

TRENDS AND CONDITIONS STATEMENT

a. Agency Primary Responsibilities – Based On Statute

The Florida Fish and Wildlife Conservation Commission (FWC) shall exercise the regulatory and executive powers of the state with respect to wild animal life and exercise regulatory and executive powers of the state with respect to marine life. The agency's primary responsibilities are based on the following statutes and Constitutional authority: Chapters 370, 372, and 327, Florida Statutes and Article 4, Section 9 and Article 10, Section 16, Florida Constitution.

b. What Led the Agency to Select Its Priorities

In August 2002, the FWC conducted on-line surveys of stakeholders and the general Florida citizenry seeking input on the current condition of and desired future direction for the FWC. These surveys asked a range of questions designed to determine the FWC's strengths, weaknesses, opportunities and threats; current level of service; desired future state and other areas of interest. (See attachment A).

The FWC compiled the survey results, and held a meeting of stakeholders to confirm the survey findings and provide more detailed understanding through solicitation of further comments. These comments were gathered by providing all stakeholder attendees a laptop computer for use during the meeting to enter their comments.

Results of all stakeholder and citizen input were compiled and analyzed by FWC staff into "areas of concern" (see attachment B). These areas of concern became the focus of redefining FWC's priorities.

c. How the Agency Will Generally Address the Priorities Over A Five-Year Period

Based upon the stakeholder areas of concern, FWC revamped its goals and strategies into a new Agency Strategic Plan containing a mission, vision, agency goal, elements of success, guiding principles, values, competencies, strategies and priority issues (see Attachment C).

When FWC began developing plans for implementing the Strategic Plan, we realized we were not optimally organized to deliver on the Plan. We concluded we were merged as a result of the 1998 constitutional change, but not integrated; we could not adequately address habitat, use conflict and exotic and imperiled species issues our stakeholders identified; and we were not as efficient or effective as needed.

The solution is to align like functions, flatten the organization, and provide better support to our mainline programs better. This resulted in a proposed restructuring of the agency designed to better deliver on the Plan and provide "more bang for the buck", so that savings can be invested back into the agency (see Attachment D).

The restructuring primarily (1) integrates biological functions to better focus on the habitat, user conflict and species issues identified by stakeholders, while maintaining our core focuses on fishing and hunting; and (2) better organizes support functions into Offices that serve to support the Programs.

The 2004 Legislature approved the restructure and it was signed by the Governor (see new structure in Attachment D).

The new structure has six (6) Programs: Habitat and Species, Research (the Fish and Wildlife Research Institute), Law Enforcement, Marine Fisheries, Freshwater Fisheries and Hunting & Game Management.

In support of these Programs are the following thirteen (13) Offices: Finance and Budget, Policy and Stakeholder Coordination, Legal, Human Resources, Licensing and Permitting, Recreation Services, Information Technology, Data Portal, Community Relations, Legislative Affairs, Strategy and Planning, Inspector General, and Regional Operations.

A description of each Program and Office follows:

Habitat and Species Management (293 FTE's)

This Program will be responsible for habitat and species conservation efforts. These efforts include lake restoration, land acquisition, aquatic plant control, management of state lands and development of recreational uses on these lands, non-game species, imperiled species recovery, and exotic species management.

Law Enforcement (902.5 FTE's)

The responsibilities of Law Enforcement will remain unchanged in the proposed new structure.

Fish and Wildlife Research Institute (319 FTE's)

All FWC research on marine, freshwater fish and wildlife will be conducted or contracted through this Program.

Marine Fisheries Management (26 FTE's)

This Program will be responsible for marine fisheries management (rule development, liaison with federal fishery councils), angler outreach and artificial reefs.

Freshwater Fisheries Management (69.5 FTE's)

This Program will manage freshwater lake and river fish populations, operates fish management areas, urban fishing projects, aquatic outreach and fish culture and stocking,

Hunting and Game Management (45 FTE's)

Game Management will manage waterfowl, alligators, turkeys, deer and small game species. It is responsible for hunter safety and ranges, and hunting regulations and publications.

Finance and Budget (68 FTE's)

This Office will be responsible for financial operations, revenue, budget development and facilities management.

Community Relations (15 FTE's)

Community Relations will coordinate FWC media relations, development and production of publications, public relations and message creation.

Policy and Stakeholder Coordination (29 FTE's)

External Relations will coordinate FWC stakeholder relations, development of partnerships, rule-development processes and development of agency positions.

Licensing & Permitting (30 FTE's)

All FWC licensing and permitting functions will be coordinated by this office. It will also issue recreational and commercial licenses.

Executive Director (7 FTE's)

This Office will contain internal support functions such as legal, inspector general, planning, information technology, legislative and human relations.

Legal (9 FTE's)

The Legal Office provides for all legal services to the Commission and its divisions and offices. Legal services include representation in litigation, preparation of legal

opinions, development and review of contracts and other legal instruments, drafting and review of legislation and rules, and general legal counseling relating to FWC operations.

Human Resources (6 FTE's)

The Human Resources Office provides service and support to agency employees and management in the areas of personnel laws and rules, training coordination, diversity division, retirement benefits, collective bargaining, discipline administration, workers' compensation, unemployment compensation and non-transactional processes for classification and pay recruitment and selection, attendance and leave and payroll.

Recreation Services (8 FTE's)

The Recreation Services Office provides recreation planning and design services for FWC-managed areas; coordinate implementation of wildlife viewing structures, trails and other recreation enhancements; provide technical assistance to local governmental and other agencies to develop wildlife viewing sites and divisions; and to develop interpretive products and divisions that increase awareness of recreation opportunities on FWC-managed properties and understanding of how the FWC manages these natural areas to sustain the wildlife and recreation opportunities that depend on them.

Information Technology (17 FTE's)

The purpose and function of the Information Technology Office is to coordinate the planning, budgeting, acquisition, development, implementation, use, and management of information technology for FWC; provide technical support and guidance to programs and offices to assist them to meet their goals and priorities; provide executive direction, administrative services, planning, organizing, directing, developing policy, cost recovery, IT staff training, and coordination for IT activities across the agency; plan for, implement, and operate network security, servers, network infrastructure (LAN, WAN, MAN), Email services, desktop, and helpdesk services; develop, acquire, implement, and maintain computer software applications using in-house or out-sourced resources; develop, maintain, and enhance the FWC Internet and intranet websites, and; coordinate the FWC's records retention and destruction procedures for the agency.

Data Portal (3 FTE's)

The purpose and function of the Data Portal Office is to provide a "one-stop-shopping" environment for data and information needed by agency employees and the public to make sound decisions regarding fish and wildlife conservation. The data portal is intended to solve the problem of "too much information" by making data and information readily available in a customizable, personalized format using a web browser connected to the intranet or internet. Basic functions being incorporated into the data portal include dissemination of agency news, document and work flow management, employee access to human resource and fiscal information, FWC issue team collaboration, search and query tools for natural resource data and information, transactional capability for tasks such as

entering data or applying for permits, and delivery of geographic information system (GIS) products and services. The Office also is responsible for the agency's data management functions, including developing data standards, data warehousing and integration, and search and retrieval of data and information.

Legislative Affairs (3 FTE's)

The Legislative Affairs Office is responsible for the development and coordination of State and Federal legislative activities for the Commission; lobbies for the passage of the agency's legislative package and provides information on other legislation that is considered by the Florida Legislature and Congress; works in conjunction with the Director of Finance and Budget to lobby for passage of the agency's budget requests; assists legislators and Commission constituents; endeavors to establish a positive rapport with legislators and their staff, other governmental staff, lobbyists, and citizen groups involved with legislative activities of the agency.

Strategy & Planning (3 FTE's)

The purpose and function of the Strategy and Planning Office is to coordinate the development, monitoring and evaluation of the implementation of the Agency Strategic Plan and Program and Office plans; to coordinate revision of these plans; to monitor and evaluate coordination and teamwork among and within Programs and Offices; to develop planning processes and procedures; and to provide process mapping and meeting facilitation assistance to the programs and offices. This Office often employs consultants and facilitators to conduct its work.

Inspector General (7 FTE's)

The Inspector General Office provides a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency in government. The IG accomplishes these goals through internal audits, investigations, and management reviews. Additionally, the OIG conducts investigations brought under the agency's Ombudsman Program and investigates complaints that fall under the state's whistle-blower statute.

Regional Operations (19 FTE's)

The purpose and function of the Regional Operations Office is to keep the agency's mission, policies and service consistent across the state; facilitate the coordination and implementation of agency programs at the regional and local level through effective communication and leadership; conduct public workshops and survey conservation groups and landowners, and appropriate public officials and agencies to solicit input on proposed

regulation changes; and integrate agency operations, engage stakeholders, and execute projects and decision-making at the lowest practicable level.

A summary of how this restructuring and the Strategic Plan address the needs expressed by stakeholders is presented in Attachment E.

Detailed Strategic Plans for each Program and Office are being developed during September and October 2003. Following Gubernatorial and Legislative action on the restructure proposal, detailed annual work plans will be developed for each Program and Office. These work plans state what will be done and how it will address the Agency Strategic Plan.

d. The Justification Of Revised Or Proposed New Programs And / Or Services

Not Applicable.

e. Justification Of Final Projection For Each Outcome And Include An Impact Statement Relating To Demand And Fiscal Implications, And Provide The Policy Context And Guidelines Used By The Agency To Develop Its 5-Year Workforce Plan

- **Justification Of Final Projection for each Outcome**

Outcome 1 A: Percent of critical habitat (hot spots) protected through land acquisition, lease or management contract

This outcome focuses on conserving critical fish and wildlife habitat. FWC's primary means of doing so are Forever Florida funds. Based on anticipated funding levels, we project an ability to increase protected habitat by 2% over the next 5 years.

Outcome 1 B: Percent of wildlife species that are increasing or stable

In general, there is a inverse relationship between human and wildlife population trends. As Florida's human population continues to increase, we tend to see a concomitant decrease in wildlife populations. This is due primarily to habitat loss or degradation both in Florida and, for migratory species such as songbirds, in Latin America, also.

As a result, we project that with anticipated funding levels FWC can "hold the line" and not allow additional species to suffer population declines.

Outcome 1 C: Percent of freshwater fish populations that are increasing or stable

The situation for freshwater fish is analogous to wildlife as described in Outcome 1 B, above. We expect to "hold the line" on species declines over the next five years.

Outcome 1 D: Percent of marine fishery stocks that are increasing or stable

The situation with marine fisheries is somewhat different than wildlife or freshwater fisheries. A number of marine fish species are declining due to over fishing, primarily in federal waters. We expect to improve this circumstance, along with our federal and other state partners, to where we experience an increase in the number of species with populations that are stable or increasing.

Outcome 1 E: Number of public contacts by law enforcement

Past experience shows that this number will fluctuate based on a number of factors outside the control of FWC that include: vacancies, natural disasters, weather, resource use by the public, and more recently, demands for homeland security directed patrols. All of these factors impact the ability of officers to make direct public contacts. Given the difficulty of predicting all these factors, we project contacts to remain at current levels.

Outcome 1 F: Percent of research projects that provide management recommendations or support management actions

We expect to continue ensuring all research projects provide recommendations to or otherwise support management actions.

Outcome 2 A: Percent change in licenses and permits issued

We expect license sales to continue to increase slightly, primarily as a result of improved water levels in Florida lakes and a continued increasing interest in saltwater fishing.

Outcome 2 B: Percent change in the number of information and education materials provided to citizens

FWC will continue to move towards providing more material on-line as opposed to printing the material.

We expect an increase in the number of informational materials to be offset by a reduction in educational materials as a result of FY 03-04 budget cuts.

- **Policy Context and Guidelines Used By the Agency To Develop Its 5-Year Workforce Plan**

When the original LRPP instructions were distributed in June 2000, agencies were asked to “examine and provide the impact of reducing the workforce by 25% over a five year period.” The FWC applied zero-based analysis principles in examining its activities for potential reduction.

Directors within the agency were asked to examine and prioritize their operations and report what the actions and impacts would be of a 25% workforce reduction over five years. They were instructed to consider the following questions:

- Does the service and/or activity need to be provided?
- What is the optimum level of a service to meet the need and achieve a stated goal or objective?
- What is the best mix of activities?
- What are suitable alternatives?

In addition, the following assumptions were applied:

- Across the board reductions are not the sole means to accomplish the work force reductions.
- Service and activities are prioritized and lower priorities are eliminated.
- Mission critical services and activities are funded to meet the optimum level of a service.
- Savings are created beyond the spending targets may be redirected to agency priorities, including employee incentives.
- Best management practices are used, where appropriate.
- Reductions may include privatizations, shifts to community-based care, and downsizing (primarily through attrition). Privatization must allow current state workers to bid for services.
- Reforms to the career service system will allow more flexibility.

The results of this analysis were further reviewed and refined by the Executive Director and reviewed and approved by the Commissioners. Annual updates are accomplished in the same manner.

f. List Of Potential Policy Changes Affecting The Agency Budget Request or Governor’s Recommended Budget

g. List Of Changes, Which Would Require Legislative Action, Including The Elimination Of Programs, Services And / Or Activities

1) Eliminate FWC’s environmental education grant program and the Advisory Council on Environmental Education.

This issue would repeal the statute authorizing FWC’s environmental education grant program, which assists the public, through school teachers, state administrators including the Department of Education (DOE), and others, in understanding Florida’s environment and the problems and issues facing Florida’s unique eco-systems. The issue also would eliminate the Advisory Council on Environmental Education (ACEE) that serves to recommend to the Commission an annual list of priority projects to be funded that would implement the environmental education mission. Declining revenues in the two funding sources for the program – the Save the Manatee Trust Fund and the Florida Panther Research and Management Trust Fund – ultimately resulted in the elimination of the program and its staff, effective July 1, 2003 (see chart below). ACEE recognizes and understands the financial constraints that have led to this proposal and will continue to advise the Commission until the law is repealed. ACEE believes, however, that there is a continuing need for environmental education in Florida.

<u>Year</u>	<u>FTE</u>	<u>Grants</u>	<u>Transfer</u>	<u>Expense</u>	<u>Total</u>
2000-01	3	\$943,972	\$641,540	\$ 133,213	\$1,718,725
2001-02	1	\$197,583	\$ 0	\$ 59,490	\$ 257,073
2002-03	1	\$197,658	\$ 0	\$ 54,018	\$ 251,676
2003-04	0	\$ 0	\$ 0	\$ 0	\$ 0

2) Increase penalties for violations of dog hunting with deer laws/rules.

As part of the rule considerations pertaining to resolving user conflicts in dog hunting with deer is the proposal to increase the penalties for repeated violations of dog hunting rules. Increasing the penalties was approved conceptually by both sides of the issue. Potential changes include increasing the criminal penalty from a 2nd degree misdemeanor to a 1st degree misdemeanor, mandatory sentencing that could include revoking a hunting license, and an increase in fines. Additional communication with stakeholders is necessary to develop specific recommendations.

3) Recommended by the Boating Advisory Council - Revise membership of the Boating Advisory Council.

The Boating Advisory Council (BAC) was created by the Florida Legislature in 1994 and consisted of 16 members. It has since expanded to 17 members. The BAC considers issues relating to boating and diving safety education, boating related facilities, including marinas and boat testing facilities, and boat usage. The BAC is charged with making recommendations to the Commission and to the Department of Community Affairs. The BAC was instrumental in the passage of Florida’s boater education law in 1996 and has made several important recommendations in the following years.

Currently, the Governor appoints members to two-year terms from nominations submitted from the Executive Director of FWC. Members are appointed from specified interest groups: one each from manatee protection interests, marine industries, marine manufacturers, commercial vessel owners or operators, sport boat racing, scuba diving industry; two each from water-related environmental groups, and boating public. Due to the technical aspect of the subject matter, members begin to fully acclimate to the issues when their term expires. In recent years, the BAC has suffered from a lack of participation from some members, with some never reporting to meetings; current law does not address non-participating members.

The BAC has recommended changing the statute to include a broad scope of membership. The BAC will develop specific recommendations at its next meeting in September, which will be presented to the Commission at its meeting in September.

4) Recommended by the Boating Advisory Council - Increase maximum age, one year per year, for requiring boating safety education identification card to operate a boat on Florida waterways.

Current law requires anyone 21 years of age or younger to pass a boating safety course and obtain a Florida Boating Safety Education Identification Card. This issue would increase the age requirement one year per year, so that eventually, everyone operating a boat on Florida’s waterways will have taken the course. Since 1996, Florida has seen a 7.6% reduction of boat operators within the affected age group (21 and under) being involved in boating accidents. This indicates that boating safety education is an effective means of reducing a boat operator’s likelihood of being involved in a boating accident. Boating accident statistics show that the majority of Florida’s boating accidents involve operators over 21 years old (see chart below). Currently, the only mechanism of getting boating safety education to that group is by encouraging voluntary boating safety education.

2003 Recreational Accidents

<u>Age</u>	<u>No. of Accidents</u>	<u>Percentage</u>
0-16	59	5.1%
17-21	126	10.9%
22-35	277	24.0%
36-50	386	33.2%
51 +	309	26.8%

5) Recommended by the Boating Advisory Council - Create a boating specialty license plate to generate revenues dedicated to funding the Section of Boating and Waterways.

The Commission requested more information on this issue (analysis of SB 2020 from the 2004 Session that changed requirements for future specialty license plates, five-year history of revenues of existing specialty license plates that benefit FWC, report on all other specialty license plates that pertain to fish and wildlife, and an analysis of the \$1 million in revenue that the Marine

Industries Association of Florida estimates the license plate will generate). This information is to be presented to the Commission's Budget Subcommittee that will meet in late August 2004.

This proposal would create a boating specialty license plate. Revenues generated would be dedicated to funding programs of FWC's Section of Boating and Waterways within the Division of Law Enforcement (Section). The Section was created in 2003 with the passage of the marina fuel tax legislation. It combined existing programs within FWC into one organizational unit. Duties include the oversight and coordination of waterway markers on state waters, providing boating education and boating safety programs, improving boating access, coordinating the removal of derelict vessels from state waters, participating in economic development initiatives to promote boating in Florida, and coordinating the submission of state comments on marine events.

6) Create an individual vessel saltwater products license.

Currently, anyone harvesting commercial quantities of saltwater products must be licensed by the State of Florida (through FWC). An individual saltwater products license (SPL) costs \$50 for a resident, \$200 for a non-resident, and \$300 for an alien. A vessel SPL allows each crew member of the licensed vessel to harvest fish without having to purchase an individual SPL. A vessel SPL costs \$100 for a resident, \$400 for a non-resident, and \$600 for an alien. This proposal would create an individual-vessel SPL that would allow the license holder to harvest fish from different vessels and cover the crew of the vessel. The license holder would have to be on board the vessel during the harvest. This would allow the commercial fisher who may have several vessels, but who only fishes one at a time, the opportunity to purchase only one license. The suggested price is the same as the vessel SPL - \$100 for a resident, \$400 for a non-resident, and \$600 for an alien.

7) Reduce stone crab trap certificate transfer fees.

The stone crab trap reduction program is based on a passive system – when certificates are transferred/sold, the seller can (currently) transfer 77.5 % of his/her inventory. The remaining 22.5% are taken out of the fishery, resulting in a corresponding reduction of traps in the water. (Percentage of reduction is based on the total volume of certificates in the fishery – the smaller the total volume, the smaller the reduction percentage.) The goal is to reduce the volume to 600,000. For 2003-04, the transfer reduction amount was 23,661 certificates, and another 52,068 certificates were forfeited because of inactive accounts. At the beginning of FY 2004-05, 1,458,708 certificates were issued.

The current fees for certificate transfers follow:

Transfer (outside of immediate family) -	\$2 per certificate
Transfer to eligible crew member -	\$1 per certificate
Transfer surcharge (outside of immediate family; - first time transferred only)	\$2 per certificate or 25%, whichever is greater

This proposal would allow the Commission to set the fees by rule “up to” the current level, i.e. up to \$2 per certificate for transfer outside of immediate family; up to \$1 per certificate for transfer to an eligible crew member; up to \$2 per certificate or up to 25%, whichever is greater, for transfer surcharge. Since the timing of passage of a bill during the 2005 Session would most likely not allow the Commission enough time to adopt a rule in time for the 2005 stone crab season, the

proposal also would include reducing stone crab transfer fees in half for the 2005 stone crab season only.

h. List of all task forces studies, etc., in progress

The Florida Fish and Wildlife Conservation Commission does not have any task forces, workgroups or studies being conducted at this time.