

Staff Summary for December 11-12, 2024

17. Commission Policies**Today's Item**Information Action

Potentially approve amendments to the *Naming Installations Policy* language and title, and discuss potential amendments to four Commission policies currently under review:

- (A) Code of Conduct
- (B) Planting Fish in Youth Camps
- (C) Youth Fishing Programs
- (D) Research

Summary of Previous/Future Actions

- Discussed proposed revisions to *Naming Installations Policy*, directed staff to conduct more tribal outreach; received update on review of four policies (code of conduct, fish planting in youth camps, youth fishing programs, and research) April 17-18, 2024 and June 19-20, 2024
- Tribal Committee (TC) discussed proposed changes to *Naming Installations Policy* August 13, 2024; TC
- Discussed proposed changes to the *Naming Installations Policy* and potential changes to the four policies under review October 9-10, 2024
- TC discussed proposed changes to the *Naming Installations Policy* December 10, 2024; TC
- **Today consider adopting proposed changes to *Naming Installations Policy* language and title** **December 11-12, 2024**
- Receive and discuss proposed changes to Code of Conduct, Fish Planting in Youth Camps, Youth Fishing Programs, and Research policies February 12-13, 2025

Background

Since June 2023, staff has been systematically advancing a plan to review and present potential updates to Commission policies through a justice, equity, diversity, inclusion, and tribal lens. Due to significant capacity issues earlier in 2024, progress was limited. However, staff remains committed to advancing this project in small, consistent stages. A comprehensive recap of the project is detailed in Exhibit 1.

Potential updates to the *Naming Installation Policy* were presented at the February 2024 meeting; this included a proposed new title, "Naming Protected Areas Policy", to better reflect the focus of the revised policy as proposed. However, staff recommended seeking further tribal input at the Commission's August and December 2024 TC meetings. Based on discussion at the December 10, 2024 TC meeting (the day prior to this meeting), the Commission may consider incorporating any input received and adopt the proposed changes today. Given the

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extended period for public comment, staff is confident that ample opportunity has been provided for public input on suggested modifications. The draft revised policy, including proposed language and title revisions, is presented as Exhibit 2.

Commission and Department staff continue to work on potential revisions to the Code of Conduct, Fish Planting in Youth Camps, Youth Fishing Programs, and Research policies. Staff plans to present revisions at the February 2025 meeting.

Significant Public Comments (N/A)**Recommendation**

Commission staff: Adopt the proposed changes to the policy on naming installations, and provide direction to staff on potential changes to any of the four policies currently under review

Exhibits

1. [Staff summary for Agenda Item 19, from October 2024 Commission meeting, related to Commission policies \(for background purposes only\)](#)
2. [Commission Policies Under Review for Potential Revisions, updated April 5, 2024](#)
3. [Draft proposed revisions to Commission Naming Installations Policy, with proposed new title Naming Protected Areas Policy, dated December 10, 2023](#)

Motion

Moved by _____ and seconded by _____ that the Commission amends its *Naming Installations Policy*, as recommended and discussed today, retitled as the *Naming Protected Areas Policy*, and directs staff to bring proposed revisions for its Code of Conduct, Fish Planting in Youth Camps, Youth Fishing Programs, and Research policies to the February 2025 meeting.

Staff Summary for October 9-10, 2024

*(For background purposes only)***19. Commission Policies****Today's Item**Information Action

Discuss potential amendments to five Commission policies currently under review:

- (A) Code of Conduct
- (B) Planting Fish in Youth Camps
- (C) Youth Fishing Programs
- (D) Research
- (E) Naming Installations

Summary of Previous/Future Actions

- Repealed selected policies October 11-12, 2023
- Adopted revisions to two policies (*Legislation Policy, Designation of Department Controlled Lands as State Wildlife Areas Policy*); directed staff to begin review of four additional policies February 14-15, 2024
- Discussed proposed revisions to *Naming Installations Policy*, directed staff to conduct more tribal outreach; received update on review of three policies (code of conduct, fish planting in youth camps, youth fishing programs, and research) April 17-18, 2024 and
June 19-20, 2024
- Tribal Committee discussed proposed changes to *Naming Installations Policy* August 13, 2024; TC
- **Today discuss proposed changes to the policy on naming installations, and discuss potential changes to consider for the code of conduct, fish planting in youth camps, youth fishing programs, and research** **October 9-10, 2024**
- Tribal Committee discuss proposed changes to *Naming Installations Policy* (recommended by staff) December 10, 2024
- Consider adopting proposed changes to *Naming Installations Policy*, and receive and discuss proposed changes to policies on code of conduct, fish planting in youth camps, youth fishing programs, and research December 11-12, 2024

Background

In December 2022, the Commission directed staff to conduct an initial assessment of Commission policies with a justice, equity, diversity and inclusion and tribal lens. In June 2023, Commission staff presented an initial assessment as well as a proposed plan for moving forward with a comprehensive assessment of all policies, both of which were developed in coordination with Department staff. At the same meeting, the Commission provided feedback on the proposed plan and provided direction to staff. At the August 2023 Commission meeting,

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consistent with Commission direction, staff provided a list of all policies categorized into one of five groups reflecting a combination of general priorities, anticipated levels of revision, and expected workloads, referred to as “bins.” At that time, a handful of policies were proposed for repeal and three policies were proposed for revision, which staff and the Department then worked together to develop suggested revisions to the three, followed by soliciting feedback from the Commission, tribes, and stakeholders. Ultimately, the Commission adopted changes to two of the policies; for the *Naming Installations Policy*, the Commission directed staff to solicit additional feedback from California tribes and tribal communities and to incorporate suggestions into the staff-proposed changes.

In early 2024, the “binning” document was updated with rationale for the approved binning categories as well as information about the status of each policy, based on Commission direction in late 2023 (Exhibit 1).

In February 2024, staff identified four policies as potentially requiring relatively minor revisions for the next group of policies to review: *Code of Conduct Policy*, *Planting Fish in Youth Camps Policy*, *Youth Fishing Programs Policy*, and *Research Policy* (Exhibit 2). At its April 2024 meeting, the Commission directed staff to begin the review process for the four policies; the policy on naming installations (Exhibit 3) was continued under review. For this round of policy reviews, staff sent a notice to tribes and the Commission’s electronic mailing list, and solicited feedback during two Commission meetings and a Commission Tribal Committee meeting, seeking suggestions for revisions to the four identified policies and comment on the proposed revisions to the policy on naming installations.

Due to significant capacity issues in the first half of the year, staff was unable to sufficiently advance the policy work; in the interim, vacant positions have been filled and onboarding is well underway, enabling a commitment to continuing the work without further delay. The policy on naming installations is potentially ready for Commission consideration in December 2024, and staff could bring to the same meeting proposed revisions for one or more of the other four policies, though certainly all four no later than February 2025. As with other elements of the project, this work is conducted in collaboration with colleagues in the Department.

Today, staff requests feedback on two comment letters recently received and summarized under “significant public comments” for elements that might be incorporated into the appropriate policies.

Significant Public Comments

1. A commenter challenges the Commission to “change with the times” and make policy changes supporting treatment of all domestic animals and wildlife with care and respect. They request a “broader-minded” mix of commissioners, for the Commission to stop using euphemistic terms (such as “take”) to describe killing wildlife, and for the Commission to implement policy changes that do not include killing, to reflect changing attitudes. They provide links to two articles express their policy ideologies. (Exhibit 4)
2. United Water Conservation District believes the current code of conduct policy falls short of the detail required to ensure the Commission meets its stated policy

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objectives to “conduct its affairs in the public’s best interest, following principles of fundamental fairness and due process of law”. United recommends expanding the scope of the Code of Conduct policy to include specific standards and guidelines for achieving fairness and due process, objective and impartial decision-making, and timely action and issuance of findings. They state that these guidelines would help to ensure transparency and accountability within the Commission's operations.

Further, United encourages the Commission to provide additional clarity regarding the purpose of the research policy and the Commission’s role, establish criteria for prioritizing and selecting scientific services for research needs, thoroughly review the content of research program proposals, expand the set of researchers beyond the Department, allow third-party or contractors to present information, and include stakeholders and the public when determining the need for research (Exhibit 5).

Recommendation

Commission staff: (1) Add to the December 10, 2024 Tribal Committee meeting agenda a discussion of proposed changes to the *Naming Installations Policy*, (2) consider adopting proposed changes to the *Naming Installations Policy* at the December 11-12, 2024 meeting, and (3) receive and discuss potential changes to one or more of the policies on code of conduct, fish planting in youth camps, youth fishing programs, and research.

Exhibits

1. Policy bins and rationale for Commission policies, with status added, dated February 9, 2024
2. *Commission Policies Under Review for Potential Revisions*, updated April 5, 2024
3. Draft proposed revisions to *Commission Naming Installations Policy*, dated December 10, 2023
4. Patricia McPherson, President, Grassroots Coalition, received September 10, 2024
5. Letter from Mauricio Guardado, General Manager, United Water Conservation District, received September 24, 2024

Motion (N/A)

California Fish and Game Commission

Commission Policies Under Review for Potential Revisions

April 5, 2024

The California Fish and Game Commission is inviting comments on, and proposed revisions to, four policies currently under review: *Code of Conduct*, *Planting Fish in Youth Camps*, *Youth Fishing Programs*, and *Research*. The policies are being reviewed as part of a broader, multi-year effort initiated in December 2022 to review and consider revisions to all the Commission's policies, including "with a justice, equity, diversity and inclusion lens and a tribal lens."

This document contains existing language for the four policies currently under review. A fifth policy (*Naming Installations*) was previously identified for review; Commission staff, with input from the California Department of Fish and Wildlife, has identified potential revisions to the policy, which are available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=222127>. The Commission also seeks input on the proposed revisions to the *Naming Installations Policy*.

Additional details about the Commission's policy review process is available on the Commission website at <https://fgc.ca.gov/meetings/2024> in the meeting documents for the April 2024 (Agenda Item 6) and February 2024 (Agenda Item 12) Commission meetings.

Comments, suggestions and questions may be sent to fgc@fgc.ca.gov or to California Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090.

Code of Conduct

It is the policy of the Fish and Game Commission that:

1. A commissioner shall faithfully discharge the duties, responsibilities, and quasi-judicial actions of the commission.
2. A commissioner shall conduct his or her affairs in the public's best interest, following principles of fundamental fairness and due process of law.
3. A commissioner shall conduct his or her affairs in an open, objective, and impartial manner, free of undue influence and the abuse of power and authority.
4. A commissioner understands that California's wildlife and natural resources programs require public awareness, understanding, and support of, and participation and confidence in, the commission and its practices and procedures.
5. A commissioner shall preserve the public's welfare and the integrity of the commission, and act to maintain the public's trust in the commission and the implementation of its regulations and policies.
6. A commissioner shall not conduct himself or herself in a manner that reflects discredit upon state laws or policies, regulations, and principles of the commission.
7. A commissioner shall not make, participate in making, or in any other way attempt to use his or her official position to influence a commission decision in which the member has a financial interest.

(Adopted 3/6/2013)

Planting Fish in Youth Camps

It is the policy of the Fish and Game Commission that: The Department may plant fish in suitable waters at certain youth camps. Such camps must be operated primarily for underprivileged or disabled children or youth, with most costs of supporting a child at camp not paid by the children or their families. The Department shall report in writing annually to the Commission on the program. If a conflict exists between this policy and the salmon and steelhead or trout policies, the latter policies prevail.

(Amended 5/4/04)

Youth Fishing Programs

The Department is supportive of youth fishing programs sponsored by city, county or other public entities. Through its urban fishing program, the Department will combine fisheries resource management with educational services to develop healthy urban fisheries, and provide young people with an opportunity to fish close to home. Fish planted for such programs may be obtained from State hatcheries.

(Amended 5/14/93)

Research

It is the policy of the Fish and Game Commission that:

1. Research, including the investigation of disease, shall be performed to provide scientific and management data necessary to promote the protection, propagation, conservation, management or administration of fish and wildlife resources of this state when such data is not available by other means.
2. Whenever possible and advantageous, the services of the University of California or other academic or research institutions, or federal, state or local agencies shall be used.
3. The Department shall review the following information, which must be clearly stated in any proposed research programs: (a) goals and objectives of proposed research, including benefits to be derived from such research; (b) pertinent background information, including a literature review which supports this research; (c) experimental design, including methods of data collection and analysis; (d) estimated cost of program; (e) its estimated duration; and (f) how results will be presented to the Department. The provisions of this paragraph shall not extend to emergency investigations of disease.
4. The Department shall report regularly to the Commission on the status of major research programs in progress.

(Amended 6/16/1994)

California Fish and Game Commission

Potential Modifications to the Commission Naming Installations Policy

December 10, 2023

The Commission Naming Installations Policy is numbered 4.13 for tracking during the 2023-24 Commission policies review process. This document proposes changes to the policy for discussion and feedback at the December 2023 Commission meeting.

The Commission has expressed concerns regarding its existing Naming Installations Policy providing an exception for naming a marine protected area (MPA) after an individual; the over 70-year-old policy was amended in 2012 to allow the exception. Currently, there are three MPAs named after individuals: Lovers Point-Julia Platt State Marine Reserve, Edward F. Ricketts State Marine Conservation Area, and Robert W. Crown State Marine Conservation Area.

Additionally, the Commission has stated the importance of its policies taking into consideration tribal and justice, equity, diversity and inclusion values. The Naming Installations Policy currently does not recognize that, when Europeans arrived, specific geographies already had names established by Native Americans in what is now known as California and off its shores.

For naming purposes, the Commission is directly involved in naming protected areas when it designates such areas: state wildlife areas, ecological reserves, and marine protected areas. The Commission does not have a direct role in establishing, purchasing or naming refuges (established by the California State Legislature), fish hatcheries, vessels, and other installations owned or managed by the Department.

Potential revisions to the policy could include: (1) removing the MPA naming exception; (2) adding a provision to consider, in collaboration with local tribes, tribal placenames when naming or renaming installations, including MPAs; and (3) revising the policy title to reflect proposed policy language focused on protected areas.

If the Commission moves forward with removing the option to name MPAs after individuals, the Commission may wish to specify how to address the three MPAs currently named after an individual. For example, they could be renamed immediately, allowed to remain named as they are, or, if the MPA is renamed, a nearby structure or facility could be named in honor of the individual.

If the Commission moves forward with using tribal placenames, the Commission may wish to consider whether or not a western geographic name might also be referenced to maximize public understanding of where the MPA is located. If a western name is included, the Commission may wish to provide direction regarding a standardized format (e.g., tribal name MPA at western geographic location) and whether to apply the same standard to Kashtayit State Marine Conservation Area and Matlahuayl State Marine Reserve.

Potential revisions are being presented at this meeting for discussion purposes; proposed policy revisions based on Commission and public input are expected to be presented at the February 2024 Commission meeting for potential adoption.

Naming Installations Policy with Draft Potential Revisions

Naming Protected Areas Installations Policy

It is the policy of the Fish and Game Commission that:

- I. ~~No fish hatchery, game refuge, wildlife area, ecological reserve, or marine protected area (MPA) or any installation, other than Marine Protected Areas (MPAs), shall be named for any person, living or dead. Installations-Protected areas shall be named in a manner which will indicate their geographical location, avoiding as far as possible the names of local political units. ~~Vessels shall be named for fish.~~~~
- II. Traditional tribal placenames for a geographic location shall be considered in collaboration and collaboration with local tribes when naming or renaming any protected area, including MPAs.
- I. ~~The Commission may commemorate an individual by including that individual's name after the geographic name of an MPA if all of the following criteria are met:~~
 1. ~~The individual has been deceased for a minimum of 5 years;~~
 2. ~~It has been determined the individual has made an extraordinary, unique, and long-lasting contribution to the conservation, use, and/or enjoyment of California's living marine resources;~~
 3. ~~It has been determined with reasonable care and consideration that the individual's merit and/or contribution can stand the test of time;~~
 4. ~~The individual and/or their efforts have a direct connection with the geographic location of the MPA or immediate vicinity.~~
- III. The Commission shall be represented at and may participate in all ceremonies dedicating the launching or inauguration of any wildlife area, ecological reserve, or MPA or any installation of the facilities mentioned above. The Department and the Commission staff shall coordinate their work and efforts in ~~setting up or arranging~~ such dedication ceremonies programs.

(Amended 4/7/1994, and 5/23/2012, 2/xx/2024)