

Draft Proposed Work Plan for Developing a California Fish and Game Commission Justice, Equity, Diversity and Inclusion Plan

Prepared by Commission staff for the February 2021 Commission meeting
February 8, 2021 Draft

The California Fish and Game Commission (Commission) is committed to developing a plan to promote justice, equity, diversity and inclusion (JEDI), both in its internal operations and its work with and for the people of California.

In June 2020, Commission Vice President Samantha Murray and Commissioner Pete Silva made public statements against racism and white supremacy, emphasizing that policies are better when they are informed by inclusive, wide-ranging voices and varied perspectives. Since that time, staff has begun initial work that will support development of a Commission JEDI plan, to ensure that the Commission's commitment to these values is carried forward into action.

This document is a draft proposed approach for how to develop the Commission's JEDI plan, and describes potential components the Commission may wish to include in a plan. Following the February Commission meeting, after Commission and public feedback, staff will engage in further collaboration with the California Department of Fish and Wildlife (CDFW) and develop a final proposed work plan for Commission consideration at its April 2021 meeting. Staff notes that the Commission intends to begin implementing elements of the plan as much as possible, in tandem with plan development.

JEDI Principles

Justice is the administration of what is, or the quality of being, just, impartial or fair (Merriam-Webster). As a public agency, the California Fish and Game Commission is part of a broader social structure that has historically excluded, restricted, or harmed groups of people on the basis of their background, race or identity. To act in a way that is just, impartial or fair, the Commission must, within its jurisdiction, assure all Californians have equitable access to environmental benefits, opportunities, and services, as well as the decision-making process concerning those resources. Within its power, the Commission must make every effort to guarantee equitable treatment with respect to developing, adopting, and implementing and enforcing regulations and policies related to the state's fish and wildlife.

Equity allocates resources and opportunities recognizing individual circumstances and needs to achieve equal outcomes. Where equality would ensure that all participants are given equal opportunity and resources, equity requires accounting for those who have more barriers, such as historic systems of oppression. Through the lens of equity, the Commission can allocate access to resources to assist in overcoming barriers. For example, one means of pursuing equity is anti-racism, a philosophy that actively opposes racism by taking conscious and deliberate action to dismantle racist systems. In the context of the Commission's work, anti-racist action would mean deliberately examining decisions, regulations, programs, etc. and choosing to act in a way that opposes bias and restores equity along racial lines in access to the resources within the Commission's jurisdiction.

Diversity is the condition of having or being composed of differing elements or variety, especially the inclusion of people of different races, cultures, etc. in a group or organization (Merriam-Webster), and can take many forms, whether related to race, gender, age, religion,

economic background, or other factors. Increasing diversity can lead to reduced misconceptions, broader perspectives and diminishing discrimination, as well as better decision-making and outcomes. The Harvard Business Review found that cognitive diversity (diversity in perspective and information processing style) solved problems more quickly¹. Additionally, studies have found that non-homogeneous teams are more focused on facts, process information more carefully, and are more innovative.² By increasing diversity of not only the Commission and its staff, but also the stakeholders who engage in the Commission's decision-making process, problem-solving to address fish and wildlife challenges can be enhanced.

Inclusion is the sense of belonging that people feel in an organization or community. Inclusion calls for a supportive environment where differences are represented and respected—embracing multicultural and indigenous histories and presence—and cultivating community empowerment, care of natural resources, personal connections, and a sense of ownership. While justice dictates that all Californians should have equitable access, inclusion is what creates a space in which all Californians are able to participate and feel empowered and comfortable using their voices. Without an inclusive environment, diversity cannot be maintained, justice cannot be served, and equity will fail to reach those that need it.

Speaking the Same Language

One of the first steps when embarking on any project is ensuring that the project team has a shared understanding of key concepts and terms to lay a foundation for effective discussions throughout the project development process. Having shared definitions and understanding will also be an important element of discussions with participants in the development process. Staff expects that the Commission will define key terms as part of developing its JEDI plan. Example definitions, including many based on definitions used by other organizations, are included as Appendix A. The examples can serve as a starting point and lay a foundation for future discussion.

Resources

While staff time and resources are limited, this is a high-priority project and significant staff time will be dedicated; in concert with Vice President Murray and Commissioner Silva, the core team contributing to the project are Rachel Ballanti, Rose Dodgen, Susan Ashcraft, Ari Cornman, Mike Yaun and David Thesell. Once hired, the tribal advisor and liaison will join the core team.

The Commission core team is partnering with CDFW's Justice, Equity, Diversity and Inclusion Team in order to collaborate, share resources, and avoid duplication of work to the extent practicable. CDFW is also a participant in the Capitol Collaborative on Race and Equity (CCORE), convened by the Public Health Institute (PHI), a non-profit, non-governmental organization with significant capacity and expertise in convening and training governmental partners to advance equity and in facilitating cross-sectoral initiatives. Through its collaboration with CDFW, the Commission will benefit from CCORE and PHI's significant expertise.

¹ Harvard Business Review, *Teams Solve Problems Faster When They're More Cognitively Diverse*, March 17, 2017

² Harvard Business Review, *Why Diverse Teams are Smarter*, November 4, 2016

In addition to partnering with CDFW, to the extent possible staff will utilize no-cost resources and educational tools. Additionally, Commission members will explore outside funding and resources to secure external support in developing a JEDI plan that is tailored to the Commission's unique needs and authority and will support successful outcomes. The Commission is committed to learning from expert resources and making every effort to listen to and include the voices of diverse individuals and communities that directly represent the diversity and inclusion we aim to promote through the JEDI plan.

Development and Review Process

This draft work plan identifies potential JEDI plan components that staff recommends be developed in three phases.

Phase 0: While developing a JEDI plan can be complex and nuanced, there is also a need and desire to begin this work immediately. There are some tasks outlined throughout this document that can start now, even while the full plan is in development, including:

- Acknowledge current and ancestral tribal lands at the beginning of each Commission and committee meeting;
- communicate internally and externally that justice, equity, diversity and inclusion are values of the Commission;
- establish multiple pathways for staff and stakeholders to provide feedback regarding opportunities for increased inclusivity;
- add fostering a culture of inclusiveness as a criterion for annual performance reviews for managers and supervisors;
- support staff learning to increase awareness of justice, equity, diversity and inclusion issues; and
- implement hiring practices to address implicit bias and foster inclusion.

Phase 1: The initial phase will set the foundation for successful development of the JEDI plan, including early, more limited learning opportunities, stakeholder outreach and engagement, developing a Commission JEDI vision statement and/or policy, creating multiple coordination pathways with CDFW, and collecting data that will ultimately support long-term analyses.

Phase 2: The second phase is proposed to include developing various initiatives designed to improve JEDI in the Commission's internal and external relationships. Internal initiatives may include expanding learning opportunities, promoting equitable hiring practices, and fostering an inclusive culture. External initiatives may include an equity analysis tool for decision-making, a JEDI stakeholder engagement strategy, and an evaluation of equitable access to public resources in areas where the Commission has authority or influence.

Phase 3: The final phase is proposed to develop a plan to monitor and assess the Commission's progress in the ongoing implementation of each initiative.

Steps Common to All Phases

Under the leadership of the Commission, each plan component is proposed to be developed using similar steps; however, the steps may be modified to best fit the goals of each component. There are five proposed steps.

1. Research and Development

Staff will research best practices utilized by other organizations and recommended by experts, such as the Local and Regional Government Alliance on Race and Equity, the Urban Sustainability Director's Network, and the Center for Social Inclusion, to develop initial proposals for consideration and feedback through a variety of channels. Based upon Commission direction, this step may also include informal stakeholder coordination and initial data collection (more detailed data needs will be evaluated and pursued within each component).

2. Informal Feedback from Commission Leads

Vice President Murray and Commissioner Silva have agreed to serve as Commission leads on developing a JEDI plan. Commissioners will work closely with staff to co-develop and/or provide early, informal feedback on work products. Lead Commissioners will meet monthly with staff to provide additional guidance on developing and implementing the JEDI plan.

3. Targeted Stakeholder and Tribal Engagement

One of the core purposes of this project is to engage new, diverse stakeholders who are affected by and may be interested in Commission activities, but have not previously actively participated in Commission decision-making processes. While this is a long-term initiative that will require years of work, this work plan proposes engaging a group of targeted stakeholders and tribal representatives to provide early feedback on development and implementation of the JEDI plan.

4. CDFW Coordination and Engagement

CDFW is in the process of developing its own JEDI plan; as an organization with over 3,000 staff, CDFW is beginning the process primarily focused on human resources practices and staff education. As CDFW is the Commission's primary partner, the Commission will leverage that partnership, collaborate with CDFW, and integrate the knowledge and experience of CDFW staff in developing and implementing its own JEDI principles. Although there will be distinct components to each agency's plan, there is also a great deal of commonality that lends itself to knowledge-sharing. For this reason, the Commission will coordinate closely with, and seek feedback from, CDFW during the development of its JEDI plan.

5. Formal Feedback and Approval at Commission Meetings

Materials developed as part of the JEDI plan will be presented at Commission meetings during development and for final approval. An iterative process will allow staff to incorporate feedback from Commission members and other participants through the regular public comment process as work products are developed. Additionally, the Commission may host public work sessions in conjunction with regularly-scheduled meetings. The final step is approval of each plan component at a Commission meeting.

Potential Plan Components

Eleven potential JEDI plan components are proposed in support of laying a solid foundation, developing initiatives, and defining advancement indicators.

Phase 1. Laying the Foundation

1. Purpose or Vision Statement and Key Definitions

Draft Goal: Develop a shared understanding of what justice, equity, diversity and inclusion are and why the Commission is developing a JEDI plan to facilitate future discussions and plan development.

Proposed Task: Develop a working purpose/vision statement and key definitions for approval by the Commission and inclusion in the JEDI plan.

Timing Considerations: Proposed first step in developing the JEDI plan. Early 2021.

Task Lead(s): TBD

2. JEDI Policy Statement

Draft Goal: Clearly articulate the Commission's policy position regarding JEDI and actively opposing discrimination of any type, including antiracism; provide guidance and consistency for developing and implementing all other plan components.

Proposed Task: Develop a draft Commission JEDI policy statement for approval by the Commission and inclusion in the JEDI plan.

Timing Considerations: Staff proposes this task begin immediately after or concurrently with the purpose/vision statement. As an overarching, guiding policy, this policy should be complete prior to developing any other JEDI plan components. Spring 2021.

Task Lead(s): TBD

3. Shared Pathways with CDFW

Draft Goal(s):

- Establish clear and consistent pathways for coordination with CDFW as each organization develops their JEDI plans.
- Foster and maintain a constructive working relationship with CDFW that cultivates knowledge exchange and facilitates implementation of JEDI principles.

Proposed Tasks:

- Create a venue and communication pathways for the Commission and CDFW to develop their respective plans in close coordination.

Timing Considerations: Staff propose this task take place concurrently with steps 1 and 2. Early 2021.

Task Lead(s): TBD

Phase 2. Paving the Path

4. Learning Opportunities (Internal)

Draft Goal: Increase Commissioners' and staff's knowledge to effectively develop and implement a JEDI plan.

Proposed Tasks:

- Review and evaluate learning opportunities developed by CDFW as part of its JEDI initiative (many aspects of CDFW's learning plan will be incorporated into the Commission's practices), and evaluate what additional learning opportunities the Commission may wish to pursue.
- Identify additional learning opportunities for commissioners, executive team members, and all staff.

Timing Considerations:

- Early steps: Early learning opportunities for members and staff would help from a strong foundation for developing the JEDI plan. Spring 2021.
- Long-term: Ongoing learning for commissioners and staff proposed to begin following development of components 1-3. Exact timing based on availability of opportunities and Commission priority. Concurrent with other Phase 2 components. Late 2021 – 2022.

Task Lead(s): TBD

5. Equitable Recruitment and Hiring Practices

Draft Goal: Ensure that Commission recruitment and hiring practices reach a broad and diverse audience, are inclusive, and provide equal opportunities to all potential applicants.

Proposed Task: Review and evaluate recruitment and hiring practices to diversify the applicant pool and minimize the effects of implicit bias in hiring.

- Engage with CDFW as it reviews and develops its recruitment hiring practices as part of its JEDI initiative.
- Review CDFW recruitment and hiring practices outcomes, conduct additional research, and determine if the Commission wishes to take any additional steps, e.g., LinkedIn, additional recruitment efforts, etc.

Timing Considerations: Exact timing based on Commission priority. This step may take place concurrently with other components in Phase 2. This would likely take place later development process to ensure Commission work builds on CDFW's work in this area.

Task Lead(s): TBD

6. *Foster an Inclusive Culture (Internal)*

Draft Goal: Foster a culture of inclusivity where all staff can fully contribute, diversity is valued, and opportunities are afforded equally.

Proposed Tasks:

- Communicate the value of justice, diversity, equity and inclusion clearly and regularly from leadership in the recruitment process, in new hire onboarding, and with current employees.
- Build upon current Americans with Disabilities Act and Equal Employment Opportunity compliance, and clearly and proactively communicate Commission leadership support above and beyond minimum compliance.
- Establish multiple pathways for staff to provide feedback regarding opportunities for increased inclusiveness.
- Add fostering a culture of inclusivity as a criterion for annual performance reviews for managers and supervisors.
- Support and require staff learning to increase awareness of diversity and inclusion (also see component 4).
- Engage with CDFW as it reviews and develops its retention and inclusion practices as part of its JEDI initiative.
- Review CDFW retention and inclusion practices, conduct additional research, and determine if the Commission wishes to take any additional steps.

Timing Considerations: Tasks fully contained within the Commission office will begin immediately. Some tasks would likely take place later in the development process to ensure Commission work builds on CDFW's work in this area. No end date.

Task Lead(s): TBD

7. *Build on Tribal Engagement (External)*

Draft Goal: Examine and evaluate the effectiveness and inclusiveness of the Commission's engagement with tribes, and determine pathways to increase participation from more tribes and tribal communities.

Proposed Tasks:

- Acknowledge tribal and ancestral lands at Commission and committee meetings.
- Explore areas where the Commission's mission and goals share common ground with tribal cultures and values.
- Identify areas where tribal engagement could be more effective and work to build new connections.
 - Identify and understand underlying, tribe-specific barriers to tribal participation in Commission meetings and decision-making processes (listen to and understand tribal government partners, with potential mechanisms including targeted outreach, semi-structured interviews with leaders, broader survey)

- Based on the identified barriers, research and consult on options for increasing opportunities for tribal participation:
 - How to make participation productive/worthwhile for tribal partners
 - How to engage local tribes when the Commission travels to locations throughout the state
 - How to structure or conduct Tribal Committee meetings to incorporate any of these opportunities
 - How to ensure that government-to-government consultation is effectively utilized and productive
- Identify potential actions the Commission can take to remove participation barriers and encourage participation by tribes.
- Identify areas where access to traditional resources has been compromised (e.g., CDFW public lands, fisheries, recreational opportunities under the purview of the Commission, etc.). Explore and consider opportunities to restore access.
 - Engage with tribes to identify public resources with barriers to access.
 - Work with tribes to identify potential solutions.
- Hire a Commission tribal advisor and liaison to coordinate and amplify tribal voices.

Timing Considerations: Outreach and engagement with tribes would begin after hiring the tribal advisor and liaison and extend at least into 2022. First steps would be operationalizing the proposed tasks with specific steps.

Task Lead(s): Tribal Advisor and Liaison

8. *Diversify Engaged Stakeholders (External)*

Draft Goal: Examine/evaluate how the Commission's processes incentivize or disincentivize participation by historically-underrepresented groups, determine ways to create more incentives for participation, counteract or reduce disincentives, foster a culture of inclusivity in the Commission's external activities and interactions and integrate diverse feedback into decision-making.

Proposed Tasks:

- Develop a plan to engage stakeholders that are representative of the state as a whole.
 - Understand why some communities are less engaged than others in our decision-making process
 - Identify and build connections with potential stakeholders that may experience barriers to participation or feel apathy toward public policymaking?
 - Identify underlying barriers to participation in Commission decision-making for current and new potential stakeholders.
 - Listen to and understand the needs of current and potential stakeholders using method such as targeted outreach, semi-structured interviews with key leaders, surveys, etc.

- Research and consult on options for increasing opportunities for participation:
 - How to make information more accessible/equitable (language, access, etc.)
 - How to make meeting participation more accessible/equitable
 - How to make participation worthwhile for new or historically underrepresented participants
 - How to reach, hear feedback from and integrate perspectives from underrepresented communities (media, social media, community organizations, etc.)
 - How to engage local communities informally when the Commission travels to locations throughout the state.
- Identify potential actions the Commission can take to remove participation barriers and encourage participation.
- Identify areas where there is not equitable access to public resources (e.g., CDFW public lands, fisheries, recreational opportunities under the purview of the Commission, etc.) consider opportunities to increase equitable access.
 - Engage with and stakeholders to discover to identify public resources (e.g., CDFW public lands, fisheries, etc.) with barriers to access.
 - Work with stakeholders to identify potential solutions.

Timing Considerations:

- Early outreach and engagement on development of a plan would begin immediately. Early 2021.
- Develop JEDI Stakeholder Engagement Plan to guide ongoing stakeholder engagement. Exact timing based on Commission priority. This step may take place concurrently with other components in Phase 2. Throughout 2021 and 2022.

Task Lead(s): TBD

9. *Formalize Inclusion and Equity in Commission Decisions (External)*

Draft Goal: Develop a tool that can be applied to Commission decisions to ensure that justice, equity, diversity and inclusion are considered in the Commission’s decision-making process and encompass unique considerations such as race, nation of origin, socio-economic condition, and gender, among others.

Proposed Tasks:

- Define what inclusion and equity tools are and learn how they might apply to Commission decision-making processes.
- Research and identify potential inclusion and equity tools for use in Commission decision-making.
- Design and implement Commission inclusion and equity tool
 - What type of tool would be used? Examples have resembled checklists, but this could take other forms.
 - Determine where and how tool could be used:

- At what point in the decision-making process would this tool be incorporated?
- Would it be used for all decisions or only certain types?

Timing Considerations: Proposed to begin following development of components 1-3. Exact timing based on Commission priority. This step may take place concurrently with other components in Phase 2. Late 2021 – Early 2022.

Task Lead(s): TBD

Phase 3. Sustainable Advancement

10. Monitoring Plan

Draft Goal: Monitor implementation of the JEDI plan to ensure that progress is being made under each component.

Proposed Task: Develop monitoring plan that includes indicators or other means of assessing progress on each of the Commission’s JEDI goals. Example indicators may include:

- Number of participants in Commission and committee meetings
- Number of new participants in Commission and committee meetings
- Number of organizations represented at Commission and committee meetings
- Number of new organizations represented at Commission and committee meetings
- Quality of participation opportunities as measured by survey or other data collection tool

Timing Considerations: Indicators or other monitoring tools should be identified as part of developing each initiative (4-8). The overall monitoring plan would be the last step in developing the JEDI plan. Late 2022.

Task Lead(s): TBD

Next Steps

Following the February 2021 Commission meeting, after Commission and public feedback, staff will engage in further collaboration with the California Department of Fish and Wildlife (CDFW) and develop a final proposed work plan for Commission consideration at its April 2021 meeting. Staff notes that the Commission intends to begin implementing elements of the plan as much as possible, in tandem with plan development.

Appendix A: Example Definitions

1. Justice

- The maintenance or administration of what is just especially by the impartial adjustment of conflicting claims or the assignment of merited rewards or punishments.³
- The quality of being just, impartial, or fair.⁴
- The principle that all people should have access to healthy, safe, livable communities and environments.^{5,6,7}
- Justice in the context of the Commission would mean that all Californians have equitable access to environmental benefits, opportunities, and services, equitable access to the decision-making process concerning those resources, and equitable treatment with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.^{2,8,9}

2. Equity

- Justice according to natural law or right, specifically freedom from bias or favoritism.¹
- Fairness of achieving outcomes for all groups and no one factor, such as race, can be used to predict outcomes. Equity is defined in the context of social and racial equity.^{2,10}
- The guarantee of fair treatment, access, opportunity, and advancement for all participants, and active identification and elimination of barriers that have prevented the full participation of some groups.¹¹
- The process of just and fair consideration because of someone's experience or social position.¹²

3. Diversity

- The condition of having or being composed of differing elements, especially the inclusion of different types of people (such as people of different races or cultures) in a group or organization.¹
- The range of similarities and differences in individual and organizational characteristics that shape a workplace. These include but are not limited to national origin, language, race, color, disability, ethnicity, gender, age, religion, sexual orientation, gender identity, socioeconomic status, veteran status, and family structure. The concept also encompasses other differences among people, including geographic differences and, importantly, diversity of thought and life experiences.

³ Merriam-Webster Dictionary

⁴ Merriam-Webster Dictionary

⁵ California State Coastal Conservancy

⁶ California Environmental Justice Alliance

⁷ Communities for a Better Environment

⁸ US Environmental Protection Agency

⁹ California Coastal Commission

¹⁰ San Francisco Bay Conservation and Development Commission

¹¹ Emory University Department of Medicine

¹² California Ocean Protection Council

These differences between people may also lead to different experiences in systemic advantages or encounters with systemic barriers to opportunity.^{2,13,14}

- A variety of people, experiences, and perspectives. Often nestled under the umbrellas of identity, including race, gender identity, sexual orientation, religion, dis/ability (differently-abled), socioeconomics, political affiliation, and more.⁹

4. Inclusion

- The act or practice of including and accommodating people who have historically been excluded (as because of their race, gender, sexuality, or ability).¹
- Creation of a welcoming environment (1) where people's differences are represented and respected; (2) that embraces multicultural and indigenous histories and presence; and (3) cultivates community empowerment, care of natural resources, personal connections, and a sense of ownership.^{2,15}
- A culture that connects each employee to the organization; encourages collaboration, flexibility, and fairness; and leverages diversity throughout the organization so that all employees are able to participate and contribute to their full potential.⁸
- The sense of belonging that people feel in an organization or community. In the case of the MPA [marine protected area] network, think of how people might feel connected to, involved with, or represented within MPA network management and programming decisions.⁹

5. Antiracism

- Fighting against racism. Being antiracist results from a conscious decision to make frequent, consistent, equitable choices daily. These choices require ongoing self-awareness and self-reflection as we move through life. In the absence of making antiracist choices, we (un)consciously uphold aspects of white supremacy, white-dominant culture, and unequal institutions and society.¹⁶
- The work of actively opposing racism by advocating for changes in political, economic, and social life. Anti-racism tends to be an individualized approach, and set up in opposition to individual racist behaviors and impacts.¹⁷
- Conscious efforts and deliberate actions to dismantle racist systems and provide equitable opportunities on both an individual and systemic level.

6. Underrepresented

- Provided with insufficient or inadequate representation.¹⁸
- Groups who have been denied access and/or suffered past institutional discrimination in the United States and, according to the Census and other federal

¹³ The Avarna Group

¹⁴ Securities Exchange Commission

¹⁵ The Coro Fellows Program

¹⁶ The National Museum of African American History and Culture

¹⁷ Race Forward

¹⁸ Oxford Languages

measuring tools, includes African Americans, Asian Americans, Hispanics or Chicanos/Latinos, and Native Americans.¹⁹

7. Outreach

- A way of conducting business to ensure that underserved individuals and groups are made aware of, understand, and have a working knowledge of programs and services. Outreach will ensure that these programs and services are equitable and made accessible to all.²⁰

8. Engagement

- Stakeholder engagement, in the natural resource management context, most often refers to the participation of stakeholders in planning or decision-making efforts in order to integrate their knowledge and values with a particular project's more specialized knowledge and purpose.²¹

9. Stakeholder

- One who is involved in or affected by a course of action.¹
- An individual, group, or organization involved in or can affect or be affected by a course of action or by the achievement of an organization's objectives.^{22,23,24}

¹⁹ Emory University Office of Diversity, Equity, and Inclusion

²⁰ US Department of Agriculture Natural Resources Conservation Service

²¹ Talley, J. L., J. Schneider, and E. Lindquist. 2016. A simplified approach to stakeholder engagement in natural resource management: the Five-Feature Framework. *Ecology and Society* 21(4):38.

²² POLICY Project, 1999

²³ Managing Policy Reform: Concepts and Tools for Decision-makers in Developing and Transitioning Countries, Brinkerhoff and Crosby, 2002

²⁴ Stakeholder engagement in policy development: challenges and opportunities for human genomics, Lemke and Harris-Wai, 2015