

Staff Summary for December 11-12, 2024

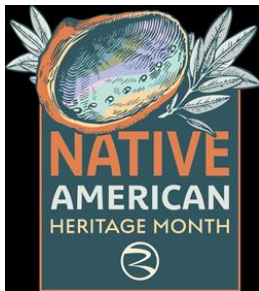
4A. Executive Director Report**Today's Item**Information Action

Receive updates from the executive directors and staff on items of note since the previous regularly scheduled Commission meeting in October 2024.

Summary of Previous/Future Actions (N/A)**Background**

The Commission employs an executive director to assist in conducting the Commission's operations and ensuring daily fulfillment of its wide range of responsibilities and authorities. To ensure the ability to maintain functionality in all its capacities, the Commission has delegated various authorities to its executive director, who "...shall report to the Commission at each regular meeting on important delegated actions." Today's report covers four topics:

- Justice, equity, diversity and inclusion (JEDI) awareness and JEDI plan update
- State budget
- Personnel
- California Environmental Quality Act

JEDI Awareness and Planning***Native American Heritage Month***

As noted in your October report, November was Native American Heritage Month (NAHM). To commemorate NAHM in November 2024, the California Natural Resources Agency (CNRA) organized a series of events honoring and celebrating the rich cultural heritage and contributions of Native American tribes. These events included a lunch social featuring traditional Native American cuisine, an interpretive tour of the Maidu Museum and Historic Site in nearby Roseville, and various educational initiatives highlighting the history, culture, and current issues facing Native American

communities. By hosting these events, CNRA aimed to foster greater understanding, appreciation, and respect for Native American cultures and to strengthen partnerships with tribal nations.

Commission staff also participated in valuable training titled *Annual Tribal Affairs Training 101*, led by CNRA's deputy secretary for tribal affairs and her counterpart at the California Environmental Protection Agency. During the training, participants learned more about California Native American tribes, the history of California relative to tribes, and California tribal affairs policies. The training provided resources, tools, and guidance to supporting state employees in building stronger partnerships between tribes and state government.

JEDI Planning

Staff continues to work with KH Consulting Group to advance the Commission's JEDI plan and to implement many of the recommendations in the initial JEDI assessment received in early

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2024. Most recently, KH Consulting designed an external stakeholder survey to better understand the perspectives and experiences of the Commission's current and potential stakeholders and to improve, expand, and diversify stakeholder engagement. The survey is currently being conducted with the assistance of external partners.

California State Budget 2024-25

In late June of this year, Governor Newsom and state leaders agreed on a 2024-25 California state budget. Confronted with a substantial General Fund shortfall of roughly \$47 billion across a three-year "budget window", state leaders negotiated a budget that required difficult decisions and a broad array of budget tools. Ultimately, the 2024-25 state budget agreement included a government efficiency initiative to permanently reduce "state operations" spending by around \$3 billion starting this fiscal year (2024-25).

The required budget savings are to be achieved through two actions being implemented by the California Department of Finance (DOF) in collaboration with state departments: (1) Reduce state operations spending tied to vacant positions in 2024-25, then permanently eliminate those vacant positions in the 2025-26 state budget (some state entities are exempt, such as the legislature and the judicial branch); and (2) cut state operations spending by up to an additional 7.95% beginning in fiscal year 2024-25 (with the legislature exempted).

Guidance to departments on implementing the two actions is still being developed; once received, staff will work closely with Department budget staff to ensure Commission compliance. In the interim, staff is taking all actions possible to reduce operating expenses.

Personnel

Staff provides regular updates to the Commission on workload and activities since the previous meeting. For this meeting, we'll focus on staffing and capacity challenges resulting from multiple sources, including vacancies, budget constraints, and excess leave balances (see Exhibit 1 for additional information on staff activities).

Position Vacancies

Program Manager: Recruitment for this position, vacant since April, remains challenging after multiple efforts. The most recent recruitment identified a quality experienced candidate, but a temporary hiring freeze has halted the hiring process while California Department of Finance negotiates the two government efficiency actions.

Tribal Advisor and Liaison: Sam Blacklock recently accepted a federal position and concluded his tenure here on November 30. We are prepared to recruit a replacement, but ongoing state budget constraints and efficiency actions may delay or prevent this (including potential loss of the position).

The two vacancies account for 17% of our budgeted positions.

Leave Reduction Plans

Approximately one-third of staff, specifically long-term and experienced state employees, have accumulated vacation or annual leave balances well in excess of state limits (typically no more than 640 hours). Currently, four staff have leave balances of 25% to 200% above the

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maximum balance. State policy mandates annual reduction plans for such cases. To comply, affected staff must use their monthly earned hours and reduce their excess accumulated balance. This will require them to take at least four days of leave per month, without accruing additional overtime. We are exploring ways to streamline operations, prioritize tasks, and identify projects to place on hold to accommodate these necessary leave reductions.

California Environmental Quality Act (CEQA)

The Commission has delegated authority to its executive director to take actions necessary to ensure compliance with CEQA regulations, guidelines implementing CEQA, and the Commission's certified regulatory program approved under CEQA. This includes conducting — or causing to be conducted — initial studies and determining the proper pathway for compliance (draft environmental impact reports, negative declaration, mitigated negative declaration, or determinations of exemption). Since the October 2024 Commission meeting, your executive director has determined six actions were exempt from CEQA:

- Recreational groundfish regulations for 2025 and 2026
- Possession of wildlife and wildlife rehabilitation regulations
- Emergency recreational take of white sturgeon during California Endangered Species Act candidacy regulations (readoption)
- Importation of live aquatic plants and animals for research purposes
- Emergency regulation to add golden mussel to the list of restricted species
- Major amendment to an experimental fishing permit for testing pop-up systems in fishing for box and king crab

Significant Public Comments (N/A)

Recommendation (N/A)

Exhibits

1. [Staff time allocation and activities, dated December 4, 2024](#)

Motion (N/A)

California Fish and Game Commission Staff Time Allocation and Activities

December 4, 2024

This report identifies, for the months of October and November 2024, where California Fish and Game Commission staff (including limited term and temporary help) allocated its time in general activity categories, trends in staff time allocation, and examples of specific activities in which staff engaged.

General Time Allocation

Task Category	October Staff Time	November Staff Time
Regulatory Program	10%	9%
Non-Regulatory Programs	6%	5%
Commission and Committee Meetings	37%	26%
Legal Matters	4%	3%
External Affairs	9%	13%
Special Projects	5%	5%
Administration	27%	21%
Leave Time	3%	15%
Unfilled Positions ¹	7%	7%
Total Staff Time ²	108%	105%

¹ Unfilled positions are skewed downward due to contract and temporary help

² Total staff time is greater than 100% due to overtime

Trends

Significant time allocations for the two-month period were dedicated to *External Affairs*, *Administration*, and *Leave Time*. External affairs efforts were elevated in November due to a combination of factors, including staff engagement with tribal communities, additional outreach related to marine protected area petitions and other Marine Resources Committee topics, and changes to how hours are tracked under service-base budgeting. Administrative tasks increased in November, driven by budget exercises, a recruitment effort, and preparations for next year's Sea Grant state fellow, while the increase in leave time in November is almost entirely accounted for by three state holidays (Veteran's Day, Thanksgiving and the day after Thanksgiving).

Sample Activities for October 2024

- Participated in the Marine Protected Areas Statewide Leadership Team Working Group with partners to discuss decadal management review priorities, progress and next steps
- Attended SeaSketch training hosted by the National Center for Ecological Analysis and Synthesis staff.

- Participated in Scripps Institution of Oceanography guest lecture fishing panel
- Participated in a workshop with scientists, aquaculture growers, and state agency representatives to share knowledge related to research findings on ocean acidification and hypoxia and shellfish aquaculture community vulnerability and adaptation
- Contributed feedback to the aquaculture permit guidance document being developed through the Offshore Aquaculture Interagency Working Group
- Participated in a tribal consultation training overview developed by the Governor's Office of Tribal Affairs.
- Attended a webinar regarding First Nations fishing communities in Atlantic Canada hosted by the Lenfest Ocean Program
- Discussed California Department of Fish and Wildlife Squid Fishery Advisory Committee recommendations with stakeholders and partners
- Conducted interviews for filling the Commission program manager position
- Prepared for and conducted one publicly noticed meetings (Commission) and prepared for one publicly noticed meeting (Marine Resources Committee)

Sample Activities for November 2024

- Participated in California Natural Resources Agency and California Environmental Protection Agency Native American Heritage Month annual tribal affairs 101 training
- Participated in the inaugural launch of the California Natural Resources Agency Interdepartmental Access Working Group
- Discussed stakeholder requests regarding multiple marine protected area proposals with other state and federal government agency colleagues
- Participated in the final 2024 Marine Protected Areas Statewide Leadership Team Working Group meeting to review progress on decadal management review recommendations and update work plan
- Met with multiple stakeholders to discuss the Humboldt Bay marine terminal project
- Engaged with commercial fisherman participating in the California Department of Fish and Wildlife Squid Fishery Advisory Committee
- Initiated planning for a tribal consultation regarding aquaculture
- Attended a farmed seaweed science needs workshop designed for California state agency representatives and academics to share knowledge related to farmed seaweed and state processes to help address knowledge gaps
- Finalized recruitment for the Commission program manager
- Received training on categorical exemptions under the California Environmental Quality Act
- Prepared for and conducted one publicly noticed meeting (Marine Resources Committee) and prepared for two publicly noticed meetings (Tribal Committee and Commission)

Sample Tasks for the General Allocation Categories

Regulatory Program

- Coordination meetings with DFW to
 - develop timetables and notices
- Prepare and file notices, re-notices, and initial/final statements of reasons
- Prepare administrative records
- Track and respond to public comments
- Consult, research, and respond to inquiries from the Office of Administrative Law
- Facilitate CEQA document review, certification of findings, and filing with state clearinghouse

Non-Regulatory Program

- DFW partnership, including jointly developing management plans and concepts
- Process and analyze non-regulatory requests
- Develop, review, and amend Commission policies
- Research and review adaptive management practices
- Review and process CESA petitions

Commission and Committee Meetings and Support

- Research and compile subject-specific information
- Develop and distribute meeting agendas and materials
- Agenda and debrief meetings
- Prepare meeting summaries, audio files, and voting records
- Develop and distribute after-meeting memos/letters
- Conduct onsite meeting management
- Process submitted meeting materials
- Provide commissioner support
- Process and analyze regulation change petitions

Legal Matters

- Public Records Act requests
- California Law Review Commission
- Process appeals and accusations
- Respond to litigation
- Process kelp and state water bottom leases
- Prepare administrative records

External Affairs

- Engage and educate legislators, monitor legislation
- Maintain state, federal, and tribal government relations
- Correspondence
- Respond to public inquiries
- Website maintenance
- Coyote workshops

Special Projects

- Coastal Fishing Communities
- Streamline routine regulatory actions

Administration

- Staff training and development
- Purchases and payments
- Contract management
- Personnel management
- Budget development and tracking
- Health and safety oversight
- Internal processes and procedures
- Document archival

Leave Time

- Holidays
- Sick
- Vacation or annual leave
- Jury duty
- Bereavement
- Administrative time off