

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

Amend Section 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. Dates of Statements of Reasons

- (a) Initial Statement of Reasons Date: January 8, 2026
- (b) Final Statement of Reasons Date: April 24, 2026

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: December 10, 2025 Location: Sacramento, CA

(b) Discussion Hearing

Date: February 12, 2026 Location: Sacramento, CA

(c) Adoption Hearing

Date: April 16, 2026 Location: Sacramento, CA

III. Update

The original proposed language provided a range of tags for the Shared Habitat Alliance for Recreational Enhancement (SHARE) Balance of State quota. In a memorandum dated March 27, 2026, the California Department of Fish and Wildlife (Department) provided its final recommendation of ten tags for the Balance of State tag quota and recommended that the California Fish and Game Commission (Commission) adopt the other changes as originally proposed.

At its April 16, 2026 meeting, the Commission adopted the proposed changes, including the Department's final recommendation, that focus on elk hunts, seasons, number of tags, and SHARE elk hunt seasons. Missing punctuation in subsection 364.1(l)(3) for Central Coast Hunt, and subsection 364.1(l)(4) for Gabilan hunt was added for consistency with existing regulatory language. Non-substantive edits were made to the regulatory language in subsection 364.1(l)(21), to change "Balance of the State" to "Balance of State" for consistency with subsection 364(q) and to add punctuation.

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

Please see Attachment 1, Summary and Responses to Public Comments.

V. 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 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.

(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. 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 increase of 184** available elk tags, **resulting in a revenue increase of \$109,399** (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.

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).

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.

The Commission has searched the Code of Federal Regulations (CFR) and, pursuant to subdivision (b)(6) of, California Government Code Section 11346.2, has determined that the proposed regulations avoid unnecessary duplication and do not conflict with federal regulations contained in the CFR.

Update

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