

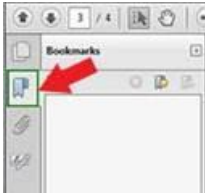
California Fish and Game Commission
Tribal Committee
Meeting Materials



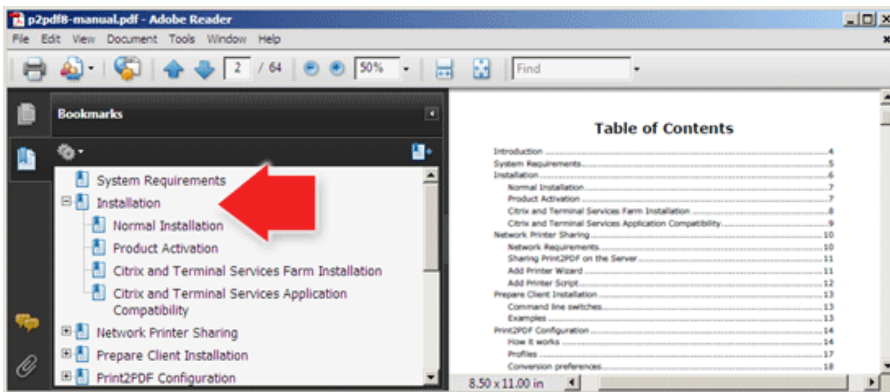
December 14, 2021
Webinar / Teleconference


EASY GUIDE TO USING THE BINDER

1. Download and open the binder document using your Adobe Acrobat program/app.
2. If a bookmark panel does not automatically appear on either the top or left side of the screen, click/tap on the “bookmark symbol” located near the top left-hand corner.



3. To make adjustments to the view, use the Page Display option in the View tab. You should see something like:



4. We suggest leaving open the bookmark panel to help you move efficiently among the staff summaries and numerous supporting documents in the binder. It's helpful to think of these bookmarks as a table of contents that allows you to go to specific points in the binder without having to scroll through hundreds of pages.
5. You can resize the two panels by placing your cursor in the dark, vertical line  located between the panels and using a long click /tap to move in either direction.
6. You may also adjust the sizing of the documents by adjusting the sizing preferences located on the Page Display icons found in the top toolbar or in the View tab.
7. Upon locating a staff summary for an agenda item, notice that you can obtain more information by clicking/tapping on any item underlined in blue.
8. Return to the staff summary by simply clicking/tapping on the item in the bookmark panel.
9. Do not hesitate to contact staff if you have any questions or would like assistance.

Overview of Tribal Committee Meeting

- Welcome to this meeting of the California Fish and Game Commission Tribal Committee. The Committee is comprised of up to two Commissioners who are assigned annually by the Commission. Currently the Tribal Committee is chaired by Commissioner Jacque Hostler-Carmesin, and other members of the Commission rotate as “visiting” commissioners.
- Our goal today is informed discussion to guide future decision-making, and, we need your cooperation to ensure a lively and comprehensive dialogue.
- We are operating under the Bagley-Keene Open Meeting Act, but it is important to note that the Committee chair cannot take action independent of the full Commission; instead, the chair makes recommendations to the Commission at regularly scheduled meetings.
- These proceedings are being recorded and may be posted to our website for reference and archival purposes.
- Items may be heard in any order pursuant to the determination of the committee chair.
- As a general rule, requests for regulatory change need to be redirected to the full Commission and submitted on the required petition form, FGC 1, *Petition to the California Fish and Game Commission for Regulation Change* (Section 662, Title 14, CCR). However, at the Committee’s discretion, the Committee may request that staff follow up on items of potential interest to the Committee and possible recommendation to the Commission.
- Committee meetings operate informally and provide opportunity for everyone to provide comment on agenda items. If you wish to speak on an agenda item, please follow these guidelines:
 1. Raise your hand and wait to be recognized by the Committee chair.
 2. Provide your name, affiliation (if any), and the number of people you represent.
 3. Time is limited; please keep your comments precise to give others time to speak.
 4. If several speakers have the same concerns, please appoint a group spokesperson.
 5. If speaking during general public comment, the subject matter you present should not be related to any item on the current agenda (public comment on agenda items will be taken at the time the Committee discusses that item).

Introductions for California Fish and Game Commission Tribal Committee

Commissioners

Jacque Hostler-Carmesin	Chair
Erika Zavaleta	“Visiting” commissioner

Commission Staff

Melissa Miller-Henson	Executive Director
Susan Ashcraft	Marine Advisor
Ari Cornman	Wildlife Advisor
Chuck Striplen	Tribal Advisor and Liaison
Cynthia McKeith	Staff Services Analyst
Corinna Hong	Sea Grant State Fellow

California Department of Fish and Wildlife

Chris Stoots	Acting Tribal Liaison
Jay Rowan	Branch Chief, Fisheries Branch
Scott Gardner	Branch Chief, Wildlife Branch
Craig Shuman	Regional Manager, Marine Region
Becky Ota	Environmental Program Manager, Habitat Conservation Program, Marine Region

Invited Speakers

Hank Brenard	Director, Environmental & Natural Resources Department, Bear River Band of Rohnerville Rancheria
Mike Esgro	Marine Ecosystems Program Manager and Tribal Liaison, California Ocean Protection Council

Commissioners
Peter S. Silva, President
Jamul

Samantha Murray, Vice President
Del Mar

Jacque Hostler-Carmesin, Member
McKinleyville

Eric Sklar, Member
Saint Helena

Erika Zavaleta, Member
Santa Cruz

STATE OF CALIFORNIA
Gavin Newsom, Governor

Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

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www.fgc.ca.gov

TRIBAL COMMITTEE

Committee Chair: Commissioner Hostler-Carmesin

REVISED* Meeting Agenda
December 14, 2021; 1:30 p.m.

Webinar and Teleconference

Pursuant to California Government Code Section 11133, the California Fish and Game Commission is conducting this committee meeting by webinar and teleconference. Commission members will participate remotely. The public may provide public comment during the public comment periods and otherwise observe remotely, consistent with the Bagley-Keene Open Meeting Act.

***This agenda was revised on December 8 to amend item 7B(2)(b) and to update the link to the Zoom meeting.**

To participate in the meeting, please join via Zoom or by telephone.

[Click here](http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=195463&inline) or go to <http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=195463&inline> for instructions on how to join the meeting.

Note: See important meeting deadlines and procedures, including written public comment deadlines, beginning on page 5. Unless otherwise indicated, the California Department of Fish and Wildlife is identified as Department. All agenda items are informational and/or discussion only. The Committee develops recommendations to the Commission, but does not have authority to make policy or regulatory decisions on behalf of the Commission.

Call to order

1. Approve agenda and order of items

2. Commission justice, equity, diversity and inclusion plan

Receive an update on and discuss progress in implementing the work plan for developing the Commission's justice, equity, diversity and inclusion (JEDI) plan.

Exhibit 2.1: JEDI work plan, dated Apr 14, 2021

Exhibit 2.2: JEDI report for Dec 16, 2021 Commission meeting (Item 30)

3. Annual tribal planning meeting

Discuss updates on priorities identified at the July 28, 2021 tribal planning meeting, held annually pursuant to the Commission’s Tribal Consultation Policy, and initial discussions on 2022 meeting planning.

Exhibit 3.1: Summary of Jul 28, 2021 Commission Annual Tribal Planning meeting, undated

Exhibit 3.2: Commission Tribal Consultation Policy, dated Jun 2015

4. Co-management implementation

Discuss implementation of the co-management definition adopted by the Commission in collaboration with the Department and California’s tribes.

Exhibit 4.1: Commission co-management vision statement and definition, dated Feb 2020

5. Definition of “tribal subsistence harvest” and related management mechanisms

Receive staff update on and discuss scope of new project to develop a definition (distinct from “commercial” or “recreational”) related to California Native American subsistence activities.

Exhibit 5.1: Issue statement for tribal subsistence harvest project, dated Dec 9, 2021

Exhibit 5.2: Selected state law provisions applicable to off-reservation use, dated Dec 9, 2021

6. Coastal Fishing Communities Project

Receive staff update on the project and discuss any recommendations from the Marine Resources Committee.

7. Staff and agency updates requested by the Committee

Receive updates from staff and other agencies, including current topics on the work plan for which the Committee has requested an update.

(A) California Ocean Protection Council

- I. Marine Protected Areas Statewide Leadership Team (MSLT): Update on tribal participation in MSLT and implementation of the MSLT work plan

(B) Department

I. Law Enforcement Division

II. Wildlife and Inland Fisheries Division

- a. Plans for developing a new deer management plan
- b. Access for All Initiative on Department lands

III. Marine Region

- a. Update on scheduled rulemaking for commercial harvest of bull kelp and edible algae
- b. Update on tribal participation in the marine protected area 2022 decadal management review

(C) Commission staff

Exhibit 7.1: Potential agenda items for Feb 16-17, 2022 Commission meeting, dated Dec 7, 2021

Exhibit 7.2: Commission rulemaking timetable, dated Dec 9, 2021

Exhibit 7.3: MRC work plan, revised Dec 8, 2021

Exhibit 7.4: WRC work plan, revised Dec 6, 2021

8. Future agenda items

(A) Review work plan agenda topics, priorities, and timeline

Exhibit 8.1: TC work plan, revised Aug 18, 2021

(B) Potential new agenda topics for Commission consideration

9. General public comment for items not on agenda

Receive public comment regarding topics not included in this agenda.

Note: The Committee may not discuss or take action on any matter raised during this item, except to consider whether to recommend that the matter be added to the agenda of a future meeting [Sections 11125, 11125.7(a), Government Code].

Adjourn

California Fish and Game Commission Meeting Schedule

Note: As meeting dates and locations can change, please visit www.fgc.ca.gov for the most current list of meeting dates and locations.

Meeting Date	Commission Meeting	Committee Meeting
December 15-16, 2021	Webinar/Teleconference	
January 13, 2022		Wildlife Resources Webinar/Teleconference
February 16-17, 2022	Natural Resources Building Auditorium, First Floor 715 P Street Sacramento, CA 95814	
March 24, 2022		Marine Resources Natural Resources Building Auditorium, First Floor 715 P Street Sacramento, CA 95814
April 19, 2022		Tribal Monterey/Santa Cruz area
April 20-21, 2022	Monterey/Santa Cruz area	
May 19, 2022	Teleconference	
May 19, 2022		Wildlife Resources Redding
June 15-16, 2022	Los Angeles/Orange County	
July 14, 2022		Marine Resources San Diego area
August 16, 2022		Tribal Fortuna
August 17-18, 2022	Fortuna	
September 15, 2022		Wildlife Resources Los Angeles/Inland Empire area
October 12-13, 2022	Truckee	
November 17, 2022		Marine Resources Monterey area
December 13, 2022		Tribal San Diego area
December 14-15, 2022	San Diego area	

Other Meetings of Interest

Association of Fish and Wildlife Agencies

- September 18-21, 2022, Fort Worth, TX

Pacific Fishery Management Council

- March 8-14, 2022 – San Jose, CA
- April 6-13, 2022 – San Jose, CA
- June 7-14, 2022 – Vancouver, WA
- September 7-14 – 2022, Boise, ID
- November 2-8, 2022 – Orange County, CA

Pacific Flyway Council

- March 15, 2022 – Spokane, WA
- August 2022 – Dates and location TBD

Western Association of Fish and Wildlife Agencies

- January 6-10, 2022 – Tucson, AZ
- July 10-15, 2022 – Oklahoma City, OK

Wildlife Conservation Board

- February 24, 2022 – Location TBD
- May 26, 2022 – Location TBD
- August 25, 2022 – Location TBD
- November 17, 2022 (subject to change) – Location TBD

IMPORTANT COMMITTEE MEETING PROCEDURES INFORMATION

Welcome to a meeting of the California Fish and Game Commission's Tribal Committee. The Committee is composed of and chaired by up to two Commissioners; these assignments are made by the Commission each year.

The goal of the Committee is to allow greater time to investigate issues before the Commission than would otherwise be possible. Committee meetings are less formal in nature and provide for additional access to the Commission. The Committee follows the noticing requirements of the Bagley-Keene Open Meeting Act. It is important to note that the Committee chairs cannot take action independent of the full Commission; instead, the co-chairs make recommendations to the full Commission at regularly scheduled meetings.

The Commission's goal is preserving our outdoor heritage and conserving our natural resources through informed decision-making; Committee meetings are vital in developing recommendations to help the Commission achieve that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome, and please let us know if you have any questions.

PERSONS WITH DISABILITIES

Persons with disabilities needing reasonable accommodation to participate in public meetings or other Commission activities are invited to contact the Department's Equal Employment Opportunity (EEO) Office at (916) 653-9089 or EEO@wildlife.ca.gov. Accommodation requests for facility and/or meeting accessibility and requests for American Sign Language (ASL) Interpreters should be submitted at least two weeks prior to the event. Requests for real-time captioners should be submitted at least four weeks prior to the event. These timeframes are to help ensure that the requested accommodation is met. If a request for an accommodation has been submitted but is no longer needed, please contact the EEO Office immediately.

SUBMITTING WRITTEN MATERIALS

The public is encouraged to attend Committee meetings and engage in the discussion about items on the agenda; the public is also welcome to comment on agenda items in writing. You may submit your written comments by one of the following methods (only one is necessary): **Email** to fgc@fgc.ca.gov; **mail** to California Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090; or **deliver** to California Fish and Game Commission, 715 P Street, Sacramento, CA 95814.

COMMENT DEADLINES

The **Written Comment Deadline** for this meeting is **5:00 p.m. on Wednesday, December 1, 2021**. Written comments received at the Commission office by this deadline will be made available to Commissioners prior to the meeting.

The **Supplemental Comment Deadline** for this meeting is **noon on Thursday, December 9, 2021**. Comments received by this deadline will be made available to Commissioners at the meeting.

*The Committee **will not** consider comments regarding proposed changes to regulations that have been noticed by the Commission. If you wish to provide comment on a noticed item, please provide your comments during Commission business meetings, via email, or deliver to the Commission office.*

Note: Materials provided to the Committee may be made available to the general public.

REGULATION CHANGE PETITIONS

As a general rule, requests for regulatory change must be redirected to the full Commission and submitted on the required petition form, FGC 1, *Petition to the California Fish and Game Commission for Regulation Change* (Section 662, Title 14, California Code of Regulations). However, at the Committee's discretion, the Committee may request that staff follow up on items of potential interest to the Committee and possible recommendation to the Commission.

SPEAKING AT THE MEETING

Committee meetings operate informally and provide opportunity for everyone to comment on agenda items. If you wish to speak on an agenda item, please follow these guidelines:

1. You will be given instructions during the meeting for how to be recognized by the Committee co-chair(s) to speak.
2. Once recognized, please begin by giving your name and affiliation (if any) and the number of people you represent.
3. Time is limited; please keep your comments concise so that everyone has an opportunity to speak.
4. If there are several speakers with the same concerns, please try to appoint a spokesperson and avoid repetitive comments.
5. If speaking during general public comment for items not on the agenda (Agenda Item 2), the subject matter you present should not be related to any item on the current agenda (public comment on agenda items will be taken at the time the Committee members discuss that item). As a general rule, public comment is an opportunity to bring matters to the attention of the Committee, but you may also do so via email or standard mail. At the discretion of the Committee, staff may be requested to follow up on the subject you raise.

VISUAL PRESENTATIONS/MATERIALS

All electronic presentations must be submitted by the **Supplemental Comment Deadline** and approved by the Commission executive director before the meeting.

1. Electronic presentations must be provided by email to fgc@fgc.ca.gov or delivered to the Commission on a USB flash drive by the deadline.
2. All electronic formats must be Windows PC compatible.

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

Approved April 14, 2021

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 President (then commissioner) Pete Silva made public statements against racism and white supremacy, emphasizing that policies are better informed when they include 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.

The Commission is one of several agencies in California responsible for holding California's fish and wildlife and their habitats in the public trust and consistently works with other federal, tribal, state, and local government agencies, non-governmental organizations and the people of California to successfully deliver on that commitment.

As an agency charged with serving the public, the Commission is committed to engaging with and receiving input from all members of the public. The mission of the Commission acknowledges that "...transparent and open dialogue where information, ideas and facts are easily available, understood and discussed..." is critical to ensuring "...that California will have abundant, healthy, and diverse fish and wildlife that thrive within dynamic ecosystems, managed with public confidence and participation, through actions that are thoughtful, bold, and visionary in an ever-changing environment." The Commission relies on the input of the public that it serves in order to make the best possible decisions; the Commission cannot know if its decisions unintentionally disadvantage certain groups if it does not hear from people representative of the entire state of California. The goal of this plan is not to diminish existing voices; it is to ensure the Commission is hearing from voices representing all Californians impacted by its work so that it can make the best-informed decisions possible.

This document provides an approach for developing the Commission's JEDI plan, and describes components included in the plan. FGC approved this work plan at its April 2021 meeting with the understanding that additional revisions may be necessary to incorporate new information as FGC develops its full plan.

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 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 and 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, implementing and enforcing regulations and policies related to the state's fish and wildlife.

The goal of equity is to achieve equal outcomes; equity allocates resources and opportunities differently to different groups or individuals in support of equal outcomes by recognizing circumstances that might put a group or individual at a disadvantage. Where equality would ensure that all participants are given equal opportunity and resources, equity requires accounting for those who experience barriers, such as historic systems of oppression and/or exclusion, and aiming to eliminate the barriers. Through the lens of equity, the Commission can reduce barriers to participation for those who currently and have historically experienced them. For example, one means of pursuing equity is through 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 current and future natural resources decisions, regulations, programs, etc. and choosing to act in a way that opposes bias.

Diversity is the condition of having or being composed of differing elements or variety in a group or organization (Merriam-Webster), and can take many forms, whether related to race, gender, age, religion, economic background, ability, 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 the people 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, and cultivates 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.

A Common Foundation

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 JEDI plan development process and it is expected that the Commission will define key terms as part of developing its plan. Example definitions, many used by other organizations, are included as Appendix A. The examples lay a foundation for future discussion.

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

Resources

While staff time and resources are limited, this is a high-priority project and significant staff time will be dedicated in concert with that of commission members. The core team would like to acknowledge that Rose Dodgen, the Commission's former Sea Grant state fellow, played a large part in developing the initial proposal for this work plan. The Commission core team is partnering with CDFW's Justice, Equity, Diversity and Inclusion Team to collaborate, share resources, and avoid duplication of work to the extent practicable.

In addition to partnering with CDFW, FGC will seek to partner with external organizations with experience and expertise in this type of work and, to the extent possible, staff will utilize no-cost resources and educational tools. Additionally, Commission members will help 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 final 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 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 Commission and committee meetings;
- 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 welcoming workplace and creating a sense of belonging for all employees 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
- recruit more broadly and implement hiring practices that minimize implicit bias.

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 fair hiring practices that ensure equal treatment of all applicants, and fostering an inclusive culture. External initiatives may include an equity analysis tool for decision-making regarding public resources, 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.

Development 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 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 Commissioners

President Silva and Vice President Murray have agreed to serve as lead advisors on developing a JEDI plan, and will work closely with staff to co-develop and/or provide early, informal feedback on work products. The lead commissioners will meet monthly with staff to provide additional guidance on developing and implementing the JEDI plan. Concurrently, other individual commissioners will provide informal feedback between Commission meetings.

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 developing and implementing 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 will 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. While the components are described in three general phases in order to provide structure and organization to the process, the work is not strictly sequential. Some tasks found within various components (described above as “Phase 0”) will begin immediately, while others may overlap with components found in different phases.

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 for the Commission and why it 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. Summer 2021.

2. JEDI Policy Statement

Draft Goal: Clearly articulate the Commission’s policy position regarding JEDI and actively opposing discrimination of any type, including through 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. Summer 2021.

3. Shared Pathways with CDFW

Draft Goal(s):

- Establish clear and consistent pathways for Commission coordination with CDFW as each organization develops its JEDI plan.

- 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. Spring/Summer 2021.

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. Beginning Spring 2021.
- Long-term: Develop 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 amongst other priorities. Concurrent with other Phase 2 components. Late 2021 – 2022.

5. Equitable Recruitment and Reducing Implicit Bias in Hiring

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. Expanding and diversifying the applicant pool will allow FGC to reach additional qualified candidates and, ultimately, hire the most qualified candidates, in accordance with civil service rules.

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

Timing Considerations: Some of this work, such as removing sources of implicit bias from the recruitment and interview process, has already begun. Exact timing based on Commission priority amongst other priorities. This step may take place concurrently with other components in Phase 2. This would likely take place later in the development process to ensure Commission work builds on CDFW's work in this area.

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 welcoming workplace and creating a sense of belonging for all employees 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.

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 among 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. First steps would be operationalizing the proposed tasks with specific steps.

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 the Commission’s 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 and equitable (language, access, etc.)
 - How to make meeting participation more accessible and 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 stakeholders to discover and 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. Summer 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.

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.

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. 2022.

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 could include:

- Number of active participants in Commission and committee meetings
- Number of new active 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 to early 2023.

Appendix A: Example Definitions

Example definitions are provided to show the range of definitions available in the dictionary and used by other organizations, as a means to spur discussion. The definitions provided in this section are not the work of the Commission.

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

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

- 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. 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

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

- 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 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}

¹⁸ Oxford Languages

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

STAFF SUMMARY FOR DECEMBER 15-16, 2021

30. JUSTICE, EQUITY, DIVERSITY, AND INCLUSION**Today's Item**Information Action

Receive and discuss an update on developing the justice, equity, diversity, and inclusion plan.

Summary of Previous/Future Actions

- | | |
|--|---|
| • Approved work plan | Apr 14, 2021; Webinar/Teleconference |
| • Approved “working” JEDI vision statement and discussed policy concepts and definitions | Oct 14, 2021; Webinar/Teleconference |
| • Public listening session | Nov 17, 2021; Webinar/Teleconferenced |
| • Discuss initial draft JEDI policy | Dec 15-16, 2021; Webinar/Teleconference |
| • Consider adopting JEDI policy | Feb 16-17, 2022; Sacramento |

Background

FGC has expressed a commitment to creating mechanisms for more inclusive engagement and making the impacts of FGC decisions more equitable, in part, through developing and implementing a JEDI plan. In Apr 2021, after several months of development, deliberation, and public input, FGC approved a work plan for developing its JEDI plan (Exhibit 1). The work plan guides FGC and its staff as it develops the JEDI plan and organizes the work into four phases and ten components. FGC approved the work plan with the understanding that additional revisions may be necessary to incorporate new information as FGC develops its full JEDI plan and directed staff to begin implementation.

Work Plan Implementation

Consistent with FGC direction, staff has continued to work on multiple tasks that begin to implement the JEDI work plan, including:

Purpose or Vision Statement and Key Definitions (Component 1)

The first step in the JEDI work plan is to develop a purpose or vision statement and key definitions. The goal of this task is to develop a shared understanding of what justice, equity, diversity, and inclusion mean to FGC and why it is developing a JEDI plan, in order to help facilitate future discussions and plan development.

At the Oct 2021 FGC meeting, after several months of development and deliberations, FGC adopted a working JEDI vision statement (Exhibit 2).

Also at the Oct 2021 meeting, staff presented sample definitions for five key terms that have been used by other government agencies. At that meeting and at the public listening session on Nov 17, 2021, staff solicited feedback regarding additional terms FGC might define. Staff is in the process of developing additional proposed definitions based on feedback, as well as collaboration and alignment with other state agencies, especially DFW. Staff anticipates delivering a complete set of proposed JEDI definitions at the Feb 2022 FGC meeting.

STAFF SUMMARY FOR DECEMBER 15-16, 2021

Policy Statement (Component 2)

Component 2 of the JEDI work plan is to develop an overarching policy statement to clearly articulate FGC's policy position regarding JEDI and actively opposing discrimination of any type. The statement will also provide guidance and consistency for developing and implementing all other plan components. At the Oct 2021 FGC meeting, FGC reviewed and provided feedback on draft policy concepts to consider for inclusion in a potential FGC JEDI policy. An initial draft JEDI policy, based on Commissioner and public feedback on the draft policy concepts, can be found in Exhibit 3.

Listening Session

On Nov 17, 2021, FGC hosted a listening session and discussion to gather public feedback on the draft JEDI policy concepts, potential key definitions, and general discussion related to JEDI. Discussion during the listening session was broad and varied, but generally fell into three main topics:

- Definitions
 - Suggestions for additional definitions: collaboration, community, economic equity, environmental justice, environmental racism, excellence, disproportionate impacts, inclusion, inequality, innovation, institutional racism, integrity, justice, low-income communities, minority communities, social justice, stewardship, systemic racism, transparency
 - Preference for simple definitions, rather than long, technical definitions
- Reaching and working with underrepresented communities
 - The importance of understanding demographics and ways in which demographics and outcomes can be measured
 - Suggestions of specific communities that are underrepresented in FGC's work, and organizations FGC should contact
 - The benefit of diverse social media partnerships
 - FGC should sponsor and participate in community events, creating a safe space for participation
- Policy concepts
 - Ensure that JEDI work is carried out day-to-day, not just related to special events
 - Commit to working with DFW to acknowledge our shared institutional history, and past decisions and policies that led us to where we are today, including both overt and veiled institutional racism

Additional JEDI work

In addition to the items highlight above, FGC and DFW JEDI teams continue to meet regularly in support of both organizations' JEDI goals. Staff continues to develop and refine the scope of work for the JEDI consultant and has met repeatedly with DFW's contracts office in support of this work.

STAFF SUMMARY FOR DECEMBER 15-16, 2021

Today's Meeting

At this meeting, staff will give an update on implementation of the JEDI work plan and present an initial draft JEDI policy statement.

Next Steps

Staff will refine the initial draft policy statement based on feedback received at this meeting and continue developing draft definitions for review at the Feb 2022 meeting.

Significant Public Comments

1. A member of the public suggests that DFW should provide better access to fishing from the riverbanks, particularly at the Freemont Weir and Feather River Wildlife Areas, to remove barriers that make it harder for disadvantaged groups to fish (Exhibit 4).
2. Two former commercial abalone divers provide letters stating that FGC's and DFW's treatment commercial abalone divers is not consistent with JEDI principles (Exhibit 5).
3. A non-governmental organization asks the Commission to incorporate the concepts of environmental justice, environmental racism, and environmental equity into its JEDI policy statement. They request the Commission consider language that moves away from characterizing diversity as a set of characteristics or traits and focus on cultivating an environment that is accessible for all by removing barriers and reaching out to community leader and groups (Exhibit 6).
4. A member of the public provides general support for the Commission and Department JEDI processes, but objects to the renaming of DFW lands (Exhibit 7).

Recommendation

FGC staff: Discuss and provide feedback on the initial draft policy statement.

Exhibits

1. Approved JEDI work plan, dated Apr 14, 2021
2. Adopted working vision statement, dated Oct 14, 2021
3. Initial Draft Justice, Equity, Diversity, and Inclusion Policy, dated Dec 5, 2021
4. Letter from Francis Coats, dated Nov 1, 2021
5. Sample letters from commercial abalone divers, Nov 11, 2021
6. Letter from Project Coyote, dated Nov 12, 2021
7. Letter from Colleen Cleveland, dated Nov 12, 2021

Motion (N/A)

Commissioners
Peter S. Silva, President
Jamul

Samantha Murray, Vice President
Del Mar

Jacque Hostler-Carmesin, Member
McKinleyville

Eric Sklar, Member
Saint Helena

Erika Zavaleta, Member
Santa Cruz

STATE OF CALIFORNIA
Gavin Newsom, Governor

Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

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ANNUAL TRIBAL PLANNING MEETING

Commissioners in attendance: Jacque Hostler-Carmesin and Erika Zavaleta

July 28, 2021 Meeting Summary Webinar and Teleconference

This document is a summary of the California Fish and Game Commission (Commission) annual tribal planning meeting, as prepared by staff.

Call to order

The meeting was called to order at 8:48 a.m. by Commissioner Jacque Hostler-Carmesin, who gave welcoming remarks and introduced Commissioner Erika Zavaleta, Tribal Advisor and Liaison Chuck Striplen, and Executive Director Melissa Miller-Henson. Melissa provided technical notes for participating in the meeting.

1. Introductions and goals for today

Commissioner Zavaleta invited attendees to introduce themselves. Tribal representatives introduced themselves first, followed by California Department of Fish and Wildlife (Department) staff, other agency staff, and then Commission staff.

2. Commission tribal consultation policy

Tribal Advisor and Liaison Chuck Striplen briefly reviewed the Commission's tribal consultation policy and staff's intent to update the policy concurrent with other state natural resource agencies.

One representative mentioned the difficulty for some tribes to track and engage with state rulemaking processes given misalignment with internal tribal governmental processes. Another person suggested a post-decision feedback loop with tribes to evaluate the impact, or lack thereof, of tribal input. There was a suggestion that a tribal work group be established to revise the policy; a number of tribes offered to participate in that process. California Natural Resources Agency Assistant Secretary for Tribal Affairs Geneva Thompson voiced support for a coordinated process.

3. 2020 annual tribal planning meeting

Executive Director Miller-Henson provided a brief summary of the major discussion topics and outcomes from the 2020 annual tribal planning meeting.

4. Implementing co-management

Tribal Advisor Striplen reviewed the Commission's co-management definition and vision statement; mentioned several existing agreements between the Department and tribes; and invited attending tribes to discuss other agreements, issues, and opportunities around tribal co-management.

One representative appreciated the "mutually agreed upon" language in the policy; another discussed challenges and successes with a specific agreement pertaining to elk monitoring. It was also noted that tribes appreciate seeing an increase in the number of state tribal liaisons in the field, while also mentioning that there needs to be more resources and consistency so that stable working relationships can be established.

Attendees were provided a copy of a recent resolution adopted by the National Congress of American Indians, advocating for more support for tribal co-management at every level of government.

5. Roundtable discussion

Commissioner Hostler-Carmesin moderated a lengthy discussion with tribal representatives who were invited to share current priorities and issues of concern, and to help identify potential opportunities for collaboration with or action by the Commission. Several items shared by tribes in advance of the meeting were provided to attendees.

The discussion ranged from the need for greater communication with tribes about the Commission's rulemaking processes, authorities, capacities, and possible support for tribal needs, to detailed analysis of species-specific management and monitoring issues. Tribes are still experiencing significant, COVID-related challenges in maintaining stable program staffing; however, those programs, by design, are increasingly oriented toward providing traditional ecological knowledge-informed tribal monitoring data to agencies for the purposes of rulemaking and cooperative management agreements (especially with elk, deer, inland fisheries, plants, and marine resources).

There was discussion of tribal access to resources, lands, and waters under state jurisdiction for the purposes of tribal gathering and management; state support for tribal capacity to engage with agencies; waiving permit and license fees for tribal access; and greater alignment between state and tribal resource laws and regulations.

One aspect of state law that tribes still view as an obstacle to tribal co-management in some cases, is the lack of a legal definition (and management pathway) for "tribal subsistence" in the California Fish and Game Code. Some tribes have agreed to enter into agreements under existing code sections, while others feel strongly that management around "commercial" or "recreational" fishing is insufficient to meet tribal needs. Commissioner Hostler-Carmesin suggested the possibility of adding an item to the Tribal Committee's work plan related to a definition of "tribal subsistence."

One representative noted that co-management should make everyone’s job easier since there would be more people involved in management.

Commissioner Zavaleta asked for examples of an agency using data collected by tribes as a substitute for its own sampling and data collection. Tribal Advisor Striplen reported on a cooperative data collection process supported by California Sea Grant to contribute tribal knowledge to marine protected area baseline data, while also protecting tribal intellectual property. A north coast representative followed up with a description of a tribal marine stewards network.

The Department provided information on changes to requirements for free fishing licenses for “low income Native Americans” and discussed pending legislation that may support those measures. Another representative made note that free “sport fishing is one thing, subsistence is something different” – and that “some education specifically for law enforcement staff could be useful.”

6. Native American Fish and Wildlife Society

The society’s executive director provided an overview of the programs, partnerships, and capacities of the Native American Fish and Wildlife Society.

The society works at a national level providing trainings (including virtual), youth education programs about traditional natural resource uses, and college scholarship opportunities for Native youth; and convenes national and regional conferences for tribes.

The society’s southwest region conference was held August 10–12, and its national conference will convene in Spokane, October 4–7, 2021.

7. Commission overview

FGC staff and advisors provided overviews of the Commission and its authorities, and of recent activities of interest by the Commission’s three standing committees.

- (A) Marine Resources Committee
- (B) Wildlife Resources Committee
- (C) Tribal Committee
- (D) Commission rulemaking process [and calendar]

8. Agency updates

Representatives from other state agencies provided updates on matters related to tribal affairs and specific natural resource issues of interest to tribes.

- (A) California Natural Resources Agency, represented by Assistant Secretary Geneva E.B. Thompson,
- (B) California Ocean Protection Council, represented by Tribal Liaison Mike Esagro;
- (C) California Department of Fish and Wildlife, represented by Acting Tribal Liaison Chris Stoots;

- (D) California Department of Water Resources, represented by A. Marc Commandatore, David Pesavento, and Tribal Policy Advisor Anecita Agustinez;
- (E) California Department of Transportation, represented by Branch Chief Sarah Allred, Office of Cultural Studies;
- (F) California State Lands Commission, represented by Tribal Liaison Jennifer Mattox.

9. Closing thoughts and next steps

Commissioner Hostler-Carmesin thanked everyone for their participation and for being willing to attend a second year's planning meeting under pandemic conditions. Everyone was invited to participate in the next Tribal Committee meeting on August 17, the day before the next Commission meeting, as well as the November 9 Marine Resources Committee meeting, and the December 14 Tribal Committee meeting. Commissioner Hostler-Carmesin noted that this was a substantive meeting with good discussion and clear next steps. Commissioner Zavaleta wanted to make sure we follow up on comments made about red abalone and Clear Lake.

Adjourn 1:25 p.m.

California Fish and Game Commission

Tribal Consultation Policy

Adopted June 2015

The Policy

On September 19, 2011, Governor Edmund G. Brown, Jr., issued Executive Order B-10-11, which provides, among other things, that it is the policy of the administration that every state agency and department subject to executive control implement effective government-to-government consultation with California Indian Tribes.

Purpose of the Policy

The mission of the California Fish and Game Commission (FGC) is, on the behalf of California citizens, to ensure the long term sustainability of California's fish and wildlife resources by setting policies, establishing appropriate rules and regulations, guiding scientific evaluation and assessments, and building partnerships to implement this mission. California Native American Tribes, whether federally recognized or not, have distinct cultural, spiritual, environmental, economic and public health interests and unique traditional knowledge about the natural resources of California.

The purpose of this policy is to create a means by which tribes and FGC can effectively work together to realize sustainably-managed natural resources of mutual interest.

Policy Implementation

1. **Communication.** Both FGC and the tribes are faced with innumerable demands on their limited time and resources. In the interest of efficiency, FGC will annually host a tribal planning meeting to coordinate the upcoming regulatory and policy activities before FGC. The meeting will provide a venue for education about process, identifying regulatory and policy needs, and developing collaborative interests; this will include inviting sister agencies to participate.
2. **Collaboration.** In areas or subjects of mutual interest, FGC will pursue partnerships with tribes to collaborate on solutions tailored to each tribe's unique needs and capacity. The structure of these collaborative efforts can range from informal information sharing, to a memorandum of understanding with more specific agreements regarding working relationships and desired outcomes, to co-management agreements with specific responsibilities and authorities.
3. **Record-keeping.** FGC will maintain a record of all comments provided by tribes and will include them in administrative records where appropriate.
4. **Training.** FGC will provide training to interested tribes on its processes for regulation and policy development.

California Fish and Game Commission
Co-Management Vision Statement and Definition

February 2020

Vision Statement

The vision of tribes, the California Fish and Game Commission, and the California Department of Fish and Wildlife is to engage in a collaborative effort between sovereigns to jointly achieve and implement mutually agreed upon and compatible governance and management objectives to ensure the health and sustainable use of fish and wildlife.

Definition

A collaborative effort established through an agreement in which two or more sovereigns mutually negotiate, define, and allocate amongst themselves the sharing of management functions and responsibilities for a given territory, area or set of natural resources.

California Fish and Game Commission Tribal Committee
Definition of “Tribal Subsistence Harvest”
and Related Management Mechanisms Project
December 9, 2021 Draft

Issue Statement

California Native American tribes have long expressed concerns about the ability of their citizens under California law to access, harvest, hold, consume, and otherwise manage an array of species, natural resources, and marine and terrestrial areas within their respective historic territories, in manners consistent their traditional cultures and lifeways. Tribes have expressed their concerns verbally and in writing to the California Fish and Game Commission (Commission), the California Department of Fish and Wildlife (Department), the California Natural Resources Agency (CNRA), and other state entities via government-to-government consultations, during Commission, and other public meetings, and in field contexts. Identifying and implementing a solution to these concerns, in whole or in part, may be within the authority of the Commission.

Goal

Identify opportunities to develop in state statute and/or regulation an actionable definition of California Native American subsistence activities that is distinct from “commercial” or “recreational”.

Background

California regulates human interactions with fish and wildlife species, natural areas, and other public resources primarily under the auspices of the terms “commercial” and “non-commercial,” with the latter including uses referred to as “recreational,” “sport,” “scientific,” “educational,” etc. The term “commercial,” in reference to natural resources, is referenced in statute and regulation in over 1,350 instances, including in the California Food and Agricultural Code, the California Fish and Game Code, and Title 14 of the California Code of Regulations. In order to begin to provide the Tribal Committee with a foundational understanding of the issue, this background provides an initial, brief survey of how some of these terms are defined or referenced in California laws and regulations.

Food and Agricultural Code

Section 23.5. Commercial production of aquatic life

The commercial production of aquatic plants and animals propagated and raised by a registered aquaculturist pursuant to Section 15101 of the Fish and Game Code in the state is a growing industry and provides a healthful and nutritious food product, and, as a commercial operation, utilizes management, land, water, and feed as do other agricultural enterprises. Therefore, the commercial production of that aquatic life shall be considered a branch of the agricultural industry of the state for the purpose of any law that provides for the benefit or

protection of the agricultural industry of the state except those laws relating to plant quarantine or pest control.

Fish and Game Code

Section 7600. Taking and possession of fish for commercial purposes

The provisions of this part apply to the taking and possession of fish for any commercial purpose.

Section 7709. Regulations for taking for educational and scientific purposes

The commission may establish rules and regulations for the commercial taking of fish for educational and scientific purposes.

Sections 8031, 8040. Definitions

“Commercial fisherman” means a person who has a valid, unrevoked commercial fishing license issued pursuant to *Section 7850*.

Section 16518. “Commercial fishing”

“Commercial fishing” means the taking of fish by qualified Indian tribal members of the Klamath River Indian Tribes, for sale or to be offered for sale within California.

For the terms “recreational” and “sport” it appears that there are currently no formal statutory or regulatory definitions in California. As such, pursuant to the State’s recognition that jurisdiction over the protection and development of wildlife resources is of great importance to both it and California Indian tribes (California Fish and Game Code, *Section 16000*), the state has committed to strengthening and sustaining effective relationships between it and tribes by working to develop partnerships (Executive Order B-10-11 and N-15-19). The Commission and the Department maintain authority and responsibility for administering the public trust for wildlife resources within the state of California (California Fish and Game Code, *Sections 711.7, 1802*).

Relationship with Tribal Co-management

Relating these terms to future possible implementation actions or activities, and an eventual definition related to tribal subsistence harvest, recent policies and actions related to tribal co-management could also be considered in this process. In its October 2014 Tribal Communication and Consultation Policy, the Department encourages collaborative relationships with California tribes and recognizes the potential need for memoranda of agreement to establish cooperative relationships with tribes. In October 2018, the Commission adopted a co-management vision statement:

The vision of tribes, the California Fish and Game Commission, and the California Department of Fish and Wildlife is to engage in a collaborative effort between sovereigns to jointly achieve and implement mutually agreed upon and compatible governance and management objectives to ensure the health and sustainable use of fish and wildlife.

And in February 2020, the Commission defined “co-management” as:

A collaborative effort established through an agreement in which two or more sovereigns mutually negotiate, define, and allocate amongst themselves the sharing of management functions and responsibilities for a given territory, area or set of natural resources.

Most recently, in September 2020, Governor Gavin Newsom adopted the “Native American Ancestral Lands” policy, with the stated purpose:

“To partner with California tribes to facilitate tribal access, use, and co-management of State-owned or controlled natural lands and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs.”

The ancestral lands policy reflects not only new opportunities for tribal nations related to natural lands and potential harvest activities under existing governance structures, but also a positively evolving relationship with the State that creates a stronger foundation for pursuing a potential definition for tribal subsistence harvest.

California Code of Regulations

The Commission has on at least one occasion created a regulatory definition for “tribal take” in the context of marine protected areas (MPA), offering one example of a successful strategy that may be applicable in other contexts to consider when evaluating various options for defining tribal subsistence harvest.

Title 14, Subsection (a)(11) of Section 632. Tribal Take

For purposes of this regulation, “federally recognized tribe” means any tribe on the *List of Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs*, published annually in the Federal Register. Any member of a federally recognized tribe authorized to take living marine resources from an area with area-specific take restrictions in subsection 632(b), when engaging in take within an authorized area shall possess on his person, in his immediate possession, or where otherwise specifically required by law to be kept, any valid license, report card, tag, stamp, validation, permit, or any other entitlement that is required in the Fish and Game Code, or required by other state, federal, or local entities, in order to take living marine resources. Members shall possess a valid photo identification card issued by a federally recognized tribe that contains expiration date, tribal name, tribal member number, name, signature, date of birth, height, color of eyes, color of hair, weight, and sex; and display any of the items listed above upon demand to any peace officer. Members taking living marine resources under this provision are subject to current seasonal, bag, possession, gear and size limits in existing Fish and Game Code statutes and regulations of the commission, except as otherwise provided for in subsection 632(b). No member, while taking living marine resources pursuant to this section, may be assisted by any person who does not possess a valid tribal identification card and is not properly licensed to take living marine resources. Nothing in the regulation is intended to conflict with, or supersede, any state or federal law regarding the take of protected, threatened or endangered species.

Proposed Work Plan

Under development – update will be provided at the April 2022 Tribal Committee meeting.

Selected State Law Provisions Applicable to Tribal Off-Reservation Fishing, Hunting, Gathering and Trapping

Draft Prepared by California Fish and Game Commission Staff

December 9, 2021 Draft

This document has been assembled to help inform discussions related to work being pursued by the California Fish and Game Commission Tribal Committee. The goal of the project is to “identify opportunities to develop in state statute and/or regulation an actionable definition of California Native American subsistence activities that is distinct from “commercial” or “recreational” definitions.

To inform and support this work, it is useful to assess how other governments have addressed the topic in their respective laws and regulations. The information provided herein represents an initial survey of related material; additional research is necessary. Future project partners and advisors can play an important role in continuing to augment this information over the coming months; staff will provide regular updates to the Tribal Committee.

Oregon

Oregon authorizes off-reservation fishing by enrolled members of federally-recognized Indian Tribes under a category described as “ceremonial fishing.” The tribal fish commission sets the season in which ceremonial fishing can be conducted. At least one week before the start of the ceremonial fishing season, the tribe shall notify the state of Oregon in writing of the issuance of permits to tribal members, a copy of which must be in the possession of the tribal member when fishing. Notice may be provided by telephone in the cases of “bona fide emergencies.” The Tribe must also report to catch amounts to the state.

Oregon also exempts members of the Confederated Tribes of the Grande Ronde Community of Oregon from the requirement to obtain an angling license for fishing off jetties and the surf of the Pacific Ocean in one unit of the state’s wildlife management system.

Pursuant to an annual ceremonial harvest permit issued by the state Director of Fish and Wildlife, members of the Confederated Tribes of the Grande Ronde Community of Oregon may harvest hatchery salmon and hatchery steelhead at Willamette Falls for ceremonial purposes. The director may issue up to 15 ceremonial harvest tags for this purpose. The administrative regulation establishing this right specifies the location where fish may be taken and requires the use of dip nets only. The regulation includes notice and reporting requirements. Such fishing is limited to “ceremonial and cultural purposes as designated by the Tribe.”

Oregon has also entered into an agreement with the Confederated Tribes of the Siletz Indians of Oregon to establish a “cultural fishery” at designated sites on the Siletz River that authorizes harvest of 200 salmon without a state license, depending on certain conditions of the fishery that preserve its sustainability. Only dip nets, spears or gaffhooks may be used in the harvest. The agreement also provides that the tribe is entitled to 4,000 pounds of surplus salmon fit for human consumption from a source determined by the director. The agreement also authorizes members of the tribe to take up to 400 deer and elk (with elk not exceeding 25) for purposes of “cultural hunting” in two state management units, without obtaining state hunting licenses. The agreement also authorizes members of the tribe to gather eels (lamprey), seaweed, and freshwater mussels in Lincoln County for non-commercial purposes, subject to the state’s

authority to manage such species for conservation purposes. Other species may be gathered pursuant to special gathering permits issued by the state. In exchange for these rights, the tribe agreed that the state shall have the right to manage fish and wildlife within the tribe's reservation.

Montana

Montana authorizes off-reservation hunting and fishing under agreements with Indian Tribes who have treaty rights to fish and hunt on "open and unclaimed lands." The agreements establish permitting procedures and by state law must provide that such fishing and hunting shall be without charge to eligible tribal members. The state of Montana and the tribes jointly issue fishing and hunting permits by tribal members "throughout the state" under terms established by mutual agreement. Joint permitting supersedes otherwise applicable state law licensing or permitting requirements.

Florida

Florida authorizes members of the Miccosukee Indian Tribe and Seminole Tribe of Florida to "continue their customary use and occupancy of lands and water in the Big Cypress Area, including hunting, fishing, and trapping on a subsistence basis and traditional tribal ceremonials." 2021 Florida Statutes, Section 055, Big Cypress Conservation Act of 1973.

Vermont

Vermont provides free, permanent fishing licenses to "certified citizens of Indian tribes," and, if the applicant qualifies for a hunting license under state law, a free, permanent combination fishing and hunting license. Applicants must provide a valid tribal identification card to be eligible for the license.

Kansas

Kansas provides free hunting, fishing or trapping licenses to enrolled members of federally-recognized Indian tribes and who possess 1/16 (one-sixteenth) degree of Indian blood.

New York

The New York State Legislature recently passed legislation exempting from the state's Fish and Wildlife Law (N.Y. Environmental Conservation Law Sections 11-0707) any enrolled citizen of an Indian nation or tribe who is exercising a hunting or fishing right reserved by a treaty to which that citizens' nation or tribe is a party. The bill provides that the exercise of such treaty rights outside the nation or tribe's reservation shall be subject to regulation by the state of New York when necessary for the preservation of the species or when necessary to prevent irreparable harm to the species. The bill awaits the signature of the governor.

Oklahoma

Oklahoma and the Cherokee Nation have entered into a "tribal-state hunting and fishing compact" that authorizes the Cherokee Nation to issue hunting licenses without charge to its citizens, which grant such citizens all of the privileges of a state hunting and fishing license.

Virginia

Virginia exempts from state fishing and hunting license requirements “any Indian who habitually resides on an Indian reservation” or who is a “member of the Virginia recognized tribes who resides in the Commonwealth.” Such persons must carry an identification card or paper “signed by the chief of his tribe, a valid tribal identification card, written confirmation through a central tribal registry, or certification from a tribal office.” Such card, paper, confirmation, or certification shall set forth that the person named is an actual resident upon such reservation or member of the recognized tribes in the Commonwealth, and such card, paper, confirmation or certification shall create a presumption of residence, which may be rebutted by proof of actual residence elsewhere.

Michigan, Minnesota, Wisconsin

Three states—Michigan, Minnesota and Wisconsin—have adopted extensive regulations to implement court decrees affirming the off-reservation treaty hunting and fishing rights of Indian Tribes in those states. Those treaty tribes have adopted comprehensive fish and wildlife codes, along with commissions to implement them, that create partnerships with state agencies under which some aspects of management authority are shared.

California Fish and Game Commission
Potential Agenda Items for February 2022 Commission Meeting
December 8, 2021

The next Commission meeting is scheduled for February 16-17, 2022. Staff is currently planning for a “hybrid” meeting to be held in Sacramento with an option to participate via webinar/teleconference; this approach may be modified depending on the latest public health guidance related to COVID-19 and pending any additional extensions to the law providing exceptions to the Bagley-Keene Open Meeting Act to allow fully remote meetings.

This document identifies potential agenda items for the meeting, including items to be received from Commission staff and the California Department of Fish and Wildlife (Department).

Wednesday, February 16: Marine-related items and administrative items

1. General public comment for items not on the agenda (day 1)
2. Election of Commission president and vice president
3. Committee assignments
4. Commission executive director and Department reports (Department director’s report and Law Enforcement Division report)
5. Notice: pink shrimp fishery management plan implementing regulations
6. Discuss: recreational clam, sand crab, and shrimp gear (implementing a certificate of compliance)
7. Discuss/adopt: commercial kelp and other aquatic plants
8. Adopt: recreational clam, sand crab, and shrimp gear emergency (second 90-day extension)
9. Adopt: California grunion limit and season changes
10. Items of interest from previous meetings (marine)
11. Action on marine regulation change petitions and non-regulatory requests
12. Committee and Department reports (Marine Resources Committee, Department Marine Region, and Tribal Committee)
13. Justice, equity, diversity and inclusion plan
14. Executive (closed) session

Thursday, February 17: Wildlife- and inland fisheries- related and administrative items

15. General public comment for items not on the agenda (day 2)
16. Receive report on necropsies on mountain lions taken under depredation permits
17. Receive the Department’s request for a 30-day extension to deliver its 90-day evaluation report on the petition to list Temblor legless lizard as endangered or threatened under the California Endangered Species Act (CESA)

18. Final consideration of the petitioned action to list Shasta snow-wreath as endangered under CESA
19. Final consideration of the petitioned action to list San Bernardino kangaroo rat as endangered under CESA
20. Determine whether the petition to list southern California steelhead as endangered under CESA may be warranted
21. Determine whether the petition to list Lime Ridge eriastrum as endangered under CESA may be warranted
22. Receive the Department's five-year review of desert pupfish, which is listed as an endangered species under CESA
23. Notice: Central Valley sport fishing
24. Notice: Klamath River Basin sport fishing
25. Notice: game fish contests
26. Discuss: waterfowl hunting
27. Adopt: big game preference points reinstatement and tag refunds due to public land closures
28. Action on wildlife and inland fisheries regulation change petitions and non-regulatory requests
29. Items of interest from previous meetings (wildlife)
30. Committee and Department reports (Wildlife Resources Committee, Department Wildlife and Fisheries Division, and Ecosystem Conservation Division)
31. Administrative items (legislation and other agency regulations, rulemaking timetable, next meeting, new business)

California Fish and Game Commission: Perpetual Timetable for Anticipated Regulatory Actions

Updated December 9, 2021

Items proposed for change are shown in blue underlined or strikeout font

Regulatory Change Category	Title 14 Section(s)	MRC Webinar/Teleconference Nov 9, 2021	TC Webinar/Teleconference Dec 14, 2021	FGC Webinar/Teleconference Dec 15, 2021	FGC Webinar/Teleconference Dec 16, 2021	WRC Sacramento Jan 13, 2022	FGC Sacramento February 16, 2022	FGC Sacramento February 17, 2022	MRC Sacramento Mar 24, 2022	TC Monterey / Santa Cruz Area Apr 19, 2022	FGC Monterey / Santa Cruz Area Apr 20, 2022	FGC Monterey / Santa Cruz Area Apr 21, 2022	FGC Teleconference May 19, 2022	WRC Redding May 19, 2022	FGC Los Angeles / Orange County June 15, 2022	FGC Los Angeles / Orange County June 16, 2022	MRC San Diego Area July 14, 2022	TC Fortuna August 16, 2022	FGC Fortuna August 17, 2022	FGC Fortuna August 18, 2022	WRC Los Angeles / Inland Empire Area September 15, 2022	FGC Truckee October 12, 2022	FGC Truckee October 13, 2022	MRC Monterey Area November 17, 2022	TC San Diego Area December 15, 2022	
Recreational Clam, Sand Crab, and Shrimp Gear Emergency ⁶	29.20, 29.80					EE 1/8																				
Recreational Clam, San Crab, and Shrimp Gear Emergency (First 90-day Extension) ⁶	29.20, 29.80					E 1/8				EE 4/8																
Recreational Clam, Sand Crab, and Shrimp Gear Emergency (Second 90-day Extension) ⁶	29.20, 29.80						A			E 4/8							EE 7/7									
Recreational Clam, Sand Crab, and Shrimp Gear (Implementing Certificate of Compliance) ⁶	29.20, 29.80				N		D				A						E 7/1									
Central Valley Sport Fishing (Annual)	7.40(b)(4), (43), (66), (80)							N					A					E 7/16								
Klamath River Basin Sport Fishing (Annual)	7.40(b)(50)							N				D	A					E 8/15								
Waterfowl (Annual)	502			N				D				A					E 7/1									
CA Grunion Limit and Season Changes (FGC Petition #2019-014)	27.60(b), 28.00				D		A								E 6/1											
Pink Shrimp Fishery Management Plan Implementing Regulations	120.1, 120.2						N								D/A							E 10/1				
Big Game Preference Point Reinstatement and Tag Refunds	708.14			D				A		E 4/1																
Harvesting of Kelp and Other Aquatic Plants, Commercial Marine Algae Management Policies	165, 165.5, 705.1				N		D/A										E 7/1									
<u>Low Flow Fishing Restrictions Due to Drought Conditions</u>	7.40(b)(40)(A)1., 8.00(a), 8.00(b)			N/A				E 1/30									EE 7/30									
Game Fish Contests	230							N				D	A				E 7/1									
<u>Freshwater Sport Fishing Regulation Updates</u>	<u>2.00, 2.25, 2.30, 5.00, 5.15, 5.41, 5.75, 5.79, 5.85, 5.87, 7.40, 7.50, 8.00</u>											N				D						A				
<u>Recreational and Commercial Fishing Regulations for Federal Groundfish and Associated Species for Consistency with Federal Rules in 2023 and 2024</u>	<u>27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 28.26, 28.27, 28.28, 28.29, 28.47, 28.48, 28.49, 28.54, 28.55, 28.56, 28.58, 52.10, 150.06, 150.16</u>														N				D			A				
Western Joshua Tree Dead Hazard Trees 2084 Emergency	749.11	EE 11/9																								
Western Joshua Tree Dead Hazard Trees 2084 Emergency (90-day Extension)	749.11	E 11/9																								
<u>Western Joshua Tree Dead Hazard Trees 2084 Emergency (Second 90-day Extension)</u>	<u>749.11</u>			A									EE 5/7													
Western Joshua Tree Local Government 2084 Emergency	749.12	EE 11/9																								
Western Joshua Tree Local Government 2084 Emergency (90-day Extension)	749.12	E 11/9																								
<u>Western Joshua Tree Local Government 2084 Emergency (Second 90-day Extension)</u>	<u>749.12</u>			A									EE 5/7													
Recreational Crab Marine Life Protection Measures	29.80, 29.85, 701	E 11/1																								
Experimental Fishing Permit (EFP) Program Phase II	90, 91, 120.1, 149, 149.3, 180, 704					A				E 4/1																

Rulemaking Schedule to be Determined	Title 14 Section(s)	MRC Webinar/Teleconference Nov 9, 2021	TC Webinar/Teleconference Dec 14, 2021	FGC Webinar/Teleconference Dec 15, 2021	FGC Webinar/Teleconference Dec 16, 2021	WRC Sacramento Jan 13, 2022	FGC Sacramento February 16, 2022	FGC Sacramento February 17, 2022	MRC Sacramento Mar 24, 2022	TC Monterey / Santa Cruz Area Apr 19, 2022	FGC Monterey / Santa Cruz Area Apr 20, 2022	FGC Monterey / Santa Cruz Area Apr 21, 2022	FGC Teleconference May 19, 2022	WRC Redding May 19, 2022	FGC Los Angeles / Orange County June 15, 2022	FGC Los Angeles / Orange County June 16, 2022	MRC San Diego Area July 14, 2022	TC Fortuna August 16, 2022	FGC Fortuna August 17, 2022	FGC Fortuna August 18, 2022	WRC Los Angeles / Inland Empire Area September 15, 2022	FGC Truckee October 12, 2022	FGC Truckee October 13, 2022	MRC Monterey Area November 17, 2022	TC San Diego Area December 15, 2022	
Pre-Existing Structures in Marine Protected Areas (MPAs), Marine Managed Areas (MMAs), and Special Closures	632																									
Santa Cruz Harbor Salmon Fishing (FGC Petition #2016-018)	TBD																									
European Green Crab (FGC Petition #2017-006)	TBD																									
Wildlife Areas/Public Lands ⁴	TBD																									
Possess Game / Process Into Food	TBD																									
American Zoological Association / Zoo and Aquarium Association	671.1																									
Night Hunting in Gray Wolf Range (FGC Petition #2015-010)	474																									
Shellfish Aquaculture Best Management Practices	TBD																									
Ban of Neonicotinoid Pesticides on Department Lands (FGC Petition #2017-008)	TBD																									
Ridgeback Prawn Incidental Take Allowance	120(e)																									
<u>Commercial Take of Pacific Herring Lampara Bait Nets</u> ⁷	<u>163, 163.1</u>																									

KEY
 FGC = California Fish and Game Commission MRC = FGC Marine Resources Committee WRC = FGC Wildlife Resources Committee TC = FGC Tribal Committee
 EM = Emergency EE = Emergency Expires E = Anticipated Effective Date (RED 'X' = expedited OAL review)
 N = Notice Hearing D = Discussion Hearing A = Adoption Hearing V = Vetting R = Committee Recommendation
 4 = Includes FGC Petition #2018-003 6 = Includes FGC Petition #2019-012 7 = Includes FGC Petition #2020-015

**California Fish and Game Commission
Marine Resources Committee (MRC) Work Plan
Scheduled Topics and Timeline for Items Referred to MRC**

Updated December 8, 2021

Note: Topics proposed for referral to MRC are indicated with an asterisk () and displayed in blue font.*

TOPICS	CATEGORY	Jul 2021	Nov 2021	Mar 2022
Planning Documents & Fishery Management Plans (FMPs)				
MLMA Master Plan for Fisheries – Implementation Updates	Plan Implementation			
Red Abalone FMP / Abalone Recovery Management Plan Update	FMP	X	X	X/R
California Pink Shrimp FMPs	FMP	X/R		
California Halibut Fishery Management Review	Management Review		X	X
Market Squid Fishery Management Review	Management Review	X	X	
Marine Protected Area Network 2022 Decadal Management Review	Management Review	X	X/R	X
Regulations				
California Halibut Trawl Grounds Review *	Commercial Take			X
Kelp and Algae Commercial Harvest – Bull Kelp	Commercial Take	X/R		
Kelp and Algae Commercial Harvest – Edible Algae (Seaweed)	Commercial Take			X
Kelp and Algae Commercial Harvest – <i>Postelsia</i> (sea palm)	Commercial Take			X/R
Use of Hydraulic Pump Gear to Take Clam: Review of Emergency Prohibition and Future Rulemaking	Recreational Take	X	X/R	
California Spiny Lobster FMP Implementing Regulations Review (added Feb 2019; timing TBD)	Implementing Regulations			
Marine Aquaculture				
Aquaculture Program Planning (State Aquaculture Action Plan)	Planning Document			X
Aquaculture State Water Bottom Leases: Existing & Future Lease Considerations	Current Leases / Planning	X	X	
Public Interest Determination Criteria for New State Water Bottom Lease Applications for Purposes of Aquaculture	New Leases	X		X
Aquaculture Lease Best Management Practices Plans (Hold, TBD)	Regulatory			
Emerging Management Issues				
Kelp Restoration and Recovery Tracking	Kelp	X	X	
Invasive Non-native Kelp and Algae Species	Kelp / Invasive Species			
Special Projects				
California's Coastal Fishing Communities	MRC Special Project	X	X	X
Box Crab Experimental Fishing Permit (EFP) Research Project *	EFP			X/R

Key: X = Discussion scheduled X/R = Recommendation may be developed and moved to Commission

California Fish and Game Commission
Wildlife Resources Committee (WRC) Work Plan
Scheduled Topics and Timeline for Items Referred to WRC
Updated December 6, 2021

		Sep 2021 Webinar/ Teleconference	Jan 2022 Webinar/ Teleconference	May 2022 Redding
Periodic Regulations				
Upland (Resident) Game Birds	Regulatory	X/R		X
Mammal Hunting	Regulatory	X/R		X
Waterfowl Hunting	Annual	X/R		X
Central Valley Sport Fishing	Annual	X/R		X
Klamath River Basin Sport Fishing	Annual	X/R		X
Inland Sport Fishing	Regulatory	X/R	X/R	X
Regulations & Legislative Mandates				
Falconry	Referral for Review			
Preference Points and Refunds for Hunting Tags	Regulatory	X	X	X
Restricted Species	Regulatory			X
Special Projects				
American Bullfrog and Non-native Turtle Stakeholder Engagement Project	Referral for Review	X	X	X

KEY: X Discussion scheduled X/R Recommendation developed and moved to FGC

