

# California Fish and Game Commission

## Tribal Committee

### Meeting Materials



**April 19, 2022**

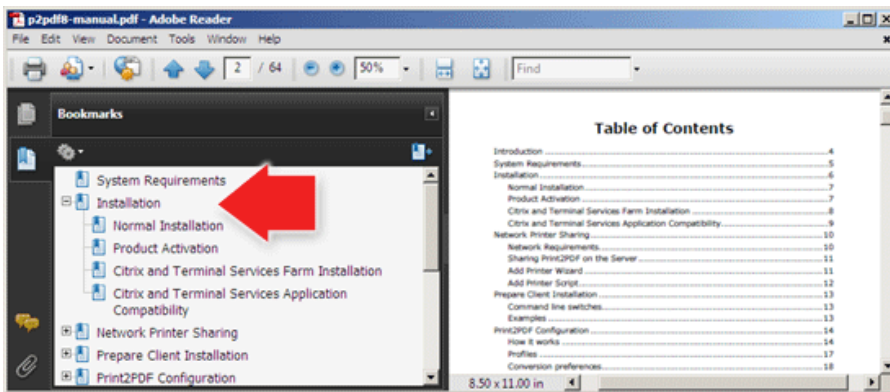
**Monterey/Trinidad**


## 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

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- Welcome to this meeting of the California Fish and Game Commission Tribal Committee. The Committee is comprised of up to two Commissioners who co-chair each meeting; members are assigned annually by the Commission. Currently the Tribal Committee is chaired by Commissioner Jacque Hostler Carmesin.
- 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 Bagley-Keene Open Meeting Act, but it is important to note that the Committee chairs cannot take action independent of the full Commission; instead, the chairs make recommendations to the full 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 co-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 co-chairs.
  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

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## Commissioners

Jacque Hostler-Carmesin	Chair
Erika Zavaleta	“Visiting” commissioner

## Commission Staff

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

## California Department of Fish and Wildlife

Valerie Termini	Deputy Director and Tribal Liaison
Craig Shuman	Regional Manager, Marine Region
Chris Stoots	Captain and Tribal Liaison, Law Enforcement Division
Becky Ota	Environmental Program Manager, Habitat Conservation Program, Marine Region
Kirsten Ramey	State Managed Marine Finfish Program Manager, Marine Region
Samara Maxey	Regional Manager Assistant, Regional Tribal Liaison, Marine Region
Sarah Fonseca	Tribal Cultural Resources Specialist

## California Ocean Protection Council

Mike Esgro	Marine Ecosystems Program Manager and Tribal Liaison
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**Commissioners**  
**Samantha Murray**, President  
Del Mar  
**Erika Zavaleta**, Vice President  
Santa Cruz  
**Jacque Hostler-Carmesin**, Member  
McKinleyville  
**Eric Sklar**, Member  
Saint Helena  
**Vacant**, Member

STATE OF CALIFORNIA  
Gavin Newsom, Governor

**Melissa Miller-Henson**  
**Executive Director**  
P.O. Box 944209  
Sacramento, CA 94244-2090  
(916) 653-4899  
[fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

## Fish and Game Commission



*Wildlife Heritage and Conservation  
Since 1870*

### TRIBAL COMMITTEE (TC)

Committee Chair: Commissioner Hostler-Carmesin

## Meeting Agenda and Materials

April 19, 2022; 1:00 p.m.

### Participate in Person

Monterey County Fair & Event Center  
Seaside Room  
2004 Fairground Road  
Monterey, CA 93940

Trinidad Rancheria  
Administration Building Conference Room  
1 Cher-Ae Lane  
Trinidad, CA 95570

### Participate via Webinar/Teleconference

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

***Please [click here](#) or go to <http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=199046&inline> for instructions on how to join the meeting.***

**Note: Please see important meeting procedures and information at the end of the agenda. 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 – **Chair Hostler-Carmesin**

- Approve agenda and order of items**
- 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, approved April 14, 2021

**Exhibit 2.2:** JEDI policy statement, adopted February 16, 2022

**Exhibit 2.3:** JEDI definitions, adopted February 16, 2022

3. **Annual tribal planning meeting**

Review priorities identified at the July 28, 2021 tribal planning meeting, held annually pursuant to the Commission’s Tribal Consultation Policy, and discuss date and agenda for 2022 meeting.

**Exhibit 3.1:** [Summary of July 2021 Commission Annual Tribal Planning meeting](#)

**Exhibit 3.2:** [Commission Tribal Consultation Policy, dated Jun 2015](#)
4. **Co-management roundtable discussion**

Discuss tribal co-management initiatives and projects planned or underway in collaboration with the Department, or other state agencies, and California tribes.

**Exhibit 4.1:** [Adopted 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 related to California Native American subsistence activities (distinct from “commercial” or “recreational”).

**Exhibit 5.1:** [Subsistence project draft work plan summary, dated Apr 14, 2022](#)

**Exhibit 5.2:** See *Issue Statement* from Dec 2021 TC meeting (item 5; <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=195462&inline#page=34&zoom=75,0,0>)

**Exhibit 5.3:** See *Selected State Law Provisions Applicable to Tribal Off-Reservation Fishing, Hunting, Gathering and Trapping* (item 5; <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=195462&inline#page=37&zoom=82,0,0>)
6. **Coastal Fishing Communities Project**

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

**Exhibit 6.1:** See *Marine Resources Committee report for Mar 24 FGC meeting (item 8;* <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=199387&inline>
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
    - III. Marine Region
      - a. Update on kelp and marine algae harvest management, including harvest review of sea palm and other edible seaweed

- b. Update on tribal participation in the marine protected area 2022 decadal management review

(C) Commission staff

**Exhibit 7.1:** Potential agenda items for May 19 and Jun 15-16, 2022  
Commission meetings, dated Apr 13, 2022

**Exhibit 7.2:** Commission rulemaking timetable, dated Apr 12, 2022

**Exhibit 7.3:** MRC work plan, revised Apr 8, 2022

**Exhibit 7.4:** WRC work plan, revised Apr 8, 2022

8. **Future agenda items**

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

**Exhibit 8.1:** TC work plan, revised Feb 4, 2022

- (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](http://www.fgc.ca.gov) for the most current list of meeting dates and locations.**

Meeting Date	Commission Meeting	Committee Meeting
April 20-21, 2022	Monterey, Trinidad and webinar/teleconference	
May 19, 2022	Redding (teleconference)	
May 19, 2022		<b>Wildlife Resources</b> Redding
June 15-16, 2022	Los Angeles/Orange County	
July 14, 2022		<b>Marine Resources</b> San Diego area
August 16, 2022		<b>Tribal</b> Fortuna
August 17-18, 2022	Fortuna	
September 15, 2022		<b>Wildlife Resources</b> Los Angeles/Inland Empire area
October 12-13, 2022	Truckee	
November 17, 2022		<b>Marine Resources</b> Monterey area
December 13, 2022		<b>Tribal</b> 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

### **Native American Fish and Wildlife Society**

- May 9-12, 2022 – Miami, FL

### **Pacific Fishery Management Council**

- June 7-14, 2022 – Vancouver, WA
- September 7-14 – 2022, Boise, ID
- November 2-8, 2022 – Orange County, CA

### **Pacific Flyway Council**

- August 26, 2022 – Juneau, AK

### **Western Association of Fish and Wildlife Agencies**

- July 10-15, 2022 – Oklahoma City, OK

### **Wildlife Conservation Board**

- May 26, 2022 – Sacramento, CA
- August 25, 2022 – Sacramento, CA
- November 17, 2022 – Sacramento, CA

## 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](mailto: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](mailto: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; or **hand-deliver to a Committee meeting**.

### COMMENT DEADLINES

The **Written Comment Deadline** for this meeting is **5:00 p.m. on Wednesday, April 6, 2022**. 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, April 14, 2022**. Comments received by this deadline will be made available to Commissioners at the meeting.

After these deadlines, written comments may be delivered in person to the meeting – please bring **five** (5) copies of written comments to 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](mailto: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.
3. If participating in person, it is recommended that a print copy of any electronic presentation be submitted in case of technical difficulties.

# **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 quickly<sup>1</sup>. Additionally, studies have found that non-homogeneous teams are more focused on facts, process information more carefully, and are more innovative.<sup>2</sup> 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.

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

<sup>2</sup> 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.<sup>3</sup>
- The quality of being just, impartial, or fair.<sup>4</sup>
- The principle that all people should have access to healthy, safe, livable communities and environments.<sup>5,6,7</sup>
- 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.<sup>2,8,9</sup>

### 2. Equity

- Justice according to natural law or right, specifically freedom from bias or favoritism.<sup>1</sup>
- 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.<sup>2,10</sup>
- 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.<sup>11</sup>
- The process of just and fair consideration because of someone's experience or social position.<sup>12</sup>

### 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.<sup>1</sup>

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<sup>3</sup> Merriam-Webster Dictionary

<sup>4</sup> Merriam-Webster Dictionary

<sup>5</sup> California State Coastal Conservancy

<sup>6</sup> California Environmental Justice Alliance

<sup>7</sup> Communities for a Better Environment

<sup>8</sup> US Environmental Protection Agency

<sup>9</sup> California Coastal Commission

<sup>10</sup> San Francisco Bay Conservation and Development Commission

<sup>11</sup> Emory University Department of Medicine

<sup>12</sup> 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.<sup>2,13,14</sup>
- 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.<sup>9</sup>

#### 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).<sup>1</sup>
- 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.<sup>2,15</sup>
- 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.<sup>8</sup>
- 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.<sup>9</sup>

#### 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.<sup>16</sup>
- 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.<sup>17</sup>

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<sup>13</sup> The Avarna Group

<sup>14</sup> Securities Exchange Commission

<sup>15</sup> The Coro Fellows Program

<sup>16</sup> The National Museum of African American History and Culture

<sup>17</sup> 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.<sup>18</sup>
- 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.<sup>19</sup>

## 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.<sup>20</sup>

## 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.<sup>21</sup>

## 9. Stakeholder

- One who is involved in or affected by a course of action.<sup>1</sup>
- 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.<sup>22,23,24</sup>

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<sup>18</sup> Oxford Languages

<sup>19</sup> Emory University Office of Diversity, Equity, and Inclusion

<sup>20</sup> US Department of Agriculture Natural Resources Conservation Service

<sup>21</sup> 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.

<sup>22</sup> POLICY Project, 1999

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

<sup>24</sup> *Stakeholder engagement in policy development: challenges and opportunities for human genomics*, Lemke and Harris-Wai, 2015



**California Fish and Game Commission**  
**Draft Justice, Equity, Diversity and Inclusion Policy**  
*Adopted February 16, 2022*

The second step identified in the California Fish and Game Commission's (Commission) Justice, Equity, Diversity and Inclusion (JEDI) Work Plan is to develop and adopt a policy statement clearly articulating the Commission's policy position regarding JEDI and actively opposing discrimination of any type, and to provide guidance and consistency for developing and implementing all other plan components. The aspirational language of this policy is written acknowledging that implementation must be accomplished within the legal limits framework established by state and federal law.

At the Commission's October 2021 meeting, staff presented potential concepts to include in a Commission JEDI policy statement, and Commissioners and the public provided initial feedback. In November 2021, the Commission held a public listening session to seek additional input on the potential concepts. At the Commission's December 2021 meeting, staff provided an initial draft policy based on previous discussion and feedback. Today's document provides a revised draft JEDI policy, incorporating feedback received since the last Commission meeting, for consideration and potential adoption. New or revised language is underlined.

### **Potential JEDI Policy**

#### ***Positive Vision***

It is the policy of the Fish and Game Commission that, as an agency charged with serving the public, the Commission has the responsibility to make decisions in a just, equitable and inclusive manner. As such, the Commission is committed to ensuring California's fish and wildlife are managed with public confidence and participation and striving toward safe and equitable access to California's thriving native wildlife and natural habitats, supported by inclusive decision-making that reflects the needs and values of the state's diverse communities.

To achieve this vision, it is necessary to acknowledge and address significant past injustices suffered by California Native American tribes and to recognize their interwoven connection to and stewardship of the environment. It is also necessary to acknowledge the well-documented prejudices and barriers experienced by historically marginalized and underserved communities in terms of access to nature and regulatory decision-making processes, in addition to the privilege associated with outdoor access.

#### **Values Central to the Mission of the Commission**

The Commission holds certain values as central to its mission and strives to uphold and exemplify these values in all its actions and interactions. In addition to formally adopting values of integrity, transparency, innovation, collaboration, excellence and stewardship, the Commission has made a strong commitment to upholding justice, equity, diversity and inclusion. The Commission recognizes environmental justice as essential to addressing historic and current inequities, and to creating equitable access to environmental benefits. Central to the mission of the Commission is serving all people of California; people of all backgrounds, cultures, circumstances, lived experiences and worldviews hold essential

perspectives that strengthen our collective decision-making. Respect for all persons is fundamental to our organization. The Commission commits to focusing on these values as they are fundamental to creating a just, equitable and inclusive future.

### ***Actions to Which We Commit***

In support of its vision and values, the Commission also commits to overarching actions to advance justice, equity, diversity and inclusion, including:


- Conduct the Commission’s business in a manner that operationalizes justice, equity, diversity and inclusion;
- Use our sphere of influence to counteract historic legacies and systems of exclusion;
- Create and maintain a space where all ideas, values and cultures are welcomed, heard and respected;
- Provide accessible engagement opportunities to Commission decision-making for all affected and interested people;
- Promote equity through more inclusive decision-making that considers and corrects for disproportionate burdens on historically marginalized communities, including California Native American tribes;
- Expand understanding of and improve response to the needs of marginalized fish and wildlife users;
- Amplify tribal voices and issues;
- Invest in meaningful and long-term partnerships with communities and cultures that have relationships with activities, fish or wildlife that we regulate;
- Consider implications of our decisions on subsistence activities;
- Improve and champion equitable access to nature and abundant and healthy fish and wildlife populations;
- Promote cultural, community, and economic opportunities related to fish and wildlife;
- Ensure non-discriminatory and equitable practices in recruiting, training, and supporting a highly qualified, professional staff that reflects California’s diversity; and,
- Encourage the governor to make appointments — including to the Commission — that are representative of California’s diverse communities.

**California Fish and Game Commission**  
**Justice, Equity, Diversity and Inclusion Plan Development: Draft Definitions for Key Terms**  
*February 11, 2022*

The first step in the Commission’s JEDI work plan includes developing 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. These definitions may be periodically reviewed for potential revision in light of the ongoing work.

Term	Proposed Definition	Sources
<b>Bias</b>	An inclination or preference that generally interferes with impartial judgment and decision-making. Bias can be implicit (subconscious and indirect) or explicit (conscious and direct).	<ul style="list-style-type: none"> <li>(1) City of Portland – Office of Equity and Human Rights. <a href="#">Shared City-Wide Definitions of Racial Equity Terms</a> (see Explicit Bias, Implicit Bias).</li> <li>(2) University of Calgary – Calgary Anti-Racism Education Collective (June 2018). <a href="#">Our Glossary</a>.</li> <li>(3) University of Washington – Tacoma, Diversity Resource Center (September 2015). <a href="#">Diversity &amp; Social Justice Glossary</a>.</li> </ul>
<b>Color Blindness</b>	The belief that the best way to end discrimination is by treating individuals as equally as possible without accounting for race, culture, or ethnicity. No racial or ethnic differences are seen or acknowledged. As a result, color blind beliefs do not acknowledge the real-world consequences of membership or perceived membership in a particular racial or ethnic group, including the negative experiences of people of color. Examples of color blind statements include “I don’t see color” and “I treat everybody the same.”	<ul style="list-style-type: none"> <li>(1) Rivers C (June 2018). <a href="#">“When I Look at People, I Don’t See Race.” Curing Color-Blindness</a>.</li> <li>(2) University of Calgary – Calgary Anti-Racism Education Collective (June 2018). <a href="#">Our Glossary</a> (see Colour-Blindness/Colour Evasion).</li> <li>(3) University of Washington – Tacoma, Diversity Resource Center (September 2015). <a href="#">Diversity &amp; Social Justice Glossary</a> (see Color Blind).</li> <li>(4) Williams, MT (December 2011). <a href="#">Colorblind Ideology is a Form of Racism</a>. Psychology Today.</li> </ul>
<b>Communities of Color</b>	Communities of people who are not identified as white, emphasizing common experiences of racism.	City of Portland – Office of Equity and Human Rights. <a href="#">Shared City-Wide Definitions of Racial Equity Terms</a>

Term	Proposed Definition	Sources
<b>Discrimination</b>	The unequal treatment of individuals or groups due to conscious or unconscious prejudice based on a protected class	<ul style="list-style-type: none"> <li>(1) WK Kellogg Foundation (2009). Glossary. Racial Equity Resource Guide.</li> <li>(2) Racial Equity Tools. <a href="#">Glossary</a>.</li> <li>(3) University of Washington – Tacoma, Diversity Resource Center (September 2015). <a href="#">Diversity &amp; Social Justice Glossary</a></li> </ul>
<b>Diversity</b>	All the ways in which people differ, and it encompasses all the different characteristics that make one individual or group different from one another.	<ul style="list-style-type: none"> <li>(1) City of Portland – Office of Equity and Human Rights. <a href="#">Shared City-Wide Definitions of Racial Equity Terms</a></li> <li>(2) UC Berkeley, Center for Equity, Gender, and Leadership, 2022. <a href="#">Glossary of Key Terms</a>.</li> </ul>
<b>Environmental Justice</b>	The fair treatment and meaningful involvement of all people, regardless of their identity or circumstance, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no population bears a disproportionate share of negative environmental consequences resulting from industrial, municipal, and commercial operations or from the execution of federal, state, and local laws; regulations; and policies. Meaningful involvement requires effective access to decision-makers for all, and the ability in all communities to make informed decisions and take positive actions to produce environmental justice for themselves.	Office of Legacy Management, <a href="#">US Department of Energy</a>

Term	Proposed Definition	Sources
<p><b>Equality and Equity (see below for individual definitions)</b></p>	 <p><b>Learn more:</b> In 2017, <i>The Lancet</i> published a Series, <a href="#">America: equity and equality in health</a>, about US health and health care, which highlights how widening gaps of income inequality and other factors are driving increases in health inequity.</p>	<p>(1) Robert Wood Johnson Foundation (2017). <a href="#">Visualizing Health Equity: One Size Does Not Fit All.</a></p>
<p><b>Equality</b></p>	<p>Circumstances in which each individual or group is given the same or equal treatment, including the same resources, opportunities, and support. However, because different individuals or groups have different histories, needs, and circumstances, they do not have equal positions in society or starting points. Providing the same resources, supports, or treatment does not guarantee that everyone will have fair or equal outcomes. For example, in the image above, using an <b>equality</b> approach means that the four individuals receive the same bike. Resources are distributed equally. However, the outcome is unequal and unfair: three out of four people will have trouble riding the bike or cannot ride at all. The four individuals are different heights, have different abilities, and require different bikes, something an <b>equality</b> approach does not take into account.</p>	<p>(1) Smiley L (July 2017). <a href="#">Equality vs Equity</a>. The Society for Diversity Blog.</p> <p>(2) University of Calgary – Calgary Anti-Racism Education Collective (June 2018). <a href="#">Our Glossary</a>.</p> <p>(3) Robert Wood Johnson Foundation (2017). <a href="#">Visualizing Health Equity: One Size Does Not Fit All.</a></p>

Term	Proposed Definition	Sources
	<p><i>Learn more:</i> To learn more about the impacts of unequal starting points, please see Harvard University Professor Raj Chetty’s work with <a href="#">Opportunity Insights</a>. A series of articles about this research is available <a href="#">here</a>.</p>	
<b>Equity</b>	<p>The distribution of resources that accounts for past history and current position, so that future outcomes are fairly distributed. Occurs when social, economic, and political opportunities are not predicted based upon a person's protected class,</p>	<p>Seattle Public Utilities, 2022. Environmental Justice and Service Equity <a href="#">Glossary</a>.</p>
<b>Ethnicity</b>	<p>A category of people who identify with each other based on common language, ancestral, social, cultural, or national experiences.</p>	<p>City of Portland – Office of Equity and Human Rights. <a href="#">Shared City-Wide Definitions of Racial Equity Terms</a></p>
<b>Inclusion</b>	<p>Authentically bringing traditionally excluded individuals or groups into processes, activities, and decision- and policy-making in a way that shares power; values each individual’s or group’s heritage, contributions, and aspirations; and guarantees full belonging to all stakeholders and participants. Inclusion is related to, but distinct from, diversity.</p>	<p>(1) National Center on Health, Physical Activity and Disability. <a href="#">Definition of Inclusion</a>.  (2) Racial Equity Tools. <a href="#">Glossary</a>.  (3) University of Washington – Tacoma, Diversity Resource Center (September 2015). <a href="#">Diversity &amp; Social Justice Glossary</a>  (4) WK Kellogg Foundation (2009). Glossary. Racial Equity Resource Guide.</p>
<b>Inequity</b>	<p>A difference in outcome between population groups that is unfair or unjust. This term is separate from, but related to, the term disparity in that inequities are generally disparities—differences between groups—that are avoidable or warrant moral criticism and condemnation.</p>	<p>(1) Meghani SH, Gallagher RM (July 2008). <a href="#">Disparity vs Inequity: Toward Reconceptualization of Pain Treatment Disparities</a>. Pain Medicine 9(5):613-23.  (2) Global Health Europe (August 2009). <a href="#">Inequity and inequality in health</a>.</p>
<b>Institutional racism</b>	<p>Occurs within institutions and systems of power. It is the unfair policies and discriminatory practices of particular institutions (schools, workplaces, etc.).</p>	<p>City of Portland – Office of Equity and Human Rights. <a href="#">Shared City-Wide Definitions of Racial Equity Terms</a></p>
<b>Power</b>	<p>The ability to control others, events, or resources that enhance one’s chances of influencing others or getting</p>	<p>(1) WK Kellogg Foundation (2009). <a href="#">Glossary</a>. Racial Equity Resource Guide.</p>

Term	Proposed Definition	Sources
	<p>what one needs in order to lead a safe, productive, and fulfilling life. In the United States, social mechanisms through which power operates include whiteness, wealth, and patriarchy.</p>	<p>(2) Racial Equity Tools. <a href="#">Glossary</a>.  (3) University of Washington – Tacoma, Diversity Resource Center (September 2015). <a href="#">Diversity &amp; Social Justice Glossary</a></p>
<b>Prejudice</b>	<p>A negative, uninformed attitude that dictates actions toward an entire category of people such as a particular gender, class, or racial or ethnic group. The negative attitudes are typically based on unsupported generalizations (or stereotypes) that fail to recognize and treat members of these groups as individuals with unique characteristics.</p>	<p>(1) WK Kellogg Foundation (2009). <a href="#">Glossary</a>. Racial Equity Resource Guide.  (2) Racial Equity Tools. <a href="#">Glossary</a>.  (3) University of Washington – Tacoma, Diversity Resource Center (September 2015). <a href="#">Diversity &amp; Social Justice Glossary</a></p>
<b>Privilege</b>	<p>Unearned social power, advantage, or rights afforded by the formal and informal institutions of society to all members of a dominant group. Examples include white privilege and male privilege. Privilege is usually invisible to those who have it because: (1) they are taught not to see it and (2) hierarchies of privilege exist within the same group (for example, a rich white person has more power and advantage than a poor white person). Nonetheless, privilege puts people who have it at an advantage over those who do not.</p>	<p>(1) WK Kellogg Foundation (2009). <a href="#">Glossary</a>. Racial Equity Resource Guide.  (2) Racial Equity Tools. <a href="#">Glossary</a>.  (3) University of Washington – Tacoma, Diversity Resource Center (September 2015). <a href="#">Diversity &amp; Social Justice Glossary</a></p>
<b>Racism</b>	<p>A complex system of beliefs, behaviors, and historical conditions based on and resulting from the presumed superiority of a dominant race over all others. In the United States, these beliefs and behaviors can be conscious or unconscious, personal or institutional, and generally result in the oppression of non-white people to the benefit of white people.</p>	<p>(1) WK Kellogg Foundation (2009). <a href="#">Glossary</a>. Racial Equity Resource Guide.  (2) Racial Equity Tools. <a href="#">Glossary</a>.  (3) University of Washington – Tacoma, Diversity Resource Center (September 2015). <a href="#">Diversity &amp; Social Justice Glossary</a></p>
<b>Reverse Racism</b>	<p>Reverse racism is a misconception that racial prejudice directed at a dominant racial group is equivalent to the systemic, institutional racism experienced by a historically oppressed or marginalized racial or ethnic group. In the United States and other places where</p>	<p>(1) Fish S (November 1993). <a href="#">Reverse Racism, or How the Pot Got to Call the Kettle Black</a>. The Atlantic.  (2) Newkirk II VK (August 2017). <a href="#">The Myth of Reverse Racism</a>. The Atlantic.</p>



Term	Proposed Definition	Sources
	white people are the dominant racial group, concerns about reverse racism are often expressed as complaints that racially-inclusive policies and practices are unfair to white people and will cause white people to be passed over or given fewer resources compared to less qualified or less worthy people of color. There is no empirical evidence that reverse racism exists, in large part due to the entrenched power and privilege enjoyed by white Americans compared to people of color.	(3) University of Calgary – Calgary Anti-Racism Education Collective (June 2018). <a href="#">Our Glossary</a> .
<b>Stereotype</b>	Unreliable, exaggerated, and/or harmful generalizations ascribed to all people of a specific protected class that oversimplifies members of the group and fails to account for individual differences	(1) University of Calgary – Calgary Anti-Racism Education Collective (June 2018). <a href="#">Our Glossary</a> . (2) University of Washington – Tacoma, Diversity Resource Center (September 2015). <a href="#">Diversity &amp; Social Justice Glossary</a>
<b>Structural Racism</b>	The macrolevel systems, social forces, institutions, ideologies, and processes that interact with one another to generate and reinforce inequities among racial and ethnic groups. Structural mechanisms do not require the actions or intent of individuals; as upstream causes of racial inequities, they are constantly recreating and perpetuating existing conditions. Even if at an individual level were completely eliminated, racial inequities would likely remain unchanged due to the persistence of structural racism	(1) Powell JA (2008). <a href="#">Structural Racism: Building upon the Insights of John Calmore</a> . North Carolina Law Review. (2) Bonilla-Silva E (1997). <a href="#">Rethinking Racism: Toward a Structural Interpretation</a> . American Sociological Review. (3) Jones CP (2000). <a href="#">Levels of Racism: A Theoretic Framework and a Gardener's Tale</a> . American Journal of Public Health. (4) Racial Equity Tools. <a href="#">Glossary</a> . (5) WK Kellogg Foundation (2009). <a href="#">Glossary</a> . Racial Equity Resource Guide. (6) University of Washington – Tacoma, Diversity Resource Center (September 2015). <a href="#">Diversity &amp; Social Justice Glossary</a>
<b>Underserved</b>	People and places that historically and currently have not had equitable resources or access to infrastructure, healthy environments, housing choice, etc. Disparities may be recognized in both services and in outcomes.	City of Portland – Office of Equity and Human Rights. <a href="#">Shared City-Wide Definitions of Racial Equity Terms</a>



**Commissioners**  
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STATE OF CALIFORNIA  
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## Fish and Game Commission



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*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***

In support of its vision and values, the Commission also commits to overarching actions to advance justice, equity, diversity and inclusion, including:

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: Work Plan Summary**

*April 14, 2022 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 (CDFW), 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 an actionable definition of California Native American subsistence activities that is distinct from “commercial” or “recreational” as defined or used in state statutes, regulations and policies.

**Proposed Work Group Invitees**

Tribes: All California tribes are invited to attend and participate.

State agencies: CNRA, California Ocean Protection Council, California State Lands Commission, CDFW, California Department of Parks and Recreation, Native American Heritage Commission

Specialists: Attorneys with related expertise, others.

**Proposed Milestones – 2022-2023**

Statewide tribal Letter re: workgroup participation	April 2022
Workgroup kickoff meeting	Late May
Workgroup meeting II	August 16 (a.m.)
Tribal Committee meeting	August 16 (p.m.)
Workgroup meeting III	December 13 (a.m.)
Tribal Committee meeting	December 13 (p.m.)
Workgroup meeting IV	April 2023 (a.m.)
Tribal Committ`ee meeting	Apr (p.m.)

Potential final workgroup meeting	June 2023
Workgroup summation/recommendations	August 2023
Possible Commission consideration	October 2023

### **Proposed Informal Workgroup Process**

- Workgroup meetings will be informal, goal-oriented, working discussions geared toward making substantive progress on the stated goal within a reasonable time frame
- There is no fixed or regulated time frame associated with the work of this informal group
- Formal appointments will not be made so that all California tribes, interested agencies, and specialists are welcome to attend
- Convene a minimum of five (5) workgroup meetings
- Schedule to coincide with Tribal Committee meetings as much as possible and provide regular updates at Tribal Committee and Commission meetings

Five meetings are proposed initially, but if additional discussion or information is required to achieve the stated goals, then additional time, meetings, or requests for information may be accommodated.

### **Proposed Meeting Topics**

- Terminology: consider and discuss related terminology (tribal “subsistence”, “take”, “harvest”, “tending”, etc.)
- Authorities: discuss what authorities the Commission and other agencies have or do not have relative to regulating activities associated with traditional and customary California tribal subsistence practices
  - Review and discuss existing provisions in state law, regulations and/or policies and explore examples from other jurisdictions
- Potential approaches or strategies to establishing a definition
- Management mechanisms (program applications)

### **Proposed Outcomes**

Outcomes of this process are recommendations designed to inform potential actions by the Commission, CDFW, and other interested state agencies.



**California Fish and Game Commission**  
**Potential Agenda Items for May and June 2022 Commission Meetings**  
*April 13, 2022*

The next Commission meetings are scheduled for May 19, 2022 via teleconference and June 15-16, 2022 in the Los Angeles/Orange County area and via teleconference/webinar. This document identifies potential agenda items for the meetings, including items to be received from Commission staff and the California Department of Fish and Wildlife (Department).

During today's meeting, staff may recommend a re-ordering of agenda items between the two days of the June 15-16 meeting.

**Thursday, May 19: Teleconference and webinar**

1. Adopt: Central Valley sport fishing (annual) regulations
2. Adopt: Klamath River Basin sport fishing (annual) regulations
3. Discuss: game fish contests regulations
4. Discuss: clarification of allowed and prohibited uses for state marine recreational management areas regulations

**Wednesday, June 15: Marine-related and administrative items**

1. General public comment for items not on the agenda (day 1)
2. Commission executive director and Department reports (Department director's report and Law Enforcement Division report)
3. Justice, equity, diversity and inclusion
4. Discuss and potentially adopt the pink shrimp fishery management plan implementing regulations
5. Readopt emergency regulations for 2022 sub-bag limits for vermilion rockfish, quillback rockfish, and copper rockfish
6. Notice: recreational and commercial fishing regulations for federal groundfish and associated species for consistency with federal rules in 2023 and 2024
7. Adopt: clarification of allowed and prohibited uses for state marine recreational management areas regulations
8. Receive *White Seabass Fishery Management Plan* annual review report
9. Pending aquaculture lease amendment requests
10. Action on marine petitions for regulation change
11. Action on marine non-regulatory requests from previous meetings
12. Items of interest from previous meetings (marine)
13. Committee and Department reports (Marine Resources Committee, Department Marine Region, and Tribal Committee)
14. Executive (closed) session

## **Thursday, June 16: Wildlife- and inland fisheries-related and administrative items**

15. General public comments for items not on the agenda (day 2)
16. Potentially approve proposed projects for the Duck Stamp Dedicated Account funds in Fiscal Year 2022-23
17. Announce the recipient of the Commission's annual Wildlife Prosecutor of the Year award
18. Potentially approve initial, annual and five-year private lands wildlife habitat enhancement and management plans
19. Determine whether the petitioned action to list Temblor legless lizard as threatened or endangered under the California Endangered Species Act (CESA) may be warranted
20. Receive the Department's 90-day evaluation report on the petition to list Inyo rock daisy as threatened or endangered under CESA
21. Final consideration of the petitioned action to change the status of Milo Baker's lupine from threatened to endangered under CESA
22. Final consideration of the petitioned action to list western Joshua tree as threatened under CESA
23. Adopt: game fish contests regulations
24. Discuss: sport fishing regulation updates
25. Action on wildlife and inland fisheries petitions for regulation change
26. Action on wildlife and inland fisheries non-regulatory requests from previous meetings
27. Items of interest from previous meetings (wildlife)
28. Committee and Department reports (Wildlife Resources Committee, Department Wildlife and Fisheries Division, and Ecosystem Conservation Division)
29. 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 April 12, 2022

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

Regulatory Change Category	Title 14 Section(s)	MRC Webinar/Teleconference Mar 24, 2022	TC Monterey Apr 19, 2022	FGC Monterey Apr 20, 2022	FGC Monterey Apr 21, 2022	FGC Teleconference May 19, 2022	WRC Redding May 19, 2022	FGC Los Angeles / Inland Empire June 15, 2022	FGC Los Angeles / Orange County June 16, 2022	MRC San Diego July 14, 2022	TC Fortuna August 16, 2022	FGC Fortuna August 17, 2022	FGC Fortuna August 18, 2022	WRC Los Angeles / Inland Empire September 15, 2022	FGC Truckee October 12, 2022	FGC Truckee October 13, 2022	MRC Monterey Area November 17, 2022	TC San Diego Area December 13, 2022	FGC San Diego Area Dec 14, 2022	FGC San Diego Area Dec 15, 2022	WRC TBD January 2023	FGC TBD February 2023	FGC TBD February, 2023
Recreational Clam, Sand Crab, and Shrimp Gear Emergency (First 90-day Extension)	29.20, 29.80		EE 4/11																				
Recreational Clam, Sand Crab, and Shrimp Gear Emergency (Second 90-day Extension) <sup>6</sup>	29.20, 29.80		E 4/11						EE-7/7-EE 7/11														
Recreational Clam, Sand Crab, and Shrimp Gear (Implementing Certificate of Compliance) <sup>6</sup>	29.05, 29.20, 29.80			A						E 7/1													
Central Valley Sport Fishing (Annual)	7.40(b)(4), (43), (66), (80)				D	A					E 7/16												
Klamath River Basin Sport Fishing (Annual)	7.40(b)(50)				D	A					E 8/15												
Waterfowl (Annual)	502				A					E 7/1													
CA Grunion Limit and Season Changes (FGC Petition #2019-014)	27.60(b), 28.00							E 6/1															
Pink Shrimp Fishery Management Plan Implementing Regulations	56.00, 56.01, 120, 120.1, 705							D/A							E 10/1								
Big Game Preference Point Reinstatement and Tag Refunds	708.14		E 4/22																				
Harvesting of Kelp and Other Aquatic Plants, Commercial Marine Algae Management Policies	165, 165.5, 705.1									E 7/1													
Low Flow Fishing Restrictions Due to Drought Conditions	7.40(b)(40)(A)1, 8.00(a), 8.00(b)										EE 8/2												
<u>Low Flow Fishing Restrictions Due to Drought Conditions (90-day Extension)</u>	<u>7.40(b)(40)(A)1, 8.00(a), 8.00(b)</u>								A		<u>E 8/2</u>						<u>EE 10/31</u>						
Game Fish Contests	230				N	D			A				EUJ		E-10/4								
Sport Fishing Regulation Updates	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, 29.85				N				D				A									E 1/1	
Recreational and Commercial Fishing Regulations for Federal Groundfish and Associated Species for Consistency with Federal Rules in 2023 and 2024	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							N				D			A							E 1/1	
Clarification of Allowed and Prohibited Uses for State Marine Recreational Management Areas (SMRMAs)	632(b)(9), (b)(37), (b)(41), (b)(42), (b)(91)			N		D		A					EUJ		E-10/4								
Western Joshua Tree Dead Hazard Trees 2084 Emergency (Second 90-day Extension)	749.11						EE 5/10																
Western Joshua Tree Local Government 2084 Emergency (Second 90-day Extension)	749.12						EE 5/10																
Recreational Sub-Bag Limits for Vermilion, Copper and Quillback Rockfishes Emergency	28.55								A		EE 7/6												
<u>Recreational Sub-Bag Limits for Vermilion, Copper and Quillback Rockfishes Emergency (First 90-Day Extension)</u>	<u>28.55</u>								A		<u>E 7/6</u>												
<u>Pre-Existing Structures in Marine Protected Areas (MPAs), Marine Managed Areas (MMAs), and Special Closures</u>	<u>632</u>													N					D				A
Experimental Fishing Permit (EFP) Program Phase II	90, 91, 120.1, 149, 149.3, 180, 704		E 4/1																				

Rulemaking Schedule to be Determined	Title 14 Section(s)	MRC Webinar/Teleconference Mar 24, 2022	TC Monterey Apr 19, 2022	FGC Monterey Apr 20, 2022	FGC Monterey 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 July 14, 2022	TC Fortuna August 16, 2022	FGC Fortuna August 17, 2022	FGC Fortuna August 18, 2022	WRC Los Angeles / Inland Empire September 15, 2022	FGC Truckee October 12, 2022	FGC Truckee October 13, 2022	MRC Monterey Area November 17, 2022	TC San Diego Area December 13, 2022	FGC San Diego Area Dec 14, 2022	FGC San Diego Area Dec 15, 2022	WRC TBD January 2023	FGC TBD February 2023	FGC TBD February, 2023
<u>Pre-Existing Structures in Marine Protected Areas (MPAs), Marine Managed Areas (MMAs), and Special Closures</u>	<u>632</u>																						
Santa Cruz Harbor Salmon Fishing (FGC Petition #2016-018)	TBD																						
European Green Crab (FGC Petition #2017-006)	TBD																						
Wildlife Areas/Public Lands <sup>4</sup>	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)																						
Commercial Take of Pacific Herring: Lampara Bait Nets <sup>7</sup>	163, 163.1																						

**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) EUJ = Effective Upon Filing w/ Secretary of State  
 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

*Updated April 8, 2022*

Note: Proposed changes to topics/timing are shown in blue underscore or strike-out font.

TOPICS	CATEGORY	Nov 2021	Mar 2022	Jul 2022
<b>Planning Documents &amp; Fishery Management Plans (FMPs)</b>				
MLMA Master Plan for Fisheries – Implementation Updates	Plan Implementation			
Red Abalone FMP / Abalone Recovery Management Plan Update	FMP	X*	<del>X/R</del>	<u>X</u>
California Halibut Fishery Management Review	Management Review	X		X
California Halibut Bycatch Evaluation for Fishery Management Review	Management Review		X	X
Market Squid Fishery Management and FMP Review	Management/ FMP Review	X*	X*	X
Kelp Recovery and Management Plan development	Management Plan		X	
Marine Protected Area Network 2022 Decadal Management Review	Management Review	X/R	X*	
<b>Regulations</b>				
California Halibut Trawl Grounds Review	Commercial Take	X		
Kelp and Algae Commercial Harvest – Edible Seaweed	Commercial Take			<del>X</del>
Kelp and Algae Commercial Harvest – Sea Palm ( <i>Postelsia</i> )	Commercial Take		X/R	<u>X</u>
California Spiny Lobster FMP Implementing Regulations Review ( <i>timing TBD</i> )	Implementing Regulations			
California Sheephead Recreational Fishery Regulations	Recreational Take		X	X/R
<b>Marine Aquaculture</b>				
Aquaculture Program Planning (State Aquaculture Action Plan)	Planning Document			
Aquaculture State Water Bottom Leases: Existing & Future Lease Considerations	Current Leases / Planning	X*	X*	
<i>Public Interest Determination Criteria</i> for New State Water Bottom Aquaculture Lease Applications	FGC Policy – New Leases		X	<u>X</u>
Aquaculture Lease Best Management Practices Plans (Hold, TBD)	Regulatory			
<b>Emerging Management Issues</b>				
Kelp Restoration and Recovery Tracking	Kelp	X*		
Invasive Non-native Kelp and Algae Species	Kelp / Invasive Species			
<b>Special Projects</b>				
California's Coastal Fishing Communities Project	MRC Special Project	X		X
Coastal Fishing Communities Policy	FGC Policy	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 may move to Commission  
\* = Written agency update

**California Fish and Game Commission**  
**Wildlife Resources Committee (WRC) Work Plan**  
**Scheduled Topics and Timeline for Items Referred to WRC**  
*Updated April 8, 2022*

		Jan 2022 Webinar/ Teleconf	May 2022 Redding	Sep 2022 LA/Inland Empire
<b>Periodic Regulations</b>				
Upland (Resident) Game Birds	Regulatory		X	X/R
Mammal Hunting	Regulatory		X	X/R
Waterfowl Hunting	Annual		X	X/R
Central Valley Sport Fishing	Annual		X	X/R
Klamath River Basin Sport Fishing	Annual		X	X/R
Inland Sport Fishing	Regulatory	X/R	X	X/R
<b>Regulations &amp; Legislative Mandates</b>				
Falconry	Referral for Review			
Preference Points and Refunds for Hunting Tags	Regulatory	X		X/R
Restricted Species	Regulatory			X
Wildlife Rehabilitation Updates	Regulatory			X
Upland Game Hunting Draws	Regulatory			X/R
<b>Special Projects</b>				
American Bullfrog and Non-native Turtle Stakeholder Engagement Project	Referral for Review	X	X	X
<b>Regulation Change Petitions</b>				
Petition 2021-017	Referral for Review	X	X	X/R

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

# California Fish and Game Commission Tribal Committee (TC)

## Work Plan: Topics and Timeline for Items Referred to TC by the California Fish and Game Commission

Updated February 4, 2022

Topic / Goal	Type / Lead	Dec 2021	Apr 2022	Aug 2022
<b>Special Projects</b>				
FGC justice, equity, diversity and inclusion plan	FGC Project	X	X	X
Definition of “tribal subsistence”, and related management mechanisms	TC Project	X	X	X
Co-management roundtable discussion	TC Project	X	X	X
Coastal Fishing Communities Project: Updates	MRC Project	X	X	X
<b>Regulatory / Legislative</b>				
Kelp and algae harvest management regulations: Updates and then recommendation and guidance	DFW Project and Regulation Change	X	X	X
<b>Management Plans</b>				
Sheep, deer, antelope, trout, abalone, kelp/seaweed: Updates and guidance (timing as appropriate for each)	DFW	X	X	X
<b>Informational Topics</b>				
Agency updates OPC – MPA Statewide Leadership Team update; tribal outreach strategy update; tribal marine stewards program DFW – possible items include: <ul style="list-style-type: none"> <li>- Marine Protected Areas Decadal Management Review, update on tribal participation</li> <li>- Drought/wildfire impacts and state response</li> <li>- Climate adaptation, mitigation, science</li> <li>- Statewide kelp and abalone recovery efforts</li> <li>- Proposition 64 (cannabis) implementation</li> <li>- Other items as identified by DFW</li> </ul> Other agencies, as appropriate or requested	OPC DFW	X	X	X
Cross-pollination with MRC and WRC: Identify tribal concerns and common themes with WRC and MRC	FGC Committees	X	X	X
FGC regulatory calendar: Update	FGC staff	X	X	X

**Key:** X = Discussion scheduled      X/R = Recommendation developed and moved to FGC  
 FGC = California Fish and Game Commission      MRC = FGC's Marine Resources Committee  
 DFW = California Department of Fish and Wildlife      WRC = FGC's Wildlife Resources Committee  
 OPC = California Ocean Protection Council