

## STAFF SUMMARY FOR AUGUST 4-5, 2015

**17A. OTHER ITEMS – STAFF REPORT****Today's Item**Information Action 

Receive the staff report, including updates on the budget, staff capacity and roles, an award presentation, and the FGC procedures regulation.

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

President Baylis requested an update on the budget for the new fiscal year that began Jul 1. See Exhibit A1 for the relevant extracted pages from DFW's budget fact book, which is based on the governor's proposed budget; the adopted budget is the same for FGC.

***Staff Capacity and Roles***

In an effort to help keep FGC current on its staffing and where staff is expending its time, staff has developed a report that shows the allocation of time in general categories for the previous month, as well as highlights some of the specific activities for the previous and current months (Exhibit A2).

The Wildlife Advisor position (senior environmental scientist, specialist) has been advertised again, this time with the option of hiring one step below at the environmental scientist level. The job opportunity bulletin is Exhibit A3, and the position will remain open until filled.

The need for dedicated legal assistance has been steadily increasing as FGC issues have become increasingly complex. In recognition of this need, DFW agreed to hire a lawyer that would be dedicated to the legal needs of FGC. DFW is concluding its hiring process and expects to announce the result shortly.

***Wildlife Prosecutor of the Year Awards***

Executive Director Mastrup presented three prosecutors with the 2014 Wildlife Prosecutor of the Year Award on Jul 7, 2015 at the California District Attorneys Association annual summer conference (see DFW news release in Exhibit A4). This award was championed and facilitated by a prior FGC member, though other members agreed at the February 2015 meeting that perpetuating these awards into the future is desired as part of FGC's annual calendar. At a future meeting staff will bring forward a proposal for how to make this award an annual action by FGC.

***FGC Procedures Regulation***

Per direction received at the Feb 2015 FGC meeting, staff has prepared an outline of a proposed regulation related to FGC procedures to bring forward for potential notice at the Oct 2015 FGC meeting (Exhibit A5). Staff requests feedback on any items of potential concern or items that may be missing.

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

STAFF SUMMARY FOR AUGUST 4-5, 2015

**Recommendation (N/A)**

**Exhibits**

- A1. Extracted pages from the DFW 2015-16 budget fact book – Jan 2015
- A2. Staff Report on Staff Time Allocation – June 2015
- A3. Senior environmental scientist (specialist) job opportunity bulletin
- A4. DFW news release: Three Prosecutors Awarded 2014 Wildlife Prosecutor of the Year, Jul 7, 2015
- A5. Staff outline of proposed elements for an FGC procedures rulemaking

**Motion/Direction**

Provide staff direction on the:

- 1. usefulness of the staff time allocation report and its format, and
- 2. outline of a proposed FGC procedures regulation.



**EXTRACTED PAGES FROM THE  
CDFW BUDGET FACT BOOK  
BASED ON THE FY 2015-16  
GOVERNOR'S PROPOSED BUDGET**

**PDF Pages 13, 29 and 92**

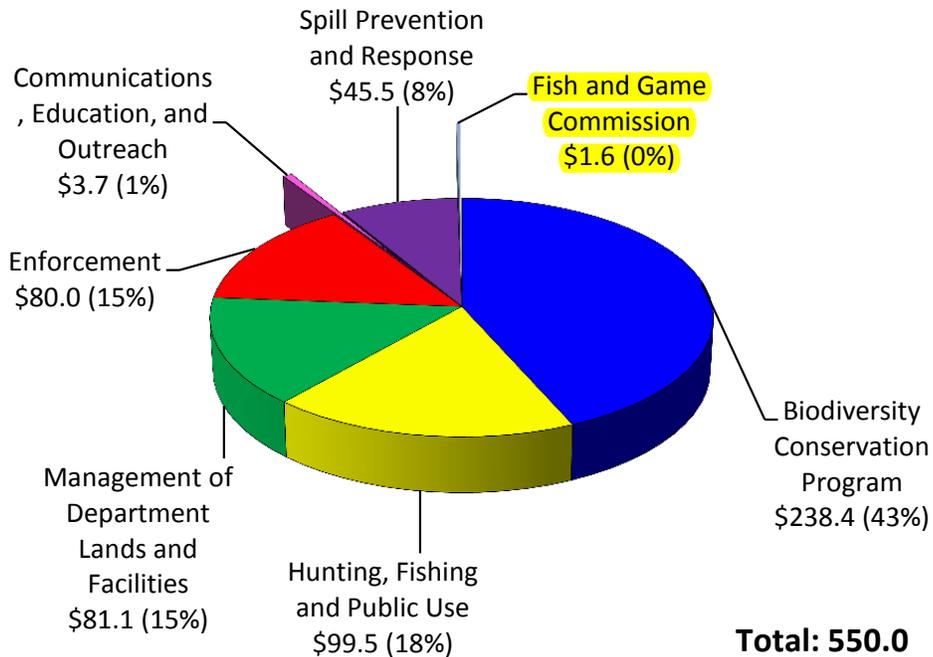
**Total Proposed Budget  
By Program  
(Dollars in Thousands)**

<b>Program</b>	<b>Positions</b>	<b>State Operations*</b>	<b>Local Assistance</b>	<b>Total</b>
20 Biodiversity Conservation	918.3	\$164,244	\$33,980	\$198,224
25 Hunting, Fishing, Public Use	561.4	\$ 82,944	\$20,000	\$102,944
30 Management of Department Lands & Facilities	507.2	\$ 64,310	\$20,761	\$ 85,071
40 Law Enforcement	286.4	\$ 80,201	\$0	\$ 80,201
45 Communications - Education	27.3	\$ 3,766	\$0	\$ 3,766
50 Spill Prevention & Response	234.2	\$ 42,842	\$ 1,341	\$ 44,183
<b>61 Fish &amp; Game Commission</b>	<b>8.0</b>	<b>\$ 1,712</b>	<b>\$0</b>	<b>\$ 1,712</b>
*70 Administration	141.6	\$ 47,280	\$0	\$ 47,280
*70 Administration	-141.6	\$-47,280	\$0	\$-47,280
<b>Total Support Budget</b>	<b>2,684.4</b>			<b>\$516,101</b>

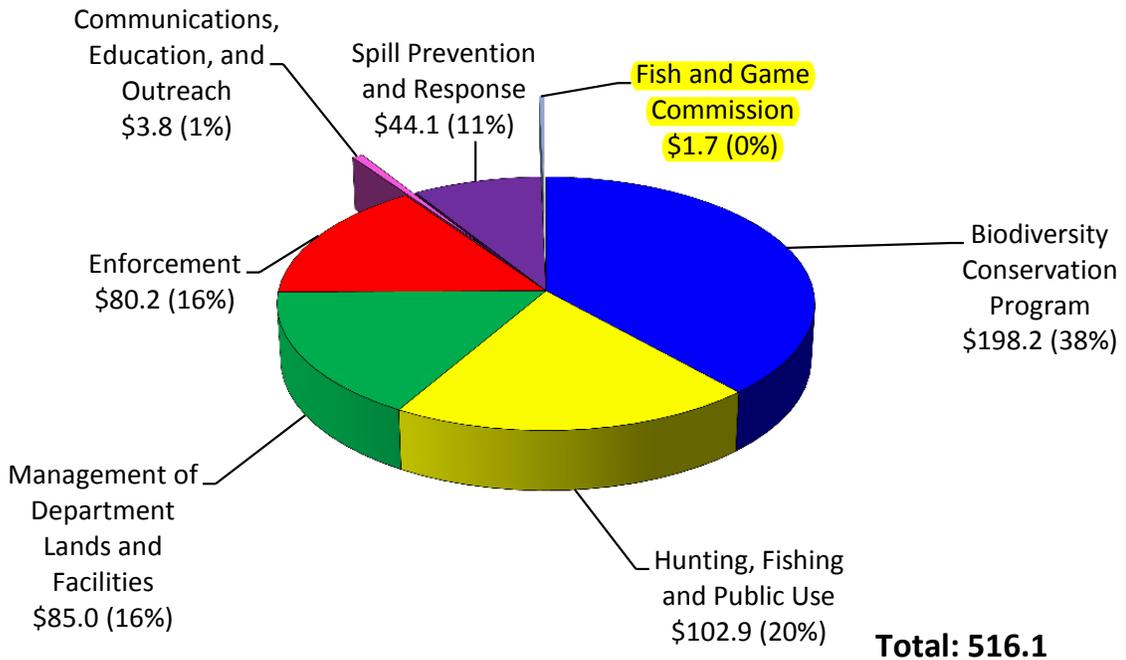
The cost of Administration is included in program funding. Therefore, shown for display purposes only and subtracted to avoid overstating totals.

**DEPARTMENT OF FISH AND WILDLIFE  
PROGRAM SOURCES BY FISCAL YEAR**

**FY 2014-15 Revised Budget by Program (Dollars in Millions)**



**FY 2015-16 Proposed Budget by Program (Dollars in Millions)**



**3600 Department of Fish and Wildlife - Continued**

		2013-14*	2014-15*	2015-16*
0322	Environmental Enhancement Fund	-	39	39
0995	Reimbursements	6	6	6
	<b>Totals, State Operations</b>	<b>\$8,492</b>	<b>\$13,729</b>	<b>\$14,340</b>
	<b>PROGRAM REQUIREMENTS</b>			
<b>2620</b>	<b>FISH AND GAME COMMISSION</b>			
	<b>State Operations:</b>			
0001	General Fund	\$651	\$666	\$666
0140	California Environmental License Plate Fund	133	137	-
0200	Fish and Game Preservation Fund	333	831	1,046
	<b>Totals, State Operations</b>	<b>\$1,117</b>	<b>\$1,634</b>	<b>\$1,712</b>
	<b>PROGRAM REQUIREMENTS</b>			
9900	<b>ADMINISTRATION - TOTAL</b>			
	<b>State Operations:</b>			
0200	Fish and Game Preservation Fund	\$-	\$-5	\$-
	<b>Totals, State Operations</b>	<b>\$-</b>	<b>\$-5</b>	<b>\$-</b>
	<b>SUBPROGRAM REQUIREMENTS</b>			
9900100	<b>Administration</b>			
	<b>State Operations:</b>			
0200	Fish and Game Preservation Fund	\$41,998	\$47,121	\$46,665
6083	Water Quality, Supply, and Infrastructure Improvement Fund of 2014	-	-	615
	<b>Totals, State Operations</b>	<b>\$41,998</b>	<b>\$47,121</b>	<b>\$47,280</b>
	<b>SUBPROGRAM REQUIREMENTS</b>			
9900200	<b>Administration - Distributed</b>			
	<b>State Operations:</b>			
0200	Fish and Game Preservation Fund	\$-41,998	\$-47,126	\$-46,665
6083	Water Quality, Supply, and Infrastructure Improvement Fund of 2014	-	-	-615
	<b>Totals, State Operations</b>	<b>\$-41,998</b>	<b>\$-47,126</b>	<b>\$-47,280</b>
	<b>TOTALS, EXPENDITURES</b>			
	State Operations	341,869	499,270	440,019
	Local Assistance	15,787	50,736	76,082
	<b>Totals, Expenditures</b>	<b>\$357,656</b>	<b>\$550,006</b>	<b>\$516,101</b>

**EXPENDITURES BY CATEGORY**

	1 State Operations			Expenditures		
	2013-14	2014-15	2015-16	2013-14*	2014-15*	2015-16*
PERSONAL SERVICES						
Authorized Positions (Equals Sch. 7A)	2,351.8	2,630.2	2,630.2	\$145,951	\$162,410	\$162,410
Total Adjustments	-	-	54.2	-	12,942	9,685
<b>Net Totals, Salaries and Wages</b>	<b>2,351.8</b>	<b>2,630.2</b>	<b>2,684.4</b>	<b>\$145,951</b>	<b>\$175,352</b>	<b>\$172,095</b>
Staff Benefits	-	-	-	64,906	85,950	78,770
<b>Totals, Personal Services</b>	<b>2,351.8</b>	<b>2,630.2</b>	<b>2,684.4</b>	<b>\$210,857</b>	<b>\$261,302</b>	<b>\$250,865</b>
OPERATING EXPENSES AND EQUIPMENT				\$130,216	\$223,287	\$177,934
SPECIAL ITEMS OF EXPENSES				597	14,681	11,220
UNCLASSIFIED EXPENDITURES				199	-	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.  
 † Past year appropriations are net of subsequent budget adjustments.

**California Fish and Game Commission**  
**Staff Report on Staff Time Allocation – June 2015**

*July 23, 2015*

Staff time is a tangible and invaluable asset. This report identifies where Commission staff allocated working time to general categories during the month of Jun 2015 (see table); note that the total percentage of staff time is greater than 100% as a result of overtime. This report also highlights some of the specific activities for June and those that are anticipated for July and August.

**General Allocation**

<b>Category*</b>	<b>June Staff Time Expended</b>
Regulatory Program	12%
Commission Meetings	19%
Legal Matters	3%
External Affairs	6%
Special Projects	2%
Administration	13%
Leave Time	26%
Unfilled Positions	22%
Total Staff Time	103%

*Note: Total staff time is greater than 100% due to overtime*

**Activity Highlights**

Highlights for activities conducted in June:

- Prepared for and conducted the June Commission meeting
- Participated in the marine protected areas statewide leadership team meeting
- Participated in the California Ocean Protection Council/California Ocean Science Trust/California Department of Fish and Wildlife Marine Protected Areas Master Plan Team meeting
- Participated in the California Department of Fish and Wildlife Executive Leadership Team meeting
- Prepared for the June Commission and Tribal Committee meetings
- Prepared for the July Marine Resources Committee meeting
- Prepared orientation materials for new commissioners

Highlights of activities conducted or expected for July:

- Prepared for and conducted new commissioner orientations
- Participate in the Marine Life Management Act Master Plan Team meeting
- Participate in the California Ocean Protection Council/California Ocean Science Trust/California Department of Fish and Wildlife Marine Protected Areas Master Plan Team meeting
- Represent the Commission at the Governor's Tribal Liaisons meeting
- Prepare budget report for August meeting
- Participate in the marine protected areas statewide leadership team meeting
- Participate in the Native American Day planning committee meeting
- Prepare materials for the August Commission meeting

Highlights of activities conducted or expected for August:

- Prepare for and conduct the August Commission meeting
- Prepare for the September Wildlife Resources Committee meeting
- Represent the Commission at the Governor's Tribal Liaisons meeting
- Participate in the marine protected areas statewide leadership team meeting
- Participate in the Native American Day planning committee meeting

**\* General Allocation Categories with Sample Tasks**

***Regulatory Program***

- Coordination meetings with DFW to develop timetables and notices
- Prepare and file notices, re-notices, ISORS and FSORs
- Review and process CESA petitions
- Track and respond to public comments
- Consult, research and respond to inquiries from OAL
- Prepare administrative records

***Commission Meetings***

- Develop and distribute meeting agendas and materials
- Track and respond to public requests/petitions
- Agenda and debrief meetings
- Prepare meeting summaries and audio files
- Develop and distribute after-meeting memos/letters
- Maintain voting records
- Make travel arrangements for staff and commissioners
- Conduct onsite meeting management
- Process submitted meeting materials
- Provide commissioner support
- Process and analyze regulatory petitions and non-regulatory requests

### ***Legal Matters***

- Respond to Public Records Act requests
- Process appeals and accusations
- Process requests for permit transfers
- Litigation

### ***External Affairs***

- Legislation
- DFW partnership
- State and federal agency collaboration

### ***Special Projects***

- Predator Policy Workgroup
- Fishing from piers and jetties
- Fisheries Bycatch Workgroup
- Streamlining routine regulatory actions

### ***Administration***

- Correspondence
- Purchases and payments
- Contract management
- Personnel management
- Strategic planning and staff coordination
- Budget development and tracking
- Health and safety oversight
- Internal processes, procedures and form
- Staff training and professional development

### ***Leave Time***

- Holidays
- Sick leave
- Vacation
- Absence without leave

### ***Unfilled Positions***

- Deputy executive director
- Staff attorney
- Wildlife Advisor
- Executive secretary

## **JOB OPPORTUNITY BULLETIN**

**Classification Title: Senior Environmental Scientist (Specialist)**

**Position No. 565-001-0765-002**

**RPA No. FGC-15-001**

**Salary: \$5,445.00 - \$6,772.00**

**Posted: July 22, 2015**

### **General Job Description**

The California Fish and Game Commission (Commission) is offering an exciting opportunity for a broadly-trained scientist, preferably with field experience in non-marine wildlife resources, who is interested in applying non-marine, wildlife science to public policy and management decisions.

Under the general direction of the Executive Director, the Senior Environmental Scientist (Specialist) advises the Commission on a wide range of relevant non-marine resource policy issues; conducts scientific research on, analyzes, and leads development of new approaches to non-marine resource management issues; leads or represents the Commission in joint non-marine resources management projects with the California Department of Fish and Wildlife (DFW); organizes and conducts Commission Wildlife Resources Committee meetings; and collaborates with Commissioners, California Department of Fish and Wildlife staff, Commission staff, a broad range of State and federal government officials, and the public.

### **Essential Functions**

**Research and Analysis:** Research and analyze non-marine wildlife resource management issues, and research, analyze and study the performance of existing non-marine wildlife management measures previously approved by the Commission, including, but not limited to, California Environmental Quality Act (CEQA) documents. Meet and confer with and/or review literature of DFW, the United States Fish and Wildlife Service, National Park Service, U.S. Bureau of Land Management, and other relevant management authorities in order to stay informed about non-marine wildlife resources management activities and priorities of said entities. Attend DFW meetings and meetings with interested parties in which significant wildlife resource management issues are being discussed or documents are being developed.

**Committee and Commission Meetings:** Attend and function as staff expert on non-marine wildlife resource and relevant non-marine wildlife policy issues at all Commission and Wildlife Resources Committee meetings. Organize, manage, and develop materials for Commission Wildlife Resources Committee meetings.

**Staff Expert on Non-marine Wildlife:** Function as staff expert on non-marine wildlife resource and policy issues, and act as Commission lead and/or Commission representative in efforts to develop new approaches to non-marine wildlife resource management issues for consideration by the Commission, including but not limited to new or revised State legislation and policies.

### **Non-Essential Functions**

**Liaison:** Improve coordination and integration between the Commission and DFW on a broad range of non-marine wildlife resource and related policy issues, along with related non-marine wildlife resource management strategies and measures. Liaison and facilitate collaboration with Commissioners, Commission staff, a broad range of State and federal government officials, and the public.

**Rulemaking:** Pursuant to the Administrative Procedure Act, prepare and review documents to implement highly complex regulations, policies and management strategies for non-marine wildlife resource activities under Commission authority, including initial statements of reasons, pre-adoption documents, final statements of reasons, and economic and fiscal impact statements.

## **Knowledge and Abilities**

### ***Knowledge of:***

- Basic principles of natural resources research;
- Principles of ecology;
- Natural resource management and environmental planning concepts, practices and techniques;
- Statistical methods;
- Land-use practices with reference to their general effect on natural resources and the environment;
- Basic principles of risk assessment and risk management;
- Resource conservation program impacts and implementation strategies;
- Legislative process;
- California and federal environmental and resource management laws, regulations, plans, programs, and policies relating to non-marine resources;
- Functions, programs and operations in the Commission's area of responsibility; and
- The Commission's relationship with other government entities.

### ***Skills to:***

- Independently identify problems, develop potential courses of action and prepare guidance, policy, planning, or regulatory documents and legislative proposals on non-marine wildlife resources;
- Perform research and analysis of non-marine resources and non-marine resources management and policy issues;
- Quickly and effectively research California codes, regulations and legislative bills;
- Operate electronic equipment, including telephones, computers, copiers, and other office equipment; and
- Competently utilize Microsoft Office products (including Outlook, Word, PowerPoint, and Excel) to construct and/or edit/reformat documents, spreadsheets or presentations.

### ***Ability to:***

- Apply or modify scientific methods and principles;
- Analyze and evaluate data and reach sound conclusions;
- Review, check, and interpret scientific and environmental reports, including reports on emerging non-marine resource issues;
- Prepare clear, complete, and technically accurate reports;
- Apply laws, rules, regulations, policies, and requirements of California and federal environmental protection and resource management programs;
- Assess the impact of proposed State and federal environmental legislation and regulations;
- Work with professionals from a variety of disciplines within and outside of State government;
- Develop criteria, procedures, guidelines, reference materials, planning and regulatory documents, and innovative solutions for critical and/or sensitive non-marine resource management problems;
- Provide research and evaluation of short-term and important projects concerning non-marine resources and environmental protection;
- Communicate the results and implications of studies to non-specialists;

- Provide leadership in accomplishing basic functions and objectives of the Commission;
- Inspire confidence and effective working relationships with employees, managers, and leaders in government and industry;
- Work efficiently under pressure and time constraints; and
- Ensure attention to detail.

### **Desirable Qualifications**

- Ability to communicate in a clear, concise manner
- Ability to follow directions with a minimum of explanation
- Demonstrated ability to proactively and independently take action, with open-mindedness, flexibility and tact
- Record of reliable attendance, dependability and timeliness

### ***Special Personal Characteristics***

- Possess a high level of personal integrity and mature judgment
- Self-motivated and willing to work independently
- Desire to take on increasing responsibility and learn new things
- Be flexible and adapt to changes in priorities

### ***Interpersonal Skills:***

- Excellent verbal and written communication skills to interact professionally and courteously with Commissioners, elected officials, the media, staff and the public
- Develop and maintain cooperative and respectful working relationships with a diversity of individuals, organizations and other government agencies
- Willingness to work in a team environment, courteously assist other staff, and ask for help

### **Working Conditions**

- Open-spaced office cubicle in a smoke-free environment, equipped with a desk, telephone, and computer, as well as nearby copier, scanner and fax
- Available to work during normal business hours, Mon. – Fri., 8:00 a.m. - 5:00 p.m., as well as occasional evenings and weekends
- Frequent use of a keyboard, computer, related software applications, and the Internet at an indoor workstation
- Sitting in a seated position for extended periods of time
- May be required to push, pull or lift up to 25 lbs. (documents, office supplies, books and manuals)
- Professional office environment where appropriate business attire is required
- Travel to Commission and Wildlife Resource Committee meetings throughout the State

### **Who May Apply**

To be considered for this vacancy you must have transfer eligibility based on present or past State civil service eligibility, or passed an exam for this classification. The Commission will consider Environmental Scientist applicants for recruitment purposes. \*\*If you have SROA/Surplus status, please indicate that by either attaching your surplus letter or notating it on line 12 of your application (Std. 678).\*\*

## Filing Instructions

This position is open until filled, but will be filled as soon as possible; it is therefore imperative to submit your application immediately for consideration. Applications must include:

1. Std. 678, which can be obtained at <http://jobs.ca.gov/pdf/std678.pdf>.
2. To be considered for this position, write the classification title, position number and RPA number in the job title section of the Std. 678.
3. A resume outlining your relevant experience during the last five (5) years. Your resume cannot replace the Std. 678.
4. A short writing sample (one or two pages) and a long writing sample (five or more pages).

Your application may be rejected if not complete. Submit all materials to:

Stefani Fong  
California Department of Fish and Wildlife  
1416 Ninth Street, Room 1217B  
Sacramento, CA 95814

Note that you are submitting your application to a different organization; if you have questions about the position, please see below for contact information.

For more information about the California Fish and Game Commission and what we do, visit our website at [www.fgc.ca.gov](http://www.fgc.ca.gov).

## Additional Information

<i>Working Title</i>	<i>Position Number</i>	<i>RPA Number</i>
Wildlife Resources Committee Advisor	565-001-0765-002	FGC-15-001
<i>Classification</i>	<i>City</i>	<i>County</i>
Senior Environmental Scientist (Specialist)	Sacramento	Sacramento
<i>Timebase</i>	<i>Tenure</i>	<i>Final Filing Date:</i>
Full Time	Permanent	Until Filled
<i>Contact Unit/Address</i>	<i>Contact Name/Phone</i>	<i>Department Link</i>
Fish and Game Commission 1416 Ninth Street, Suite 1320 Sacramento, 95814	Sherrie Fonbuena (916) 654-9866	<a href="http://www.fgc.ca.gov">www.fgc.ca.gov</a>

# California Department of Fish and Wildlife News Release

July 7, 2015

## Media Contacts:

Sonke Mastrup, California Fish and Game Commission, (916) 653-4899

Lt. Chris Stoots, CDFW Law Enforcement, (916) 651-9982

## Three Prosecutors Awarded 2014 Wildlife Prosecutor of the Year

The California Fish and Game Commission recently recognized three prosecutors for their exemplary dedication to the prosecution of wildlife crimes. District Attorney Patrick McGrath, Deputy District Attorney Brad Enos, both of Yuba County, and Deputy District Attorney Kevin Weichbrod of Santa Barbara County were selected from the ranks of California's 58 counties to receive this notable distinction.

The 2014 Wildlife Prosecutor of the Year Award was presented to these outstanding prosecutors amongst their peers at the California District Attorneys Association annual summer conference today in Napa.

"We do our best to thoughtfully craft regulations to protect California's fish and wildlife resources and those who violate those regulations are destroying the natural resources that belong to all of us," said Commission President Jack Baylis. "Successful prosecutions of poaching and pollution cases are directly dependent upon the working relationships between officers and the prosecutors. Thanks to these prosecutors justice is served to those who violate the law."

The selection process was based upon recommendations from the California Department of Fish and Wildlife (CDFW) Law Enforcement Division, who regularly work with the various District Attorneys' offices. All three prosecutors came highly recommended by the respective wildlife officers from their counties. These three prosecutors understand and appreciate natural resource violations. They have shown a willingness to pursue felony charges when appropriate for the most egregious violators. These prosecutors regularly took on time consuming, tough cases and have followed the cases to the full extent, up to and including jury trials. They regularly requested forfeiture of equipment involved in the commission of the poaching crimes, high fine amounts, and revocation of fishing and hunting privileges to help put poachers permanently out of business.

CDFW and the Fish and Game Commission recognize and appreciate the efforts of all 58 counties' District Attorneys' offices when it comes to protection of the environment, fish and wildlife. There are many prosecutors within those offices who take poaching crimes seriously. In 2014, McGrath, Enos and Weichbrod were particularly effective.

The Fish and Game Commissioners intend to formalize the process of selecting a Wildlife Prosecutor of the Year, making it an annual award. For more information about the Commission, please visit [www.fgc.ca.gov/](http://www.fgc.ca.gov/).

###

*This is the fourth year of California's **drought**. To learn about all the actions the state has taken to manage our water system and cope with the impacts of the drought, please visit [drought.ca.gov](http://drought.ca.gov).*

*Every Californian should take steps to **conserve water**. Find out how at [saveourwater.com](http://saveourwater.com).*

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**California Fish and Game Commission**  
**Outline of Proposed Meeting Procedures Rulemaking**

*July 24, 2015*

Per direction received at the February 2015 Commission meeting, staff has prepared this outline of a proposed regulation related to Commission and committee meeting procedures to bring forward for potential notice at the October 2015 Commission meeting.

The proposed meeting procedure regulations would do the following:

1. Define the number of members constituting a quorum to conduct Commission and committee meetings;
2. Allow non-committee commissioner(s) to attend and participate in committee meetings by providing notice that a quorum may/will be present, but impose a restriction that actions shall only be taken at regular Commission meetings;
3. Establish a deadline for public requests for agenda items;
4. Specify that agenda items will be approved by a majority vote of the Commission;
5. Specify that the president, vice president or their designee will give final approval of Commission meeting agendas;
6. Establish a deadline, consistent with the Bagley-Keene Open Meeting Act, for public release of meeting agendas;
7. Specify that committee meeting agendas shall not include items scheduled for action by the Commission.
8. Outline the process and timeline for receipt of and action on committee recommendations; and
9. Specify the process for public participation in Commission and committee meetings, including:
  - appropriate public forum topics;
  - public testimony will be taken during the agenda item to which the testimony pertains, but prior to Commission/committee decision;
  - time limits for speaking at Commission meetings;
  - when and how to submit written comments;
  - when and how to submit audio and visual presentations; and
  - how to obtain pre-approval of audio and visual presentations.