



A rulemaking file with attached file index is maintained at:  
California Fish and Game Commission  
1416 Ninth Street  
Sacramento, California 95814

VIII. Location of Department Files:

Department of Fish and Game  
1416 Ninth Street  
Sacramento, California 95814

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

a) Alternatives to Regulation Change:

1. Distribution of Deer Tags

There is no reasonable alternative to the proposed action. Existing regulations provide for the issuance of deer tags. This proposed regulatory action would establish new classifications of deer hunts resulting in deer tags being issued based on when the tag quota for the hunt or zone filled during the previous license year.

This proposed regulatory action would establish new classifications of hunt issuance categories to allow the supply and demand of deer tags to control tag issuance procedures to:

- Avoid renaming deer hunts when demand justifies that tags be issued by drawing or issued upon request.
- Allow low demand D-zone hunts to be issued upon request using second-deer tag applications.
- Allow low demand additional and area-specific archery hunts to be issued upon request.

Deer tags would be classified as follows:

Premium Deer Hunt Tag:

- Any hunt that filled on or before the first business day after July 1 in the immediately preceding license year.

Restricted Deer Hunt Tag:

- Any hunt that filled on or before the first business day after August 1 of the immediately preceding license year (note that premium hunts by definition would also be restricted hunts).

#### Unrestricted Deer Hunt Tags:

- Any hunt that did not fill on or before the first business day after August 1 in the immediately preceding license year.

Based on 2008 deer tag issuance results and the classifications described above, this proposal would result in the following changes:

- C, D12, and D17 tags would be reclassified as premium deer hunt tags. Tags would be issued in the annual big game drawing. Any tags available after the drawing would be issued the first business day after July 1 using a first-deer tag application.
- A17, A18, A19, A31, and A32 tags would be reclassified as unrestricted deer hunt tags. Tags would be issued upon request using either a first-deer tag application or a second-deer tag application. Currently, more tags for these hunts are issued upon request each year than through the big game drawing.
- A1 and D6 tags would be reclassified as restricted deer hunt tags. Tags would be issued upon request using a first-deer tag application through August 1. After August 1, tags would be issued upon request using either a first-deer tag application or a second-deer tag application.

## 2. Refund of Deer Tag Application Fees

The Department's Deer Program activities are 100 percent funded by deer hunters' money. Under Fish and Game Code Section 4332, for each public deer tag sold in California, 54 percent of the fee is "reinvested" in the deer resource-about \$2 million annually. Without adequate funding and resources it would be difficult, if not impossible, to sustain California's deer hunting heritage. Management activities that benefit deer also benefit a host of other wildlife species.

## 3. Establish Criteria to Exchange Deer Tags

Currently, there are no provisions to deny the exchange a deer tag if the tag quota for the zone or hunt has filled. There is no equitable method to distribute or reallocate deer tags that are returned to the Department after the tag quota has filled. Many hunters who may have been issued a tag for that zone or hunt have been issued their second or third tag choice.

As a consequence, some tags for high-demand hunts, such as C zone, go unallocated.

4. Hunting Licenses For Purchasers of Fund-Raising Big Horn Sheep License Tags

There is no reasonable alternative to the proposed action.

5. Hunting Licenses For Purchasers of Fund-Raising Elk License Tags

There is no reasonable alternative to the proposed action.

(b) No Change Alternative:

1. Issuing Deer Tags

The annual big game drawing is the Department's long-term method to equitably distribute big game tags when the tag quota is low and there is high demand by hunters for those tags. The no change alternative does not provide that equity in distribution for the zones/hunts identified above.

2. Refund of Deer Tag Application Fees

The no change alternative would continue to confuse hunters regarding the process for receiving a deer tag refund.

3. Establish Criteria to Exchange Deer Tags

The no change alternative would continue to confuse hunters regarding the process for exchanging a deer tag.

4. Hunting Licenses for Purchasers of Fund-Raising Big Horn Sheep License Tags

The no change alternative may result in future purchasers of big horn sheep fund-raising license tags being required to also pay the license fee in addition to the purchase price of the tag.

5. Hunting Licenses For Purchasers of Fund-Raising Elk License Tags

The no change alternative may result in future purchasers of elk fund-raising license tags being required to also pay the license fee in addition to the purchase price of the tag.

(c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternative considered would be more effective in carrying

out the purposes for which the regulation is proposed or would be as effective as and less burdensome to the affected private persons than the proposed regulation.

X. 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 the issuance of deer tags. 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:

None.

- (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.

- (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:

None:

- (h) Effect on Housing Costs:

None.

**Updated Informative Digest/Policy Statement Overview**

Existing regulations provide for the issuance of deer tags. This regulatory proposal would establish new definitions/classifications of deer hunts and the time frame that deer tags may be issued would be based on when the tag quota for the hunt or zone filled during the previous license year. This proposal would establish criteria for deer tag exchanges and eliminate most refunds for deer tag application fees under certain circumstances. Additionally, this proposed regulatory action would specify that the fee paid by the purchaser of a fund-raising elk or big horn sheep license tag would include the cost and processing fee of an annual hunting license.

**Minor changes, which were editorial in nature, were made to clarify the regulations. Commission adoption of the “no change” alternative regarding the proposed reclassification of C, D12 and D17 as premium deer tags resulted in editorial clarifying language, therefore the distribution of these tags will remain the same as in 2008.**

**In subsection 708(a)(2)(D), closures due to “fire, weather or other conditions” was more clearly defined as “fire, weather or other natural disasters”.**

ZONE	DESCRIPTION	2008 Quota	Quota Filled Date	Season Close Date	Drawn Quantity	Issued Upon Request Quantity	Draw Hunt in 2008	Application Used To Apply
	<b>PREMIUM HUNT ZONES</b>	Premium Deer Hunt Tags shall include all deer hunt tags where the tag quota filled on or before the first business day after July 1 in the immediately preceding license year.						
<b>A3</b>	A3 ARCHERY HUNT IN ZONE X1	255	* 6/18/2008	7-Sep-08	255		Y	First-Deer
<b>A4</b>	A4 ARCHERY HUNT IN ZONE X2	15	* 6/18/2008	7-Sep-08	15		Y	First-Deer
<b>A5</b>	A5 ARCHERY HUNT IN ZONE X3A	35	* 6/18/2008	7-Sep-08	35		Y	First-Deer
<b>A6</b>	A6 ARCHERY HUNT IN ZONE X3B	95	* 6/18/2008	7-Sep-08	95		Y	First-Deer
<b>A7</b>	A7 ARCHERY HUNT IN ZONE X4	135	* 6/18/2008	7-Sep-08	135		Y	First-Deer
<b>A8</b>	A8 ARCHERY HUNT IN ZONE X5A	25	* 6/18/2008	7-Sep-08	25		Y	First-Deer
<b>A9</b>	A9 ARCHERY HUNT IN ZONE X5B	10	* 6/18/2008	7-Sep-08	10		Y	First-Deer
<b>A11</b>	A11 ARCHERY HUNT IN ZONE X6A	55	* 6/18/2008	7-Sep-08	55		Y	First-Deer
<b>A12</b>	A12 ARCHERY HUNT IN ZONE X6B	140	* 6/18/2008	7-Sep-08	140		Y	First-Deer
<b>A13</b>	A13 ARCHERY HUNT IN ZONE X7A	60	* 6/18/2008	7-Sep-08	60		Y	First-Deer
<b>A14</b>	A14 ARCHERY HUNT IN ZONE X7B	20	* 6/18/2008	7-Sep-08	20		Y	First-Deer
<b>A15</b>	A15 ARCHERY HUNT IN ZONE X8	55	* 6/18/2008	7-Sep-08	55		Y	First-Deer
<b>A16</b>	A16 ARCHERY HUNT IN ZONE X9A	150	* 6/18/2008	7-Sep-08	150		Y	First-Deer
<b>A20</b>	A20 ARCHERY HUNT IN ZONE X12	200	* 6/18/2008	7-Sep-08	200		Y	First-Deer
<b>A21</b>	A21 ANDERSON FLAT HUNT	25	* 6/18/2008	21-Nov-08	25		Y	First-Deer
<b>A24</b>	A24 MONTEREY HUNT	100	* 6/18/2008	9-Nov-08	100		Y	First-Deer
ZONE	DESCRIPTION	2008 Quota	Quota Filled Date	Season Close Date	Drawn Quantity	Issued Upon	Draw Hunt	Application Used To

						Request Quantity	in 2008	Apply
A25	A25 LAKE SONOMA HUNT	35	* 6/18/2008	27-Oct-08	35		Y	First-Deer
A26	A26 BASS HILL HUNT	30	* 6/18/2008	7-Dec-08	30		Y	First-Deer
A27	A27 DEVILS GARDEN HUNT	10	* 6/18/2008	9-Nov-08	10		Y	First-Deer
A30	A30 COVELO HUNT	40	* 6/18/2008	23-Nov-08	40		Y	First-Deer
A33	A33 FORT HUNTER LIGGETT (LATE SEASON)	25	* 6/18/2008	9-Nov-08	25		Y	First-Deer
****C	ALL C ZONES GENERAL SEASON ONLY	8,575	*6/18/2008	26-Oct-08	3504	5071	N	First-Deer
****D12	ZONE D12	950	6/12/2008	23-Nov-08		950	N	First-Deer
****D17	ZONE D17	500	5/20/2008	2-Nov-08		500	N	First-Deer
G1	G1 LATE SEASON HUNT IN C4	2,850	* 6/18/2008	2-Nov-08	2850		Y	First-Deer
G3	G3 GOODALE HUNT	35	* 6/18/2008	21-Dec-08	35		Y	First-Deer
G6	G6 KERN RIVER DEER HERD HUNT	50	* 6/18/2008	14-Dec-08	50		Y	First-Deer
G8	G8 FORT HUNTER LIGGETT HUNT	10	* 6/18/2008	13-Oct-08	10		Y	First-Deer
G9	G9 CAMP ROBERTS HUNT	15	* 6/18/2008	1-Sep-08	15		Y	First-Deer
G12	G12 GRAY LODGE HUNT	30	* 6/18/2008	28-Sep-08	30		Y	First-Deer
G13	G13 SAN DIEGO HUNT	300	* 6/18/2008	16-Nov-08	300		Y	First-Deer
G19	G19 SUTTER-YUBA WILDLIFE AREAS HUNT	25	* 6/18/2008	31-Dec-08	25		Y	First-Deer
G21	G21 VENTANA WILDERNESS HUNT	25	* 6/18/2008	30-Nov-08	25		Y	First-Deer
G37	G37 ANDERSON FLAT HUNT	25	* 6/18/2008	30-Nov-08	25		Y	First-Deer
G38	G38 LATE SEASON HUNT IN X10	300	* 6/18/2008	2-Nov-08	300		Y	First-Deer
G39	G39 ROUND VALLEY LATE SEASON	5	* 6/18/2008	9-Nov-08	5		Y	First-Deer
J1	J1 LAKE SONOMA HUNT -	25	* 6/18/2008	2-Nov-08	25		Y	First-Deer
J3	J3 TEHAMA WILDLIFE AREA HUNT -	15	* 6/18/2008	30-Nov-08	15		Y	First-Deer
J4	J4 SHASTA-TRINITY HUNT -	15	* 6/18/2008	30-Nov-08	15		Y	First-Deer
J7	J7 CARSON RIVER HUNT-	15	* 6/18/2008	26-Oct-08	15		Y	First-Deer
J8	J8 DAUGHERTY HILL WA HUNT -	15	* 6/18/2008	31-Dec-08	15		Y	First-Deer
J9	J9 LITTLE DRY CREEK HUNT -	5	* 6/18/2008	28-Sep-08	5		Y	First-Deer
J10	J10 FORT HUNTER LIGGETT HUNT -	75	* 6/18/2008	13-Oct-08	75		Y	First-Deer
J11	J11 SAN BERNARDINO HUNT -	40	* 6/18/2008	23-Nov-08	40		Y	First-Deer
J12	J12 ROUND VALLEY HUNT -	10	* 6/18/2008	21-Dec-08	10		Y	First-Deer
J13	J13 LOS ANGELES HUNT -	40	* 6/18/2008	23-Nov-08	40		Y	First-Deer
J14	J14 RIVERSIDE HUNT -	30	* 6/18/2008	23-Nov-08	30		Y	First-Deer
J15	J15 ANDERSON FLAT HUNT -	10	* 6/18/2008	30-Nov-08	10		Y	First-Deer
J16	J16 BUCKS MOUNTAIN/NEVADA CITY -	75	* 6/18/2008	2-Nov-08	75		Y	First-Deer
J17	J17 BLUE CANYON -	25	* 6/18/2008	2-Nov-08	25		Y	First-Deer
J18	J18 PACIFIC/GRIZZLY FLAT -	75	* 6/18/2008	2-Nov-08	75		Y	First-Deer
J19	J19 HUNT IN ZONE X7A -	25	* 6/18/2008	19-Oct-08	25		Y	First-Deer
J20	J20 HUNT IN ZONE X7B -	20	* 6/18/2008	19-Oct-08	20		Y	First-Deer
J21	J21 EAST TEHAMA -	50	* 6/18/2008	2-Nov-08	50		Y	First-Deer
MA1	MA1 SAN LUIS OBISPO HUNT	150	* 6/18/2008	14-Dec-08	150		Y	First-Deer
MA3	MA3 SANTA BARBARA HUNT	150	* 6/18/2008	14-Dec-08	150		Y	First-Deer
M3	M3 DOYLE HUNT	20	* 6/18/2008	23-Nov-08	20		Y	First-Deer
M4	M4 HORSE LAKE HUNT	10	* 6/18/2008	2-Nov-08	10		Y	First-Deer
M5	M5 EAST LASSEN HUNT	10	* 6/18/2008	2-Nov-08	10		Y	First-Deer
M6	M6 SAN DIEGO HUNT	80	* 6/18/2008	31-Dec-08	80		Y	First-Deer
M7	M7 VENTURA HUNT	150	* 6/18/2008	14-Dec-08	150		Y	First-Deer
M8	M8 BASS HILL HUNT	20	* 6/18/2008	2-Nov-08	20		Y	First-Deer
M9	M9 DEVIL'S GARDEN HUNT	15	* 6/18/2008	9-Nov-08	15		Y	First-Deer
X1	ZONE X1	2,280	* 6/18/2008	19-Oct-08	2280		Y	First-Deer
X2	ZONE X2	180	* 6/18/2008	19-Oct-08	180		Y	First-Deer
<b>ZONE</b>	<b>DESCRIPTION</b>	<b>2008</b>	<b>Quota Filled</b>	<b>Season Close</b>	<b>Drawn</b>	<b>Issued</b>	<b>Draw</b>	<b>Application</b>

		Quota	Date	Date	Quantity	Upon Request Quantity	Hunt in 2008	Used To Apply
X3A	ZONE X3A	250	* 6/18/2008	19-Oct-08	250		Y	First-Deer
X3B	ZONE X3B	845	* 6/18/2008	19-Oct-08	845		Y	First-Deer
X4	ZONE X4	425	* 6/18/2008	19-Oct-08	425		Y	First-Deer
X5A	ZONE X5A	60	* 6/18/2008	19-Oct-08	60		Y	First-Deer
X5B	ZONE X5B	85	* 6/18/2008	19-Oct-08	85		Y	First-Deer
X6A	ZONE X6A	325	* 6/18/2008	19-Oct-08	325		Y	First-Deer
X6B	ZONE X6B	375	* 6/18/2008	19-Oct-08	375		Y	First-Deer
X7A	ZONE X7A	205	* 6/18/2008	19-Oct-08	205		Y	First-Deer
X7B	ZONE X7B	125	* 6/18/2008	19-Oct-08	125		Y	First-Deer
X8	ZONE X8	230	* 6/18/2008	12-Oct-08	230		Y	First-Deer
X9A	ZONE X9A	775	* 6/18/2008	13-Oct-08	775		Y	First-Deer
X9B	ZONE X9B	325	* 6/18/2008	13-Oct-08	325		Y	First-Deer
X9C	ZONE X9C	325	* 6/18/2008	9-Nov-08	325		Y	First-Deer
X10	ZONE X10	400	* 6/18/2008	12-Oct-08	400		Y	First-Deer
X12	ZONE X12	850	* 6/18/2008	13-Oct-08	850		Y	First-Deer
<b>RESTRICTED HUNT ZONES</b>		Restricted Deer Hunt Tags shall include all non-Premium deer hunt tags where the tag quota filled on or before the first business day after August 1 in the immediately preceding license year.						
A1	***A1 ARCHERY HUNT IN C ZONES	2,045	9-Jul-08	7-Sep-08	911	1134	Y	First & Second
D6	ZONE D6	10,000	4-Aug-08	2-Nov-08	4127	5873	N	First & Second
<b>UNRESTRICTED HUNT ZONES</b>		Unrestricted Deer Hunt Tags shall include all deer hunt tags where the tag quota did not fill on or before the first business day after August 1 in the immediately preceding license year.						
AO	**AO#1 & AO#2 ARCHERY ONLY	99,999		23-Nov-08	645	4223	N	First & Second
A17	A17 ARCHERY HUNT IN ZONE X9B	300		7-Sep-08	73	118	Y	First & Second
A18	A18 ARCHERY HUNT IN ZONE X9C	350		7-Sep-08	36	65	Y	First & Second
A19	A19 ARCHERY HUNT IN ZONE X10	120		31-Aug-08	12	39	Y	First & Second
A22	A22 SAN DIEGO HUNT	1,000	17-Dec-08	31-Dec-08	76	924	Y	First & Second
A31	A31 LOS ANGELES HUNT	1,000	12-Sep-08	31-Dec-08	269	731	Y	First & Second
A32	A32 VENTURA/LOS ANGELES LATE SEASON	250		30-Nov-08	25	106	Y	First & Second
A	ZONE A	65,000		21-Sep-08	3417	27988	N	First & Second
B	ALL B ZONES	55,500		26-Oct-08	4267	34799	N	First & Second
D3-5	ZONES D3, D4, AND D5	33,000		2-Nov-08	4706	24628	N	First & Second
D7	ZONE D7	9,000	19-Aug-08	2-Nov-08	1422	7578	N	First & Second

ZONE	DESCRIPTION	2008 Quota	Quota Filled Date	Season Close Date	Drawn Quantity	Issued Upon Request Quantity	Draw Hunt in 2008	Application Used To Apply
D8	ZONE D8	8,000		26-Oct-08	1042	6347	N	First & Second
D9	ZONE D9	2,000	14-Aug-08	26-Oct-08	639	1361	N	First & Second
D10	ZONE D10	700		26-Oct-08	94	454	N	First & Second
D11	ZONE D11 (ALSO D13 AND D15)	5,500		9-Nov-08	217	4300	N	First & Second
D13	ZONE D13 (ALSO D11 AND D15)	4,000		9-Nov-08	279	2885	N	First & Second
D14	ZONE D14	3,000		9-Nov-08	325	2672	N	First & Second
D15	ZONE D15 (ALSO D11 AND D13)	1,500		9-Nov-08	38	382	N	First & Second
D16	ZONE D16	3,000		23-Nov-08	198	2311	N	First & Second
D19	ZONE D19	1,500		2-Nov-08	72	1284	N	First & Second

\* 2008 Draw was run on June 18, 2008  
\*\* AO#1 & AO#2 are combined for 2008 to reflect change in 2009 for Archery Only  
\*\*\* In 2008 this zone was a Premium Hunt Zone  
\*\*\*\***Due to the “no change alternative. Hunts are considered Restricted Hunt Zones.**