interested in adding more elk hunts, sometimes due to intolerable elk abundance and conflict, are unable to do so due to the current limited tag allotments. Current regulations limit the number of elk SHARE tags offered statewide and do not provide for SHARE hunts in all areas where elk occur, including the Central Coast and the proposed balance of state zone. As a result, opportunity and demand for SHARE tags exceed tag availability, limiting public access to elk hunting opportunities on private land.
 - Statement of Purpose: The purpose of the proposed regulation is to increase the number of SHARE tags allotted for elk across the state and to establish SHARE hunts in additional areas, including the Central Coast and the new balance of state zone. By expanding the SHARE program, the Department will improve equitable access to elk hunting opportunities, foster partnerships with private landowners, and further incentivize habitat conservation on private lands where elk occur.
 - Statement of Benefits: The proposed regulation will provide a range of benefits:
 - Expanded recreational opportunity: Increases the number of elk hunting opportunities available to the public, improving access and equity in one of the state's most sought-after big-game hunts.
 - Habitat stewardship: By expanding SHARE elk hunts, private landowners receive greater incentives to maintain and enhance elk habitat, benefiting both elk populations and broader biodiversity.
 - Regulatory benefits: Helps ensure wildlife resources are conserved, utilized, and made available to the public in a fair and sustainable manner.
 - Social benefits: Builds stronger partnerships among hunters, private landowners, and the Department through cooperative management programs, while ensuring that hunting opportunities are broadly distributed across hunting areas.
 - Wildlife conflict resolution benefits: Provides a structured mechanism to address local elk management needs on private lands, including mitigating depredation or habitat impacts, while keeping the primary focus on opportunity and conservation.
 - Statement of Necessity: This regulation is necessary to provide equitable public access to wildlife resources and maximize incentives for private landowners to conserve elk habitat and provide access for the public to hunt elk. Increasing SHARE tags statewide and establishing new hunts in the Central Coast and balance of state zone ensures that the Department has the tools to manage elk effectively, expand recreational opportunity, and strengthen landowner participation in habitat stewardship.

An increase of up to 58 bull tags and 100 antlerless tags are proposed for SHARE elk hunts. Where adjustments are proposed, current tag quotas are shown in strikeout and the proposed tag quotas are shown in underline and the proposed range for the balance of state zone is shown in brackets. The Department will recommend a final tag quota for the balance of state zone to the Commission at the adoption hearing. Areas for which tag quota

adjustments are not proposed are not included in the table below (Table 2); but all SHARE hunt areas are shown in the proposed regulatory language for this rulemaking.

Table 2. Proposed SHARE Tag Quota Adjustments Section 364.1

Elk Hunt Area	Bull Tags	Antlerless Tags	Either-sex Tags
Northwestern	40 <u>48</u>	60 <u>72</u>	0
Marble Mountains	4 <u>4</u>	2 <u>6</u>	0
Northeastern	2 <u>4</u>	0 <u>4</u>	2
Cache Creek	2 <u>4</u>	4 <u>6</u>	0
Central Coast	0 <u>20</u>	0 <u>60</u>	0
Gabilan	0 <u>4</u>	0 <u>6</u>	0
East Park Reservoir	4 <u>2</u>	4 <u>2</u>	0
Bear Valley	2 <u>4</u>	6 <u>8</u>	0
Santa Clara	0 <u>3</u>	0 <u>3</u>	0
Alameda	0 <u>3</u>	0 <u>3</u>	0
Balance of state	[0-10]	0	0

Section 555 Cooperative Elk Hunting Areas

- **Amend Section 555** to exclude the balance of state zone from Cooperative Elk Hunting Areas.
 - Problem Statement: Current regulations do not specify whether CEHA may be established within the balance of state zone. Without clarification, landowners in this zone could be eligible for CEHA tags, which would be inconsistent with the intent of the new zone to manage elk primarily through public opportunities such as the SHARE program.
 - Statement of Purpose: The purpose of this regulation is to exclude the balance of state zone from the definition of a CEHA. This ensures that elk management in the balance of state zone remains consistent with the zone's intent which is a focus on public hunting access, habitat stewardship, and equitable opportunity rather than private landowner tag allocations.
 - Statement of Benefits: The proposed regulation will provide a range of benefits:
 - Equity and access: Preserves public hunting opportunities and prevents inequitable tag allocation in newly established areas.
 - Regulatory clarity: Eliminates ambiguity regarding CEHA applicability within the balance of state zone.

- Consistency: Aligns management actions with the goals of the balance of state zone and the Department's broader elk management objectives under Fish and Game Code sections 200, 203, and 332.
- Statement of Necessity: This regulation is necessary to clarify that CEHA cannot be established within the balance of state zone. Without this exclusion, CEHA tags could be issued inconsistently with the management intent of the zone, reducing public access and undermining the equity and transparency central to the Department's elk management framework.

Tag Eligibility

- Amend subsections 364(k) and 364.1(b), and add subsections 555(f) and 555.1(d) to clarify the tag eligibility across issuance types
 - Problem Statement: Current regulatory language on elk tag eligibility is unclear and has created confusion about whether an individual may obtain multiple general, SHARE, fundraising, or cooperative elk hunting tags in the same hunt year. This lack of clarity undermines consistency and the Department's goal of equitable tag distribution.
 - Statement of Purpose: The purpose of this regulation is to clarify that no person may possess more than one general, SHARE, fundraising, or cooperative elk hunting tag in a single hunt year. This ensures consistency in interpretation and maintains fairness in the allocation of limited hunting opportunities.
 - Statement of Benefits: The proposed regulation will provide a range of benefits:
 - Equity: Promotes fair distribution of elk tags so that opportunities are available to as many hunters as possible.
 - Clarity: Removes ambiguity from current regulations, improving transparency for hunters and administrators.
 - Regulatory benefit: Strengthens alignment with the Department's responsibility under the California Fish and Game Code to manage wildlife resources for the benefit of all Californians.
 - Statement of Necessity: This regulation is necessary to eliminate confusion over tag eligibility and ensure that elk hunting opportunities remain equitable. Without this clarification, inconsistent interpretations could allow individuals to obtain multiple tags in a single year, reducing fairness and limiting access for other hunters.

(b) Goals and Benefits of the Regulation

As set forth in California Fish and Game Code, it is the policy of the state to encourage the preservation, conservation, and maintenance of wildlife resources under the jurisdiction and influence of the state. This policy shall include, but is not limited to, the following objectives:

The maintenance of sufficient populations of all species of wildlife and the habitat necessary to provide for the beneficial use and enjoyment of wildlife by all citizens of the state, to perpetuate all species of wildlife for their intrinsic and ecological values, as well as for their direct benefits to all persons, to provide for aesthetic, educational, and non-appropriative uses of the various wildlife species, to maintain diversified recreational uses of wildlife, including sport hunting, as proper uses of certain designated species of wildlife, consistent with the maintenance of healthy, viable wildlife resources, the public safety, and a quality outdoor experience, to alleviate economic losses or public health or safety problems caused by wildlife to the people

of the state either individually or collectively in a manner designed to bring the problem within tolerable limits consistent with economic and public health considerations and the objectives.

The proposed regulations will contribute to the sustainable management of elk populations in California. Population objectives are maintained and managed in part by periodically modifying the number of hunting tags distributed. The proposed regulations will provide additional elk hunting opportunities and alleviate elk conflict. Further, these changes will clarify bag limits on elk and increase human safety.

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

Section 353: Authority cited: Sections 200, 203 and 265, Fish and Game Code. Reference: Sections 2005, 2055, 3004.5 and 3950, Fish and Game Code.

Section 364: Authority cited: Sections 200, 203, 203.1, 265, 325, 332 and 1050, Fish and Game Code. Reference: Sections 332, 1050, 1570, 1571, 1572, 1573 and 1574, Fish and Game Code.

Section 364.1: Authority cited: Sections 332 and 1050, Fish and Game Code. Reference: Sections 332, 1050 and 1574, Fish and Game Code.

Section 555: Authority cited: Section 1575, Fish and Game Code. Reference: Sections 67, 713 and 1575, Fish and Game Code.

Section 555.1: Authority cited: Section 1575, Fish and Game Code. Reference: Sections 67 and 1575, Fish and Game Code.

(d) Specific Technology or Equipment Required by Regulatory Change: None

(e) Identification of Reports or Documents Supporting Regulation Change

California Department of Fish and Wildlife 2018 Elk Conservation and Management Plan:
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=162912&inline>

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

- Wildlife Resources Committee, May 2025
- Wildlife Resources Committee, September 2025

(g) Duplication or Conflict with Federal Regulations

The Commission has searched the Code of Federal Regulations and has determined that the proposed regulations do not unnecessarily duplicate or conflict with federal regulations.

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

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

(b) No Change Alternative

Without the proposed changes, the outstanding issues concerning the regulations currently governing elk hunting would remain unaddressed. Retaining the current number of tags for the

hunts listed would not be responsive to changes in population status or levels of human-elk conflict. Retaining the current regulations for methods of take would not be responsive to elk conflict and human safety concerns. Retaining the current regulations regarding tag eligibility limits would continue to cause confusion for constituents.

V. Mitigation Measures Required by Regulatory Action

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

VI. Impact of Regulatory Action

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

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

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

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

The Commission does not anticipate impacts on the creation or elimination of jobs within the State, the creation of new business, the elimination of existing businesses, or the expansion of businesses in California because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to significantly stimulate demand for goods or services related to elk hunting. As previously mentioned, periodic or annual adjustments of tag quotas in response to dynamic environmental, biological, or social conditions are necessary to maintain hunt opportunities, as well as keeping with management recommendations. If greater numbers of hunters visit the areas in the state with increased annual opportunities, businesses that provide goods and services to elk hunters could benefit from small increases in sales for that license year. The Commission does not anticipate direct benefits to worker safety but anticipates benefits to the environment in the sustainable management of elk populations. Additionally, the Commission anticipates health and welfare benefits to California residents, including the benefits from fresh game to eat and from the exercise associated with outdoor recreation.

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

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

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

The Commission does not anticipate any new direct or indirect costs or savings to state agencies or costs/savings in federal funding to the state. However, Department revenue is expected to increase with the proposed increase in available elk tags (see STD399 and Addendum).

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

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

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

(h) Effect on Housing Costs: None

VII. Economic Impact Assessment

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

The Commission does not anticipate impacts on the creation or elimination of jobs within the state.

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

The Commission does not anticipate impacts on the creation of new businesses or the elimination of existing businesses within the state because the potential economic impacts of the proposed regulations vary annually as tag quotas or hunts change and are unlikely to be substantial enough to stimulate demand for goods or services related to elk hunting in the long run due to annual variability.

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

The Commission does not anticipate impacts on the expansion of businesses currently doing business within the state because the potential economic impacts of the proposed regulations vary annually as tag quotas or hunts change, and are unlikely to be substantial enough to stimulate demand for goods or services related to elk hunting in the long run due to annual variability.

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

Hunting is an outdoor activity that can provide several health and welfare benefits to California residents. Hunters and their families benefit from fresh game to eat, and from the benefits of outdoor recreation, including exercise. People who hunt have a special connection with the outdoors and an awareness of the relationships between wildlife, habitat, and humans, and hunting can be a family tradition and a bonding activity. Where feasible, regulated hunting is also a direct means of addressing elk conflict on private lands and meeting hunter requests for new hunting opportunities.

(e) Benefits of the Regulation to Worker Safety:

The Commission does not anticipate impacts on worker safety.

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

The Commission anticipates benefits to the state's environment in the sustainable management of elk populations. Adoption of science-based tag quotas provide for the management of elk populations to ensure their continued existence and supports recreational opportunities. The fees that hunters pay for licenses and tags help fund wildlife conservation.

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).

Background

The California Fish and Game Commission (Commission) periodically considers recommendations from the California Department of Fish and Wildlife (Department) to amend elk hunting regulations. Considerations include recommendations for adjusting tag quotas (total number of hunting tags to be made available), setting hunt periods, modifying area boundaries, and authorizing methods of take, among others, to help achieve management goals and objectives for elk. To maintain appropriate harvest levels and hunting quality, tag quotas must be adjusted periodically in response to dynamic environmental, biological, and social conditions.

Section 353 defines methods that are authorized for taking big game.

Section 364 provides descriptions of hunt area boundaries, season opening and closing dates, methods of take (e.g., general methods, archery only), tag designations (bull, spike bull, antlerless, either-sex), tag quotas, bag and possession limits, and special conditions for elk hunts.

Section 364.1 defines season opening and closing dates, authorized methods of take, application instructions, tag quotas, and bag and possession limits for Department-administered Shared Habitat Alliance for Recreational Enhancement (SHARE) elk hunts.

Section 555 defines cooperative elk hunting areas, eligibility requirements, and the application process.

Section 555.1 defines conflict zone cooperative elk hunting areas, specifies the method for computing the number of conflict zone cooperative elk tags that may be issued, and specifies the valid dates of tags issued under the provisions of the section.

Proposed Changes

The Department recommends that the Commission consider the following changes to elk hunting regulations:

- Amend subsection 353(d) to allow the use of shotguns firing slugs as a method of take for SHARE elk hunts.
- Amend subsections 364(k) and 364.1(b), and add subsections 555(f) and 555.1(d), to clarify that no person may possess more than one general, SHARE, fundraising, or cooperative elk hunting tag in a single hunt year.
- Amend subsection 364(q) to define a new Balance of State Elk Management Zone.
- Amend subsections 364(u)(5) through (11), 364(v)(5), 364(w)(2) through (5), and 364(x)(1) to increase bull tag quotas for the Owens Valley.
- Amend subsection 364.1(i), (j), and (l), to increase elk SHARE tag quotas.
- Amend Section 555 to exclude the proposed balance of state zone from cooperative elk hunting areas.

Benefits of the Regulations

The benefits of the proposed regulations include, but are not limited to, the maintenance of populations of elk to ensure their continued existence and supporting recreational opportunity.

Adoption of science-based hunting regulations provides for the maintenance of ecologically functional elk populations to provide for the sport hunting of elk, and to alleviate elk conflict. Further, the proposed changes will clarify bag limits on elk and increase human safety. The fees that hunters pay for licenses and tags help fund wildlife conservation.

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 elk hunting (California Fish and Game Code section 200 and 332). No other state agency has the authority to adopt regulations governing elk hunting. The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the CCR for any regulations regarding elk hunting; therefore, the Commission has concluded that the proposed elk hunting regulations are neither inconsistent nor incompatible with existing state regulations.