

CALIFORNIA FISH AND WILDLIFE
STRATEGIC VISION PROJECT

COMMENTS AND SUBMISSIONS FOR REVIEW

Through April 8, 2012

February 27, 2012

John Laird, Secretary
California Natural Resources Agency
1416 Ninth Street
Sacramento, California 95814

Dear Secretary Laird:

We are writing to suggest several foundational recommendations for the Department of Fish and Game (Department) and Fish and Game Commission (Commission) as you work to develop a strategic vision for the Department and Commission pursuant to AB 2376 (Huffman). We have many years of combined experience with the Department, Commission, and Natural Resources Agency and believe that the suggestions summarized below would have important benefits in themselves and would also serve as a basis to implement the many detailed recommendations that are expected to result from the AB 2376 process.

The Department and Commission have over the last thirty years taken on increasingly important roles in the management and conservation of living natural resources and their habitats. Initially, they were primarily responsible for administering the state's hunting and fishing programs. Protection and management of California's fish and wildlife for fishing and hunting still remain an important role. However, the traditional tools of game management, such as licensing, setting seasons and bag limits, stocking and habitat improvements are insufficient in meeting the wildlife challenges of the 21st Century. Habitat and non-game wildlife protection to advance the health of entire ecosystems is the most important contribution that the Department and Commission can now make to wildlife management and conservation. The most important venue for this is the regulatory function of the Department where it addresses water, land and energy development and infrastructure, including highways, dams, power transmission, and more. The Commission and Department must be enabled to acknowledge and respond to this important shift.

Today's Commission and Department have important responsibilities for endangered species, management of marine resources and protection of marine ecosystems, timber harvest, water diversions, oil spill prevention and response, streambed protection, and natural community conservation planning, among many others. The transition to these new roles has been difficult with sportsmen and women concerned that the Department and Commission aren't assigning the appropriate level of importance to improving hunting and fishing opportunities and conservation interests critical of their performance on habitat and species protection. The transition has also been difficult because funding has not kept pace with the expansion of responsibilities.

In light of the important missions of the Department and Commission and the magnitude of challenges with which they are faced, the Legislature has created a process for crafting recommendations for improvements to be identified later this year. That process (the "Strategic Vision" created by AB 2376 (Huffman)) includes an executive committee of California Natural

Resources Agency and federal wildlife agency representatives, a “blue ribbon” committee of knowledgeable, public-spirited California citizens, and a large stakeholders group. These groups, with your guidance and assistance, have been seeking agreement on the problems confronting California’s wildlife managers and a range of solutions to the persistent challenges.

Building from the work of the Strategic Vision process, below are priority proposals intended to improve functionality of the Commission and Department. Much more will be required to ensure that the Department and Commission have the resources, direction, and capacity to meet current and future challenges, but the full suite of solutions will require time to craft. We suggest the following recommendations for early implementation and that the Department and Commission be directed to propose additional recommendations to build on those below. We recognize that, while wildlife programs in California are underfunded, the Commission and Department are unlikely for the foreseeable future to have increased resources to carry out core missions. Instead, the challenge will be to sustain the vital role these agencies play in protecting the economic and ecological health of the state with available funding and to seek useful partnerships with entities outside of government to help advance needed wildlife and habitat actions.

We offer these priority recommendations:

- Eliminate accounting and expenditure constraints imposed by legislatively created special funds;
- Enable the Department and Commission to each focus more efficiently on key fish and wildlife management priorities (allocation functions to the Commission and conservation functions to the Department);
- Change the number of members, qualifications, and terms of Fish and Game Commission;
- Broaden the Department and Commission job classifications to increase institutional responsiveness to the wildlife and fiscal challenges of the 21st Century;
- Request the Department of Fish and Game to prepare an updated strategic plan and periodically update it, considering public views and expectations of the Department based on use and opinion information from the public, consumptive and non-consumptive users and Department employees;
- Create mechanisms to enable the Department of Fish and Game to cooperate with a non-governmental organization, acting as a supporting non-profit organization, to advance the Department’s programs and priorities.

1. Special Funds

The proliferation of special funds creates significant administrative burdens and limits the effective use of available resources. (See, for example, Legislative Analyst’s Office: A Review of the Department of Fish and Game (1991). There are now approximately 40 special funds imposing significant limitations on the Department’s ability to manage its fiscal resources. Many of these funds are single-focus programs often contrary to sound, state of the art, ecosystem based management practices.

To remedy these problems, the number of special funds must be substantially reduced through elimination of particular accounts or consolidation of accounts. In this way, for example, special funds meant for management of game species and hunting and fishing programs could be consolidated into one fund, thereby protecting the integrity of the funds, affording a measure of flexibility, and achieving substantial administrative efficiencies.

2. Allocation/Conservation

A wide range of experts including the United States Commission on Ocean Policy, recommends that fish and wildlife management decisions be separated from conservation actions. That is, decisions as to who “takes” living resources and under what conditions should be separated under different authorities from conservation actions meant primarily to preserve species and habitat. Dividing conservation from allocation enables agencies to develop expertise on their focused missions, clarify roles, and provide constituent groups with a single responsible agency.

We recommend a significant shift in decision making in which the Commission focus exclusively on allocation issues: recreational hunting licenses and commercial and recreational fishing licenses, and imposing conditions on the exercise of the authorization including seasons, means of “take”, bag limits, and standards for issuance and revocation of licenses. The Department would be responsible for conservation actions like endangered species listings, identification and management of ecological reserves and protected areas, and law enforcement. To ensure transparency, we recommend that current processes for public participation as are used by the Commission be maintained or expanded for any conservation decision shifted to the Department.

3. Commission Qualifications and Membership

In addition to the assignment of allocation decisions to the Commission, qualifications and terms for Fish and Game Commissioners, which haven’t changed in over a century, need to be updated to meet current challenges. Currently, the Commission consists of five members appointed by the Governor to staggered six-year terms. Upon confirmation by the State Senate, a commissioner can’t be removed from office. There are no qualifications for appointment.

We recommend that Commission membership be expanded to seven members, that terms be reduced to four years, and that each member possess certain minimum qualifications: experience with government processes and public participation; familiarity with wildlife or other natural resource management programs at the state or federal level; exposure to and experience with the basic science underpinning management of living natural resources.

4. Employee Classifications

The Department’s employee job classifications are tailored to address biological issues in the narrowest sense, affording the Department insufficient institutional capacity to take action and make timely management decisions in response to today’s real-world challenges. Department personnel are now a critical link in billion dollar infrastructure projects, from desert renewables to water conveyance. These infrastructure projects present opportunities to avoid harm to the

environment, of course, and are also the most important drivers of new habitat restoration and protection.

As a result, the critical skill sets that will be needed at the Department and Commission now and in the coming years will include project management in addition to game management and habitat preservation. Biology remains a critical scientific focus of the Department's mission, of course, but workers must also have skills in planning, negotiation, policy, law, and economics. Expanding the capacity of the Department through additional job classifications and capabilities will enhance California's wildlife management and will also result in better projects.

5. Strategic Plan

The Department's strategic plan was last revised in 1998 and requires revision to reflect current needs and the public's views and priorities. In addition, the focus of the strategic plan update should include the public at large and non-consumptive users of natural resources in addition to the views of sportsmen and Department employees. Studies to ascertain public priorities would be instrumental in assisting the Department to align its programs with needs and with public expectations.

6. Supporting Non-profit Foundation

This recommendation is based on the cooperative relationship between the California Department of Parks and Recreation and the California State Parks Foundation. Other examples exist at the federal level, providing wildlife agencies with valuable financial and program support. The Department of Fish and Game does not now enjoy the cooperative assistance of such a non-profit foundation and it would be beneficial to the resources under Department jurisdiction if the infrastructure for such a relationship were put in place.

We recognize and applaud the important work that you and the other participants in the AB 2376 process are doing to align the programs of the Department and Commission with current needs and resources. We believe that the above recommendations would position the state to take the greatest advantage of that important work, providing fundamental change that can be built on later this year and in the years to come.

Problems with institutional organization, governance, and funding at the Commission and Department have been a staple of state government analyses and reports for a generation. Many of the problems and issues now being discussed by stakeholders in the Strategic Vision process were acknowledged, for example, by the Commission on State Government and Economy ("Little Hoover Commission") in its 1990 Report on California's Fish and Game Commission and Department of Fish and Game. Despite previous calls to action, limited progress has been made in responding to the challenges addressed in earlier reports. The above recommendations would enable the Department and Commission to adapt to new realities and would facilitate the long-term effectiveness of these two critical state agencies.

We hope that these suggestions are helpful to you in identifying constructive actions to take to enable the Department and Commission to respond to the wildlife challenges and opportunities

of the 21st Century. If we can provide additional information or assistance about these recommendations or other aspects of changes proposed for the Department or Commission, please call on us. The contact for coordinating further questions or discussions with us will be Michael Valentine at mrvconsulting@gmail.com.

Sincerely,



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