

TITLE 14. Fish and Game Commission Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the California Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 203, 203.1, 265, 325, 332, 1050 and 1575 of the California Fish and Game Code and to implement, interpret or make specific sections 67, 332, 713, 1050, 1570, 1571, 1572, 1573, 1574, 1575, 2005, 2055, 3004.5 and 3950 of said Code, proposes to amend sections 353, 364, 364.1, 555 and 555.1, Title 14, California Code of Regulations (CCR), relating to elk hunting.

Unless otherwise specified, all section references in this document are to Title 14, CCR.

Informative Digest/Policy Statement Overview

Background

The 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 sections 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.

Public Participation

Comments Submitted by Mail or Email

It is requested, but not required, that written comments be submitted on or before April 2, 2026 at the address given below, or by email to FGC@fgc.ca.gov. **Written comments mailed, or emailed to the Commission office, must be received before 12:00 noon on April 10, 2026.** If you would like copies of any modifications to this proposal, please include your name and mailing address. Mailed comments should be addressed to Fish and Game Commission, PO Box 944209, Sacramento, CA 94244-2090.

Meetings

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the California Natural Resources Headquarters Building,

715 P Street, Sacramento, California, which will commence at 8:30 a.m. on Wednesday, February 11, 2026, and may continue at 8:30 a.m., on Thursday, February 12, 2026. The Commission will make a reasonable effort to provide the public additional opportunities to observe or provide comment in the meeting through the Zoom videoconference platform by computer, mobile device, or telephone connections. However, the Commission cannot guarantee the accessibility or functionality of the remote connection options. Should technical issues affect remote attendee access or quality, an attempt will be made to resolve them, but the meeting will continue with in-person attendees. Instructions for participation in the webinar/teleconference hearing will be posted at www.fgc.ca.gov in advance of the meeting or may be obtained by calling (916) 653-4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the California Natural Resources Headquarters Building, 715 P Street, Sacramento, California, which will commence at 8:30 a.m. on Wednesday, April 15, 2026, and may continue at 8:30 a.m., on Thursday, April 16, 2026. The Commission will make a reasonable effort to provide the public additional opportunities to observe or provide comment in the meeting through the Zoom videoconference platform by computer, mobile device, or telephone connections. However, the Commission cannot guarantee the accessibility or functionality of the remote connection options. Should technical issues affect remote attendee access or quality, an attempt will be made to resolve them, but the meeting will continue with in-person attendees. Instructions for participation in the webinar/teleconference hearing will be posted at www.fgc.ca.gov in advance of the meeting or may be obtained by calling (916) 653-4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

Availability of Documents

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikeout format can be accessed through the Commission website at www.fgc.ca.gov. The regulations as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Melissa Miller-Henson, Executive Director, Fish and Game Commission, 715 P Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above-mentioned documents and inquiries concerning the regulatory process to Melissa Miller-Henson or Sherrie Fonbuena at FGC@fgc.ca.gov at the preceding address or phone number. **Brent Wolf, Statewide Elk and Pronghorn Antelope Coordinator, Department of Fish and Wildlife, BigGame@wildlife.ca.gov, has been designated to respond to questions on the substance of the proposed regulations.**

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance

with the 15-day comment period, and the Commission will exercise its powers under Section 265 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in sections 11343.4, 11346.4, 11346.8 and 11347.1 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Assessment

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 Business, 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.

(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.

(i) Business Reporting Requirements:

The proposed action does not impose a business reporting requirement.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code Sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Melissa Miller-Henson
Executive Director

Dated: January 13, 2026