

California Fish and Wildlife Strategic Vision Project

Phase 3 Potential Recommendations Related to Mandates

March 6, 2012

This document presents potential recommendations related to mandates of the California Department of Fish and Game (DFG) and the California Fish & Game Commission (F&GC), to be considered in Phase 3 of the California Fish and Wildlife Strategic Vision (CFWSV) Project; these recommendations were also presented in a document dated February 28, combined with potential recommendations related to funding and efficiencies, statutes and regulations, and the California Fish and Game Commission.

The potential recommendations included in this document came from multiple sources; to identify from where the recommendation last originated, this document includes a code in curly brackets that precedes the title text of each recommendation. The codes are:

{N} The potential recommendation was presented to the Stakeholder Advisory Group (SAG) at its February 3 meeting, but was not fully considered there.

{H} The potential recommendation was suggested early in SAG deliberations but held for future discussion and deliberations in phase 3 of the project.

This document also retains notes from homework volunteers and individual SAG members for those recommendations that were not fully discussed on February 3, as well as staff notes, which are in brackets and underlined [like this]. Any new proposed text is underlined like this.

1. {N} Mandates Recommendation: Review DFG/FGC responsibilities/mandates to determine whether or not they should be combined, eliminated or transferred elsewhere.

[Suggested vision and edits to outcome text from homework volunteers.]

[SAG member comment: I do not agree to creating an organization that meets All its mandates. There are lists of pages and pages and pages of unfunded mandates that will never be funded and should not be funded through fees. DFG needs to "throttle-back" to live within its appropriation.]

Implementation actions include:

- Create workgroup of DFG/FGC staff to review current responsibilities of DFG/FGC and make recommendations on potential transfer, combination, or elimination.
- Work with stakeholders to get their recommendations on potential transfer, combination, or elimination of responsibilities.
- Work with other state and federal agencies to investigate feasibility of transfer, combination, or elimination of responsibilities.
- Work with the legislature (members and staff) to gain support for transfer, combination, or elimination of responsibilities.

Description: DFG/FGC has an incredibly broad mandate, which creates challenges in efficiently implementing all the programs over which it has responsibility. With the current interest in reviewing Title 14 of the California Code of Regulations and the California Fish and Game Code to identify: (1)

inconsistencies; (2) redundancies; (3) unused and outdated code sections; (4) sections creating parallel systems and processes to be consolidated; and (5) opportunities to restructure the codes to group similar statutes and regulations. It may be worth considering eliminating or transferring some responsibilities outside of DFG; some examples that have been raised in discussions are placement of OSPR within DFG, the role of the California Ocean Protection Council, and whether some of the water branch's activities may be more appropriate with the State Water Resources Control Board.

[Suggested edits to description text in paragraph above from homework volunteers.]

[SAG member comment: This descriptive text in paragraph above belongs under statutes and regulations, not funding.]

Ties to Strategic Vision: Goal 4, Objective 3.

2. {H} Office of Spill Prevention and Response Recommendation: Reestablish that the OSPR administrator has autonomous control over hiring, personnel, budgeting, and funds regarding marine oil spill prevention and response activities, to ensure the ability to carry out "best achievable protection" of the coast from spills, pursuant to the California Government Code (Lempert-Keene-Seastrand Oil Spill Prevention and Response Act).

3. {H} Office of Spill Prevention and Response Recommendation: Use an existing civil service classification to hire a law enforcement pollution investigator with powers to enforce the provisions of the Government Code relevant to OSPR and the administrator.