

California Fish and Wildlife Strategic Vision Project
Additional Recommendations Adopted by the BRCC on February 6, 2012 for
Potential Inclusion in the Interim Strategic Vision
February 9, 2012

On February 6, 2012, the California Fish and Wildlife Strategic Vision (CFWSV) Blue Ribbon Citizen Commission (BRCC) adopted a series of suggested recommendations that had been forwarded by 19 CFWSV Stakeholder Advisory Group members on February 3, 2012; the recommendations are related to a suggested interim strategic vision and ways to help achieve the goals and objectives of that vision.

This document contains additional suggested recommendations adopted by the BRCC at its February 6, 2012 meeting.

BRCC Member Comments

Upon adopting the conceptual recommendations in this document to advance to the CFWSV Executive committee for consideration as part of the interim strategic vision, the BRCC members noted that its work is not done, this list is not comprehensive, and it will be leaning on the CFWSV Stakeholder Advisory Group for developing more details. The BRCC invited SAG members during the third phase to go back and develop more specific details for these and any other recommendations in various stages of group discussion. Additional recommendations on such things as enforcement, oil spill prevention and response, science, and regulations are still to be considered by the BRCC in the next phase of the project. The BRCC members stated that while this is the best opportunity to advance their thinking prior to the CFWSV Executive committee meeting on February 16, more will be coming in the next phase.

BRCC Recommendations

Name Changes

The BRCC recommends that the titles of both the California Department of Fish and Game (DFG) and the California Fish and Game Commission (F&GC) be changed to more accurately reflect the scope of both entities' jurisdiction in the 21st century.

The BRCC has reached consensus that the mission around the management of wildlife resources needs to be strengthened to include the preservation and conservation of natural resources for current and future generations. The BRCC wants DFG assisting with this effort to review and potentially recommend ways to strengthen the mission statement.

Changes in Membership and Qualifications of Fish and Game Commissioners

Drawing upon the successful experience of other state agencies whose decision-makers are required to reflect diverse and specific areas of expertise, the BRCC recommends statutory changes that expand the F&GC from five to seven members, and require that individual commissioners reflect particular, diverse professional qualifications. Currently, the five members of F&GC are required by law to have no particular professional backgrounds or qualifications.

Realignment of the Powers and Duties of DFG and F&GC

The BRCC proposes that the authority of F&GC should prospectively be focused on the setting of hunting and fishing seasons, bag and catch limits, and related functions. Other regulatory and land management responsibilities, including the administration of and listing decisions under the California Endangered Species Act, oversight of California's marine protected areas, and administration of the Oil Spill Prevention Act, should be centralized in DFG.

Originally, the mission of both DFG and F&GC was to implement, administer and enforce the state's laws governing hunting and fishing. In more recent years, the mission of both entities has expanded dramatically, to include many other functions. The respective powers and duties of DFG and F&GC should be modified to reflect this modern reality, and to allocate between the two current legal responsibilities in a manner that is effective and efficient.

Reform and Simplification of DFG Funding Programs

The BRCC recommends that the number of special funds be substantially reduced through elimination of particular accounts, consolidation of accounts, or both. 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.

The proliferation of special funds within the DFG structure 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 literally scores of special funds imposing significant limitations on DFG's ability to manage its fiscal resources effectively. Many of these funds are longstanding, single-focus programs that are outdated and often contrary to sound, state of the art, ecosystem based management practices.

Encourage DFG Partnerships with the Non-Profit Community

The BRCC recommends that to address the growing fiscal crisis, increased reliance upon and collaboration with the non-profit community should be encouraged. DFG should be encouraged to pursue such mutually-beneficial partnerships in the future, and state law should be amended to facilitate such collaborations.

In recent years, General Fund support for DFG and F&GC has been reduced and revenues derived from hunting and fishing license fees have steadily declined. Concurrently, the legislature and courts have imposed significant new mandates upon DFG, many of them unfunded. Increased reliance upon and collaborations with the non-profit community has occurred, and foundation funding has been secured, for some discrete DFG and F&GC programs, such as those carried out under the Marine Life Protection Act. The California Department of Parks & Recreation, which is facing budgetary crises similar to those of DFG and F&GC, provides a good model: 2011 legislation [AB 42] was enacted to facilitate DPR-non-

profit partnerships, and the California State Parks Foundation has been a strong policy and fiscal partner of DPR.

Perform a Comprehensive Review and Update of the California Fish and Game Code and Related Laws

The BRCC recommends that a comprehensive review of state statutes, constitutional provisions and regulations concerning DFG and F&GC be undertaken. That review, which should be of a technical, nonpartisan nature, should be initiated without further delay. The independent California Law Revision Commission is an ideal body to undertake the constitutional and statutory review, and to then make recommendations for curative amendments to the California State Legislature for consideration and enactment. After that process is completed, DFG and the Secretary for Natural Resources should undertake a conforming review process of California's regulations implementing those constitutional and statutory mandates.

California statutes affecting DFG and F&GC have evolved over 140 years. During that period, new and sometimes inconsistent legal mandates have been imposed via legislation. A technical, nonpartisan review would provide recommendations for curative amendments to address the inconsistencies.