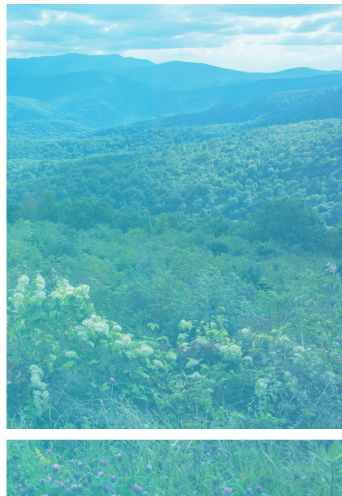


Report to the Governor and the General Assembly of Virginia

Operations and Performance of the Department of Game and Inland Fisheries

2019



Joint Legislative Audit and Review Commission

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Hal E. Greer, Director

Justin Brown, Senior Associate Director, Project Leader

Christine Wolfe
Kate Hopkins
Dan Hiller

Information graphics: Nathan Skreslet
Managing Editor: Jessica Sabbath

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Summary: Operations and Performance of the Department of Game and Inland Fisheries

WHAT WE FOUND

DGIF has sufficient revenue to operate, though Virginia charges less to register boats and offers more exemptions than other states

DGIF's revenue has not kept pace with inflation, but the agency does not appear to have a structural deficit between its revenue and key operational spending. The agency also has substantial fund balances it can access as needed to address any revenue shortfalls in the future.

Fees charged to hunt, fish, or register a boat are a major revenue source for DGIF. The fees Virginia charges to hunt and fish are generally similar to surrounding states. Virginia differs, though, from other states in several ways that reduce DGIF revenue. Virginia charges substantially less to register boats than other states. Virginia also typically grants more, and broader, hunting and fishing license exemptions than surrounding states.

DGIF's colonel position has been vacant for nearly 3.5 years

The conservation police force is headed by a colonel, but the position has been vacant since June 2016. During that time, staff have observed that "we lack direction and foresight," and there is a general lack of leadership and decisiveness on key issues. The colonel position has remained vacant for a variety of reasons, including a current statutory requirement for the director to determine that no current DGIF staff are qualified before filling the position with an outside candidate. The agency's lack of a structured internal leadership development program has also contributed to challenges filling vacant leadership positions within the conservation police force.

Public reports CPOs are professional, but CPOs lack adequate procedural guidance to ensure consistent enforcement actions

Members of the public, when asked by JLARC, characterized conservation police officers (CPOs) as professional and helpful. Ninety-four percent reported that the CPO with whom they interacted operated in a professional manner; 83 percent reported that when requesting assistance, the CPO was helpful.

WHY WE DID THIS STUDY

In 2017 the Joint Legislative Audit and Review Commission (JLARC) directed staff to review the operations, performance, and management of the Department of Game and Inland Fisheries (DGIF).

ABOUT THE DEPARTMENT OF GAME AND INLAND FISHERIES

DGIF enforces hunting and fishing laws and regulations and undertakes a variety of activities to manage and conserve wildlife and habitat. The agency sold more than 1 million licenses, permits, or stamps to hunt or fish in FY19. DGIF owns 46 wildlife management areas and other property totaling more than 220,000 acres. The agency's revenue comes from numerous non-general fund sources. DGIF employs about 440 staff. A new executive director was hired in mid-2019.

However, several indicators suggest that CPOs have been making law enforcement decisions without adequate procedural guidance. DGIF is aware of this problem and is in the process of attempting to address it through improving guidance and seeking accreditation. Underscoring the need for improvement, only 30 percent of sergeants, lieutenants, and captains (who supervise CPOs) surveyed by JLARC reported that “all or most” procedural guidance was accurate. CPOs also gave varying responses to JLARC when asked how they might enforce certain laws and regulations. There is also some evidence of inconsistency in enforcement actions taken by CPOs over time.

Stakeholders cite the high quality of DGIF wildlife management and conservation staff and programs

DGIF has a reputation for being an effective wildlife management agency. Conservation experts, federal officials, and stakeholder groups interviewed by JLARC staff indicated that DGIF’s conservation and management staff and programs are well regarded and respected. These experts and stakeholders indicated that DGIF has experienced and dedicated staff and is a leader among the states in certain program areas.

DGIF’s land acquisition process is generally effective but lacks necessary strategy and maintenance focus

A major focus of the agency’s conservation efforts is to purchase and conserve land as habitat for wildlife (and to be used recreationally through hunting, fishing, boating, wildlife viewing, and hiking). During the last few years, the agency spent more than \$32 million to acquire 19 properties. DGIF has a generally effective process to decide which land to acquire, but it has not followed the process on some occasions. DGIF also lacks a meaningful and up-to-date land acquisition strategy. The agency also does not adequately budget and staff the maintenance required for its 220,000 acres of land holdings.

DGIF has several staffing and leadership issues that need attention

In a survey conducted prior to the recently appointed executive director assuming office, DGIF staff report being generally satisfied with their work and their ability to be productive. Staff also reported, though, concerns about the agency’s senior leadership team (including the prior executive director, but also current deputy director and division directors). Only one-third of all agency staff believed the agency’s senior leadership team identified and addressed agency challenges or motivated them to be effective. One staff member observed: “The senior leadership team is a black box. We have no idea what decisions they make or why.” Females and black employees also expressed certain concerns. For example, female and black employees were far less likely to be satisfied with DGIF’s work culture and opportunities for advancement than white male employees.

The recently appointed executive director is in a good position to engage in a purposeful effort to address these issues and gain staff confidence.

WHAT WE RECOMMEND

Legislative action

- Exempt the colonel position from the requirement to determine that a sufficient pool of candidates does not exist within the department before hiring an external candidate
- Require that at least one member of the Board of Game and Inland Fisheries be a senior law enforcement official

Executive action

- Fill the vacant colonel position no later than September 30, 2020
- Conduct additional training and provide additional guidance to ensure conservation police officers have a consistent understanding of enforcement actions and procedures
- Develop and implement a leadership identification and development program for conservation police officers
- Adhere to the agency's internal land acquisition process and request an exemption from the Board of Game and Inland Fisheries before deviating
- Develop and follow a documented, meaningful and up-to-date, long-term land acquisition strategy
- Gain staff confidence through ongoing outreach, addressing staff concerns, and executing the agency's internal communication plan

The complete list of recommendations and options is available on page v.

Recommendations and Options: Operations and Performance of the Department of Game and Inland Fisheries

RECOMMENDATION 1

The General Assembly may wish to consider amending §29.1-200.B of the Code of Virginia to exempt the colonel position from the requirement to make a written determination that a sufficient pool of candidates does not exist within the department. (Chapter 3)

RECOMMENDATION 2

The Department of Game and Inland Fisheries should appoint a colonel to lead the conservation police force no later than September 30, 2020. (Chapter 3)

RECOMMENDATION 3

The Department of Game and Inland Fisheries should develop and implement a conservation police officer leadership development program to ensure it has enough qualified staff to fill vacant leadership positions. (Chapter 3)

RECOMMENDATION 4

The Department of Game and Inland Fisheries should revise its conservation police force promotion process to incorporate a written examination to provide additional, objective information that will inform promotion decisions and ensure promotion decisions are based on merit. (Chapter 3)

RECOMMENDATION 5

The Department of Game and Inland Fisheries should develop a non-supervisory career path for conservation police officers by creating a career ladder within the conservation police officer position. (Chapter 3)

RECOMMENDATION 6

The Department of Game and Inland Fisheries should assess the feasibility and value of supplementing field training for CPOs to ensure new officers gain experience in each relevant enforcement season while under the supervision of a field training officer. (Chapter 3)

RECOMMENDATION 7

The Department of Game and Inland Fisheries should conduct additional training and provide written guidance as needed to ensure all conservation police officers have a consistent understanding of which enforcement actions are most appropriate for given violations. (Chapter 3)

RECOMMENDATION 8

The Department of Game and Inland Fisheries should annually analyze enforcement action data for each conservation police officer to identify officers who may need additional guidance or training on which enforcement actions are most appropriate for given violations (Chapter 3)

RECOMMENDATION 9

The Department of Game and Inland Fisheries should schedule a mock assessment by a certified Virginia Law Enforcement Professional Standards Commission assessor six to 12 months before its formal accreditation assessment to assess progress toward accreditation requirements and ensure accreditation. (Chapter 3)

RECOMMENDATION 10

The General Assembly may wish to consider amending §29.1-102.A of the Code of Virginia to require that at least one member of the Board of Game and Inland Fisheries be a current or former senior law enforcement official. (Chapter 3)

RECOMMENDATION 11

The Department of Game and Inland Fisheries should adhere to its land acquisition process and seek approval from the Board of Game and Inland Fisheries before making any deviation from the process. (Chapter 4)

RECOMMENDATION 12

The Department of Game and Inland Fisheries should strengthen its land acquisition process by providing guidance to field staff on how to assign ratings for each criterion when conducting the field review for potential properties. (Chapter 4)

RECOMMENDATION 13

The Board of Game and Inland Fisheries should direct the Department of Game and Inland Fisheries to develop an updated land acquisition strategy that articulates the type of land it wishes to prioritize, the regions of the state where land is most needed, and how it will adequately maintain land acquired. (Chapter 4)

RECOMMENDATION 14

The Department of Game and Inland Fisheries and the Virginia Marine Resources Commission should apply the same coordination approach used during holidays or large events to their regular patrol activities in the Tidewater region to ensure boats are not inspected by both police forces within a short period of time. (Chapter 5)

RECOMMENDATION 15

The Department of Game and Inland Fisheries and the Virginia Marine Resources Commission should revise as necessary their memorandum of understanding governing response to boat accidents in the Tidewater region and ensure their officers adhere to its protocols. (Chapter 5)

RECOMMENDATION 16

The Department of Game and Inland Fisheries should develop and implement a plan to gain the confidence of agency staff through (i) continued outreach to identify staff concerns, (ii) actions to meaningfully address staff concerns, and (iii) improved communication with staff about agency operations and major decisions affecting staff. (Chapter 6)

RECOMMENDATION 17

The Board of Game and Inland Fisheries should administer and assess the results of a survey of Department of Game and Inland Fisheries staff in 2021 to determine the level of staff confidence in the senior leadership team. (Chapter 6)

RECOMMENDATION 18

The Board of Game and Inland Fisheries should set a deadline by which the Department of Game and Inland Fisheries should implement the measures necessary to improve the effectiveness, efficiency, and responsiveness of its office of human resources. (Chapter 6)

RECOMMENDATION 19

The Department of Game and Inland Fisheries should identify and implement practical, immediate solutions to help ensure its staff can access the information technology and systems necessary to be fully efficient and effective in their jobs. (Chapter 6)

RECOMMENDATION 20

The Department of Game and Inland Fisheries should undertake a meaningful strategic planning effort that articulates (i) the agency's most substantial challenges; (ii) realistic strategies to effectively address those challenges; and (iii) the changes the agency will make to its revenue base, programs, and staffing to implement the strategies. (Chapter 6)

OPTION 1

The Board of Game and Inland Fisheries could increase fees to register boats and use the additional revenue as needed to address future revenue shortfalls. (Chapter 2)

OPTION 2

The General Assembly could include language in the Appropriation Act granting the Board of Game and Inland Fisheries temporary authority to increase boat registration fees by more than the \$5 every three years specified in §29.1-701.1 of the Code of Virginia. (Chapter 2)

OPTION 3

The Department of Game and Inland Fisheries could develop and implement web-based software that asks users the activities they wish to undertake and then suggests the various licenses, permits, or stamps they need. (Chapter 2)

OPTION 4

The General Assembly could amend §29.1-301 of the Code of Virginia to authorize the Board of Game and Inland Fisheries to charge exempt hunters and anglers a nominal registration fee of several dollars, thereby allowing Virginia to claim forgone federal revenue. (Chapter 2)

OPTION 5

The Department of Game and Inland Fisheries could place more emphasis on its non-game species management by consolidating non-game species staff into a single division managed by a supervisor who reports to the deputy director. (Chapter 4)

OPTION 6

The Board of Game and Inland Fisheries could place more emphasis on non-game species management activities by creating a committee to specifically focus on and oversee non-game species management activities. (Chapter 4)

OPTION 7

The Department of Game and Inland Fisheries and the Virginia Marine Resources Commission could create a workgroup to (i) assess how frequently boats are inspected by both police forces and (ii) coordinate their officer dispatch and other systems as necessary to allow officers on patrol to know which boats have already been inspected. (Chapter 5)

1 Overview of the Virginia Department of Game and Inland Fisheries

SUMMARY The Department of Game and Inland Fisheries enforces Virginia’s hunting and fishing laws and regulations and undertakes a variety of activities to manage and conserve wildlife and habitat. The agency sold more than 1 million licenses, permits, or stamps to hunt or fish in FY19. DGIF owns and maintains 46 wildlife management areas and other property totaling about 220,000 acres. The agency’s revenue comes from numerous non-general fund sources, with the largest portions coming from federal funds and revenue from the sale of hunting and fishing licenses. DGIF employs about 440 staff at its headquarters in Henrico and four regions around the state. About 40 percent of these staff work in the law enforcement division.

In 2017, the Joint Legislative Audit and Review Commission (JLARC) approved a study resolution that directed JLARC staff to review the operations and performance of the Department of Game and Inland Fisheries (DGIF). Legislative interest in a review of DGIF was prompted, in part, because DGIF is a large non-general fund agency that had not been comprehensively reviewed by JLARC. As part of this review, JLARC staff were directed to evaluate DGIF’s revenue sources and cash balances; assess the powers and authorities of conservation police officers and the organizational structure of the conservation police officer force; examine land acquisitions; and determine whether efficiencies could be gained by consolidating DGIF’s functions with other agencies with similar missions. (See Appendix A for study resolution.)

To address the mandate, JLARC staff interviewed agency staff, board members, staff from state and federal agencies that DGIF interacts with, and stakeholders, including wildlife conservation and management experts. Staff surveyed members of the public who have obtained hunting and fishing licenses or registered their boats with the agency and all DGIF staff, conservation police officers, and members of the Board of Game and Inland Fisheries. JLARC staff reviewed and analyzed spending, staffing, law enforcement, and land acquisition data. (See Appendix B for a detailed description of research methods.)

DGIF manages and conserves wildlife and ensures safe access to outdoor recreational activities

DGIF has numerous responsibilities related to wildlife and outdoor recreation, which include managing the state’s wildlife, including game animals, other animals such as threatened and endangered species, and freshwater fish. The agency’s mission is to:

- protect people and property by promoting safe outdoor experiences and managing human-wildlife conflicts;
- conserve and manage wildlife populations and habitat for the benefit of present and future generations; and
- connect people to Virginia’s outdoors through boating, education, fishing, hunting, trapping, wildlife viewing, and other wildlife-related activities.

To accomplish this mission, DGIF undertakes several major activities. The agency administers a system through which hunters and anglers pay a fee to obtain licenses or permits to hunt or fish. DGIF enforces laws and regulations related to hunting, fishing, boating, and other outdoor activities. DGIF also manages and conserves wildlife by developing hunting and fishing regulations; acquiring and managing land to preserve habitats; and researching and monitoring specific species.

DGIF issues hunting and fishing licenses and other privileges

DGIF issues more than 100 types of privileges (e.g. licenses, permits, and stamps) for activities such as hunting and fishing. More than 1.1 million licenses, permits, and stamps were sold in FY19 for various hunting and fishing activities; approximately 560,000 hunting licenses and 510,000 fishing licenses were sold. Licenses, permits, stamps, and boat registrations can be purchased through DGIF’s online system (Go Outdoors Virginia), in person at DGIF’s headquarters in Henrico, or through licensed agents throughout the state.

Conservation police officers protect people and property by enforcing wildlife and boating laws

DGIF’s conservation police officers (CPOs) are located throughout the state and are responsible for enforcing the state’s hunting, fishing, trapping, wildlife, and boating laws. CPOs also are one of the primary ways the public interacts with DGIF through general outreach and education. Each is assigned to one of 23 districts within DGIF’s four regions. CPOs’ primary goals are to ensure compliance with DGIF laws and to promote a safe environment for citizens and visitors to enjoy the state’s natural resources. CPOs have full law enforcement power, which allows them to enforce all of the state’s criminal laws. In instances of non-compliance, officers may issue a warning or summons, or they can arrest violators. CPOs also conduct investigations based on violations reported by citizens and assist other police forces with certain enforcement activities, such as search and rescue or other special operations.

Although they have the authority to enforce all laws, CPOs’ main responsibility is to enforce DGIF laws, which are primarily related to hunting, fishing, and boating. The majority of CPOs’ enforcement actions (78 percent) from FY13 to FY18 were for violations of DGIF laws, and an additional 3 percent were for violations of other natural resources-related laws, such as Virginia Marine Resources Commission and federal migratory bird laws.

CPOs enforce a variety of different laws. CPOs took action related to 905 different Code sections from FY13–FY18. The most common violation was fishing without a license (29.1-335).

The remaining 19 percent of enforcement actions were for violations of non-DGIF laws, but still related to natural resources (such as Title 18.2 of the Code of Virginia--Crimes and Offenses Generally; Title 46.2—Motor Vehicles; and Title 4.1—Alcoholic Beverage Control Act). For example, many of these enforcement actions were for trespassing violations by hunters and anglers (trespassing under Title 18.2, Crimes and Offenses Generally).

The vast majority of CPO enforcement actions are summons to appear in court. CPOs issued a summons in 97 percent of formal enforcement actions from FY13 to FY18. The remaining 3 percent of enforcement actions were arrests. Arrests were typically for violations such as boating while intoxicated, driving while intoxicated (first offense), possessing schedule I or II drugs, or for committing multiple hunting or fishing offenses.

DGIF manages and conserves game and non-game wildlife

DGIF undertakes several activities to manage and conserve the state's wildlife, both game and non-game species. For game animal species, DGIF seeks to ensure optimal animal populations through:

- developing hunting and fishing regulations that determine the length and timing of hunting and fishing seasons and the number of animals that can be harvested;
- developing species-specific management plans that identify where populations need to be expanded, reduced, or remain the same;
- monitoring the level and health of game animal populations;
- operating fish hatcheries that hatch and raise fish such as trout, northern pike, striped bass, walleye, catfish, and largemouth bass, which are used to stock the state's lakes, rivers, and streams; and
- providing technical assistance to landowners.

DGIF also undertakes several activities to conserve and protect non-game animal species, primarily those that are threatened or endangered. For non-game animal species, DGIF:

- develops and implements Virginia's Wildlife Action Plan and species-specific plans;
- conducts research and monitoring of the level and health of non-game animal populations;
- raises public awareness through education and outreach programs and provides technical assistance to landowners;
- manages and preserves wildlife land habitats; and
- reintroduces or relocates non-game animal species in appropriate areas of the state where they have been absent.

Purchasing and maintaining land is also a key way DGIF fulfills its conservation and management mission. DGIF owns and manages about 220,000 acres of land throughout the state to conserve and enhance habitats for native wildlife species and to provide outdoor recreational opportunities. The land owned by DGIF primarily consists of 46 wildlife management areas but also includes property such as public boat landings and fish hatcheries.

DGIF regulates recreational boating and promotes outdoor recreation

DGIF has several responsibilities related to recreational boating. The agency registers and titles watercraft, licenses watercraft dealers, promulgates regulations governing watercraft use, provides educational programs for boating safety, and enforces freshwater boating laws and regulations. Over 227,000 boats were registered with DGIF in 2018.

DGIF also provides education and outreach. For example, the agency conducts hunter education courses, fishing clinics and seminars, and sponsors free fishing days to encourage participation. DGIF also publishes wildlife, hunting, fishing, and boating guides.

DGIF is primarily funded through license fees and federal funds

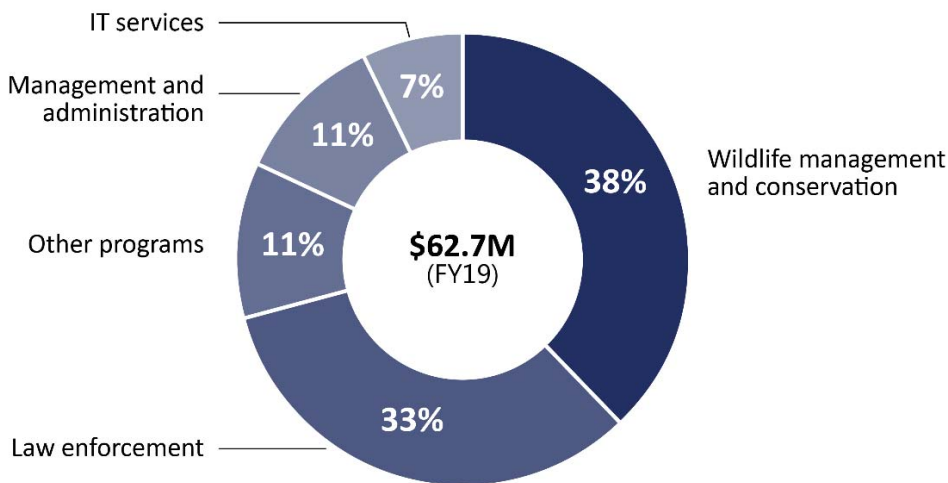
DGIF is funded entirely through non-general funds. Its annual revenue recently has ranged from around \$50 million to \$60 million. The agency's revenue typically comes through 20 different revenue sources. In most years, agency revenue is heavily driven by three main sources:

- revenue from sales of hunting and fishing licenses, stamps, and permits, fees for boat registrations, and other access or use fees;
- federal funding, which primarily comes from federal excise taxes on firearms, ammunition, and hunting and fishing equipment through the wildlife restoration (Pittman-Robertson) and sport fish restoration (Dingell-Johnson) funds; and
- a portion of proceeds from the state sales tax on hunting, fishing, and wildlife watching equipment (up to 2 percent of the proceeds can be allocated to DGIF) and the watercraft sales and use tax.

DGIF spends its revenue on a variety of different programs, but the majority of revenue goes toward either wildlife management and conservation activities or enforcement of laws and regulations (Figure 1-1). Thirty-eight percent of DGIF's spending in FY19 was for wildlife management and conservation. Another 33 percent was spent on law enforcement by the conservation police force.

FIGURE 1-1

Majority of spending is on wildlife management and law enforcement



SOURCE: JLARC staff analysis of DGIF spending data, FY19.

DGIF is supervised by a board and employs 440 staff

DGIF is supervised by a board that oversees agency operations. The agency has staff located at a central headquarters in Henrico County and at regional offices around the state. (See Appendix C for information about DGIF's headquarters relocation process.)

DGIF is supervised by the Board of Game and Inland Fisheries

The Board of Game and Inland Fisheries supervises DGIF and includes 11 members. Board members are appointed by the governor, subject to confirmation by the General Assembly. Members appointed are required in statute to be knowledgeable about wildlife conservation, hunting, fishing, boating, agriculture, forestry, or habitat. Each of the department's four regions is required to be represented by at least two board members.

The board's main responsibilities include appointing and evaluating the performance of DGIF's executive director, approving land acquisitions, approving regulations, and establishing fees charged for agency services, such as licensing and admission to public lands. The DGIF board has four committees to focus on various areas of agency operations: Wildlife and Boat; Law Enforcement; Finance, Audit, and Compliance; and Education, Planning, and Outreach.

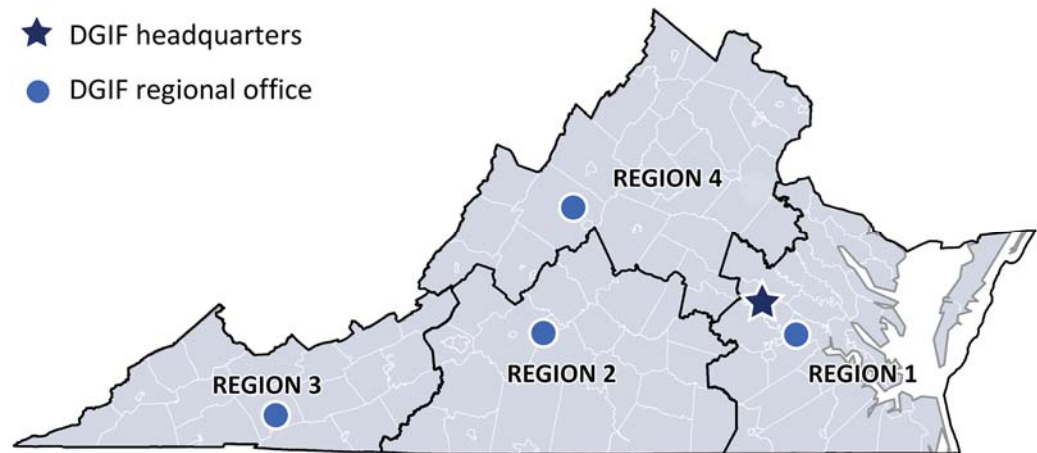
DGIF employs about 440 staff throughout the state, a majority of whom are conservation police officers and scientists

DGIF currently employs about 440 staff who carry out the day-to-day operations of the agency. Approximately 40 percent of the agency's staff are conservation police

officers or managers and 17 percent are scientists, which include wildlife biologists who are responsible for managing and conserving the state's wildlife resources. About 30 percent of staff are located at the headquarters office in Henrico. The remaining staff, including CPOs, work throughout the state, and many are assigned to one of four offices located in each of DGIF's administrative regions.

FIGURE 1-2

DGIF has its headquarters in Henrico and offices in four administrative regions



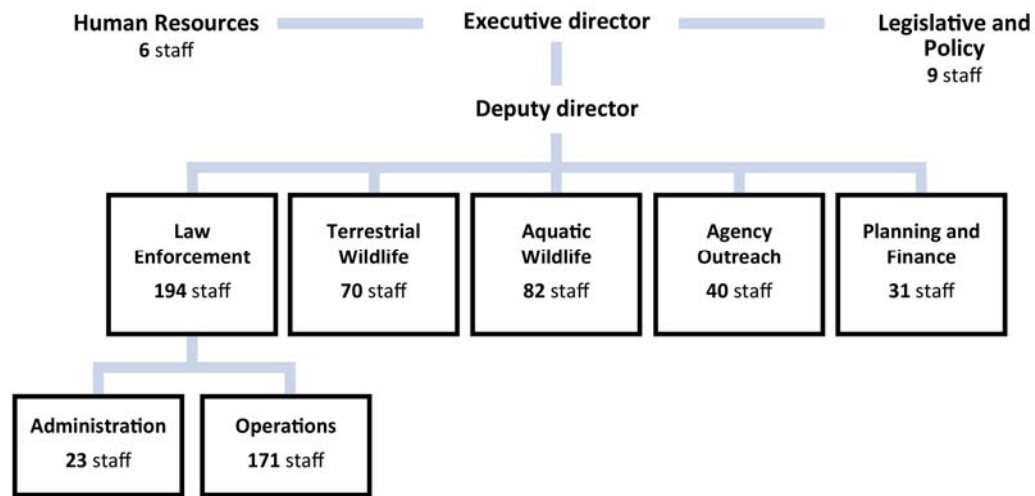
SOURCE: Map provided by DGIF.

Agency staff are overseen by an executive director and a deputy director of agency operations. Most DGIF staff are assigned to one of five main divisions. The three largest are:

- Law Enforcement – responsible for enforcing the state's hunting, fishing, and boating laws.
- Terrestrial Wildlife – responsible for the management and conservation of all game and non-game species that live on land.
- Aquatic Wildlife – responsible for the management and conservation of all freshwater aquatic species.

FIGURE 1-3

Most DGIF staff are in the law enforcement, terrestrial wildlife, or aquatic wildlife divisions



SOURCE: JLARC staff analysis of DGIF organizational structure and staffing data.

2 Revenue and Licensing

SUMMARY DGIF's revenue has not kept pace with inflation, but the agency does not appear to have a structural revenue deficit when compared to its operational spending. The agency also has substantial fund balances it can access as needed to address any future revenue shortfalls. The fees Virginia charges hunters, anglers, and boaters are a substantial portion of DGIF's revenue. Virginia's hunting fees are generally similar to fees in other surrounding states. Virginia's fishing fees are also similar (but trout fishing fees are higher). Virginia's boat registration fees, however, are substantially less than what other surrounding states charge. Virginia also tends to have a more complex license structure and grants more license exemptions than other states. Virginia has several options to raise additional revenue to address any future shortfalls.

As a non-general fund agency, DGIF uses the revenue it collects to fund its operations. Much of this funding is for the salaries and benefits of its 440 employees. Funding is used for facilities, utilities, and administrative services. Funding is also used to periodically purchase land.

DGIF's major revenue streams are primarily federal transfers and funds generated from selling hunting and fishing privileges. Federal revenue typically comes from the federal excise taxes on the sale of firearms and ammunition (Pittman-Robertson Act) and fishing equipment and motorboat gasoline (Dingell-Johnson Act). This federal revenue usually accounts for about 25 percent of DGIF's revenue. Hunting and fishing license sales usually account for another 45 percent of revenue.

DGIF can access substantial fund balances when needed to supplement revenue shortfalls

DGIF derives its revenue from 20 different federal and state sources. Depending on the revenue source, the agency is able to keep unused funds in these accounts to draw on as needed. These different revenue streams and the ability to accumulate and keep unused balances give the agency more long-term revenue and spending flexibility than many general fund agencies. Appendix D lists revenue and fund balances for all 20 DGIF accounts.

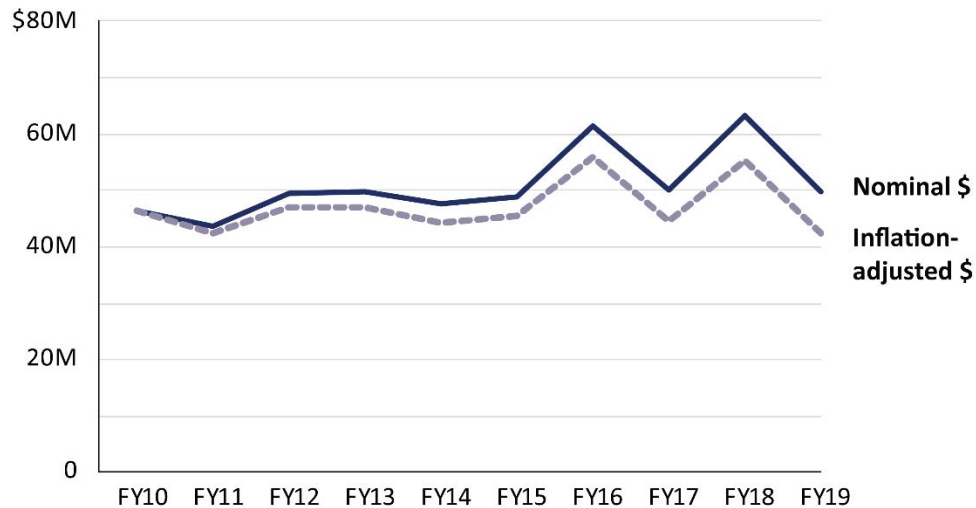
DGIF revenue can be volatile, has not kept pace with inflation, and grown less than other non-general fund agencies

Over the last decade, DGIF's revenue has not kept pace with inflation (Figure 2-1). DGIF's revenue is slightly more in FY19 than it was in FY10, but about 8 percent less

when accounting for inflation. This decline is the equivalent of about a \$4.4 million difference in purchasing power between 2010 and 2019.

FIGURE 2-1

DGIF's revenue has increased slightly but not kept pace with inflation



SOURCE: JLARC analysis of DGIF revenue data and Bureau of Labor Statistics data, 2010 to 2019.

NOTE: Excludes what DGIF characterizes as certain types of "transfers." Increases in FY16 and FY18 are due to large land acquisitions (York / Ware property for \$9.4M and Oakley property for \$9.1M).

DGIF is one of 12 major state agencies that heavily rely on non-general fund revenue. However, three of these agencies experienced substantial changes in revenue (VITA, Virginia Lottery, and Virginia Port Authority) and were excluded from comparisons to DGIF. The remaining eight agencies were included.

Over the past decade, DGIF's annual revenue has grown, on average, slightly less than other agencies relying on non-general funds (2 percent versus 3 percent). DGIF's growth ranks seventh lowest out of nine state agencies relying on non-general funds (sidebar).

Some of DGIF's funding streams can be volatile and difficult to predict. For example, increases in purchases of firearms and ammunition generate more revenue for DGIF. In addition, the General Assembly has discretion as to what portion of the state sales and use tax on hunting, fishing, and wildlife-watching equipment purchases to appropriate to DGIF. It has given DGIF as much as \$9 million less of the revenue in recent years (FY15 and FY16).

There has also been a downward trend in hunting license sales over the last 10 years, which has resulted in a revenue decline. Revenue from hunting licenses accounted for 29 percent of agency revenue in FY10 but accounted for 23 percent of agency revenue in FY19. Hunting license revenue declined by about 20 percent during that time (\$13.4 million vs. \$11.6 million).

DGIF appears to have been able to adapt to this revenue volatility through relatively minor spending reductions. For example, DGIF has periodically reduced overtime pay and hours for conservation police officers and left certain positions vacant. DGIF has also adapted by periodically using balances in its various revenue funds. Because there

are no required (federal or state) service levels for the agency's enforcement or wildlife management and land conservation activities, DGIF has flexibility to cut back programs or reduce staffing if revenue declines persist. Chapter 6 discusses how the agency should take a strategic approach to navigating the changing revenue environment.

DGIF's fund balances have been declining but are still substantially above the board's targets

DGIF's 20 different revenue accounts collectively had fund balances of about \$37 million at the end of FY19. These balances have declined substantially since FY15, when the agency had fund balances of nearly \$52 million. The decline is due to DGIF using balances to supplement its move to a new headquarters facility and maintain spending levels in years when revenue was less than the prior year.

DGIF's fund balances are substantially above targets set by the board. There are no statutory guidelines (federal or state) for what percentage of spending DGIF should maintain in its fund balances. Absent such guidelines, the board had set a target for fund balances to equal six months of agency spending. In March 2019, the board reduced the target to equal three months of agency spending. As of the end of FY19, the \$37 million in total fund balances was 19 percent higher than six months of agency spending and was 42 percent higher than the newly set target of three months of spending.

DGIF does not appear to have a near-term structural deficit and has adequate fund balances to supplement revenue if needed

Based on FY19 revenue and key operational spending, DGIF does not appear at near-term risk of being unable to meet its spending obligations because of revenue shortfalls. The agency collected about \$49.8 million in revenue, which was about \$2.5 million more than the \$47.3 million it spent on payroll, rent, utilities, IT, and other contractual administrative services. DGIF's largest ongoing annual expense by far is staff compensation (salaries and benefits). DGIF's annual payroll was about \$40.6 million in FY19. It also spent about \$2.9 million on building rent and utilities and \$2.8 million on contractual services for information technology (including payments to VITA and software vendors). The agency spent another \$0.8 million for contractual services for legal, fiscal, and other administrative services.

DGIF's spending, though, can be somewhat volatile just like its revenue. Especially in recent years, DGIF has used federal revenue to make substantial land purchases. It also periodically spends between \$400,000 and \$800,000 for operational or maintenance activities at its fish hatcheries.

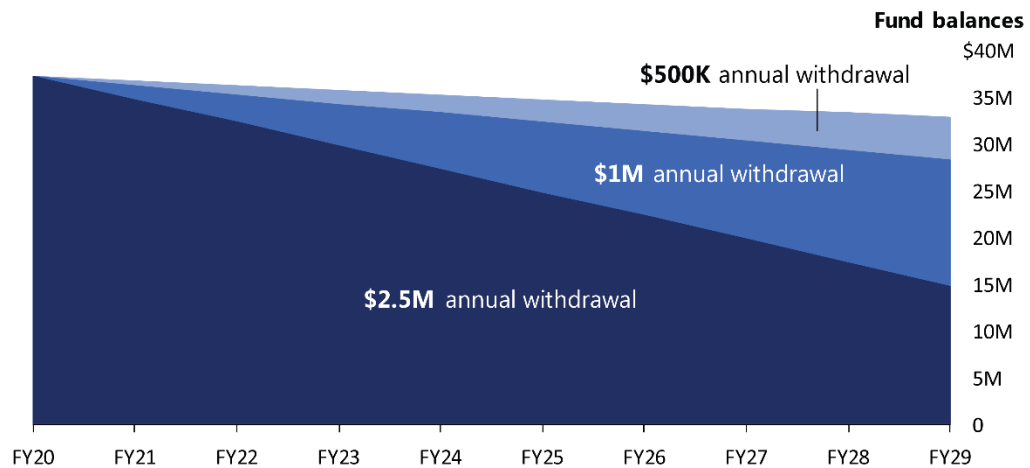
DGIF does not appear to have a near-term, structural revenue deficit, and the agency's current fund balances appear substantial enough to allow the agency to continue to spend down the balances as needed. Even if the agency needed to use \$2.5 million of

There are constraints on how DGIF can use certain revenue accounts. DGIF cannot use its total fund balances to fund all programs because several funding streams place constraints on how balances can be used. For example, certain federal funding can be broadly used for wildlife and conservation activities but cannot be used for law enforcement programs. Conversely, several other funding streams are to be used primarily or exclusively for law enforcement.

its fund balances each year through 2029, it would still have about \$15 million in remaining fund balances (Figure 2-2), which would still be above the board's three months of spending target. There are some constraints, though, on which funds DGIF can use to fund which programs (sidebar).

FIGURE 2-2

DGIF could still have ≈\$15 million in fund balance reserves even if it withdrew \$2.5 million annually through 2029



SOURCE: JLARC analysis of DGIF spending and fund balance data 2019.

NOTE: Projection assumes balances across all funds total \$37.4 million at beginning of time period.

Virginia's hunting and fishing fees are similar to, and boat fees are lower than, other states

Hunting and fishing privileges authorize particular hunting and fishing activities. Privileges include licenses, permits, tags, and stamps. Different species may require combinations of privileges. For example, to hunt ducks in Virginia, a resident needs (i) a hunting license, (ii) a Virginia migratory waterfowl conservation stamp, and (iii) a federal migratory duck stamp.

Like many state fish and wildlife agencies, DGIF relies on hunting and fishing license and boat registration sales as a primary source of revenue. This revenue helps the agency operate its regulatory, law enforcement, and wildlife management programs. The fee structure for hunting and fishing licenses and boat registrations is set in the Code of Virginia. The Board of Game and Inland Fisheries has authority to change the fees for all license privileges and boat registrations (within various statutory parameters as to how frequently and by what amount).

Cost to hunt in Virginia is generally similar to the cost to hunt in other states

The cost to obtain the necessary privileges to hunt (licenses, permits, and stamps) in Virginia is in line with surrounding states (Figure 2-3). JLARC staff compared the total cost for residents to obtain the necessary privileges to hunt various species in Virginia, to the total cost in surrounding states. The cost to hunt small game, such as squirrels, bears, and waterfowl, in Virginia is very close to the average cost in surrounding states.

It costs slightly more, though, to hunt deer and turkey in Virginia. Hunting deer costs \$46 in Virginia, \$7 more than the average cost of \$39 in surrounding states. Hunting turkey costs \$46 in Virginia, \$7 more than the average cost of \$39 in surrounding states. A slight majority of hunters expressing an opinion about the total cost of their hunting privileges agreed that it was affordable to hunt in Virginia (56 percent).

Appendix E has more detail on how Virginia's hunting privileges compare with other states.

Cost to fish in Virginia is similar to other states, but the cost to fish trout is higher in Virginia

The cost for residents to obtain the necessary privileges to fish in Virginia is similar to the cost to fish in surrounding states (Figure 2-3). The cost to fish trout, though, is substantially higher. Anglers in Virginia need a freshwater fishing license and a separate trout license to fish for trout in stocked waters. Consequently, the total cost to fish for trout is \$46 in Virginia, \$16 more than the average cost of \$30 in surrounding states. Despite this cost difference, the majority of anglers surveyed thought that the combined cost of their fishing licenses was "about right" (71 percent).

Appendix E has more detail on how Virginia's angling privileges compare to other states.

Cost to register medium and large boats is substantially lower in Virginia than in other states

When compared on a cost-per-year basis, the cost to register a small boat in Virginia (16 feet long or shorter) is similar to surrounding states (Figure 2-4). It costs considerably less, though, to register medium and large boats. Registering a medium-sized boat in Virginia (16 feet to 26 feet long) costs \$12 in Virginia, \$14 less than the average cost of \$26 in other surrounding states. It also costs less to register larger boats (26 feet to 40 feet) and boats that are more than 40 feet long. Only Maryland's boat registration fees are lower than Virginia's for all size classes. Most boaters expressed that the cost of registration in Virginia was affordable (85 percent).

Appendix E has more detail on how Virginia's boat registration fees compare to other states.

JLARC staff surveyed samples of hunters, anglers, and boaters to learn about their behaviors purchasing licenses and registrations, satisfaction with the licensing process, and opinions regarding the cost of licenses and registrations. JLARC received responses from 4,616 sportsmen. The average survey response rate was 10 percent. (See Appendix B for more information.)

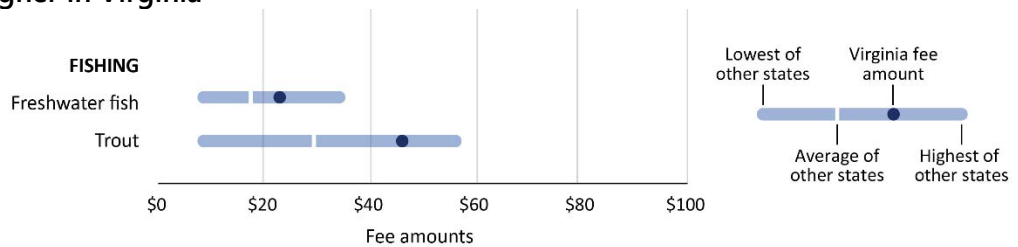
States may combine privileges for multiple game animals. For example, in Virginia, a hunter can hunt deer and turkey with a hunting license and one additional privilege. In Georgia and Tennessee, a hunter can hunt deer, turkey, and bear with a hunting license and one additional privilege.

FIGURE 2-3

Cost to hunt in Virginia is generally similar to other states



Cost to fish in Virginia is similar to other states, but the cost to fish trout is higher in Virginia

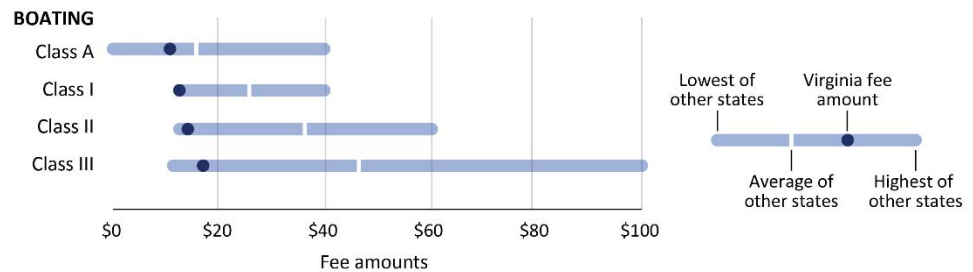


SOURCE: JLARC analysis of hunting and fish privilege fees of Virginia and other states.

NOTE: Hunting and fishing privilege fees were compared with (i) the surrounding states of North Carolina, Tennessee, Kentucky, West Virginia, and Maryland, and (ii) Delaware and Pennsylvania to the north, and South Carolina and Georgia to the south. The District of Columbia was also included in the comparison of freshwater fishing privilege fees. Not all comparison states are included in each comparison as some states do not allow hunting of certain species (e.g. there is no bear hunting in Delaware). Cost to hunt deer represents the average cost to take antlered and antlerless deer, as some states require different privileges for each. Cost to fish trout only refers to fishing for trout in stocked waters.

FIGURE 2-4

The cost to register larger boats in Virginia is substantially less than in other surrounding states



SOURCE: JLARC analysis of boat registration fees of Virginia and other states.

NOTE: Fees shown are annualized, to account for whether registrations last for two or three years. States use different size parameters to break up the vessel classes, however most states use four classes: Class A (small boats: approximately less than 16 feet overall length), Class I (medium boats: approximately 16 feet to less than 26 feet length overall), Class II (larger boats: approximately 26 feet to less than 40 feet length overall), and Class III (extra-large boats: greater than 40 feet length overall). Boat registration fees were compared with (i) the surrounding states of North Carolina, Tennessee, Kentucky, West Virginia, and Maryland, and (ii) Delaware and Pennsylvania to the north, and South Carolina and Georgia to the south. The District of Columbia was also used in the comparison.

One option the board could explore to raise any necessary additional revenue would be to increase boat registration fees. The board could use at least two different approaches to do this, each raising different amounts of revenue over different periods of time (Figure 2-5). Statute currently limits the board to increasing boat registration fees by \$5 every three years. An incremental approach would be for the board to raise the registration fee for all boat size classes by the statutory limit of \$5 in March 2022 (three years after the last time it raised fees in March 2019). This approach would raise about \$400,000 in additional revenue.

Alternatively, the board could also raise fees up to the average of other surrounding states (Figure 2-5). This approach would raise about \$3.2 million in additional revenue. This approach, however, would require the General Assembly to remove the statutory limit of a \$5 increase every three years that is currently in place. It would take the board 57 years to raise all fees to the average of other states if it increased fees by \$5 every three years.

To allow the board to raise boat registration fees more quickly, the General Assembly could grant temporary authority in the Appropriation Act to raise registration fees more than the statutory \$5 limit. This would allow the board to increase boat registration fees more substantially and thereby raise additional revenue more quickly. The temporary authority could be removed once boat registration fees had been raised to the desired amount.

OPTION 1

The Board of Game and Inland Fisheries could increase fees to register boats and use the additional revenue as needed to address future revenue shortfalls.

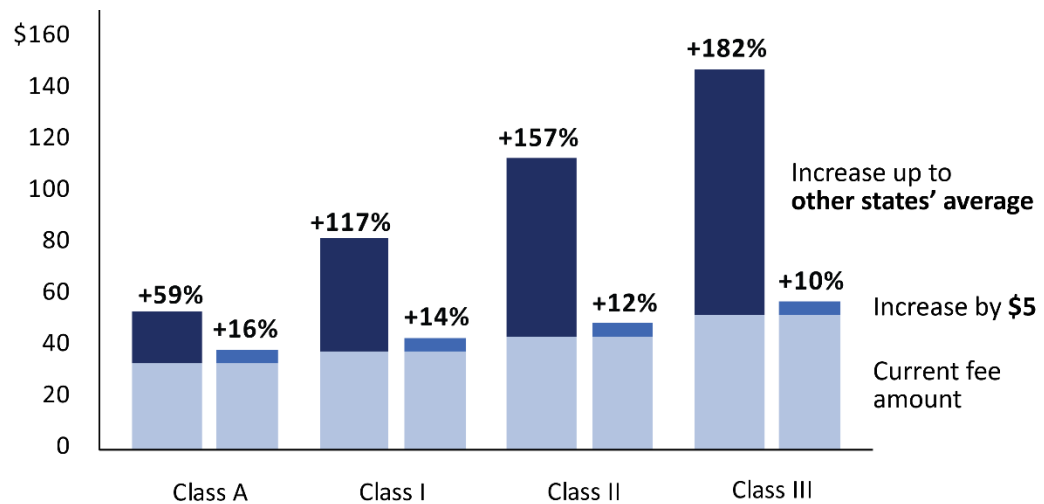
OPTION 2

The General Assembly could include language in the Appropriation Act granting the Board of Game and Inland Fisheries temporary authority to increase boat registration fees by more than the \$5 every three years specified in §29.1-701.1 of the Code of Virginia.

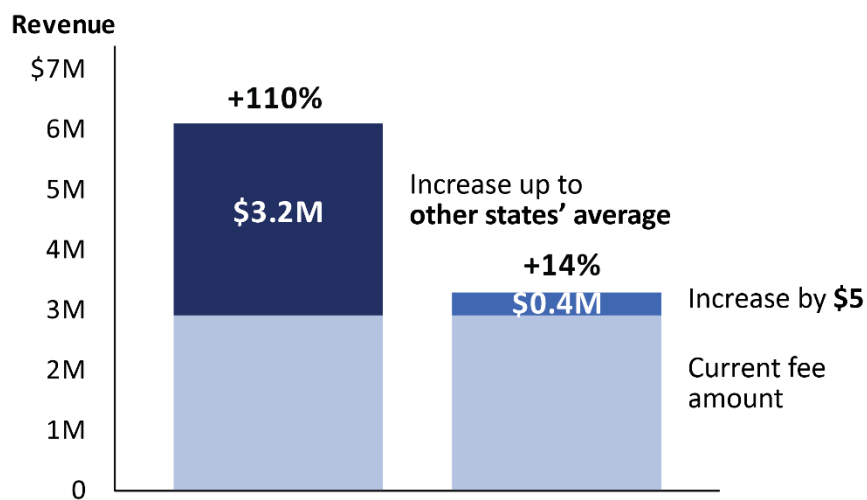
The board recently increased boat registration fees. During the public comment period, the agency received 37 comments, which were generally supportive of the increase. The board is limited to considering increasing boat registrations every three years, and by no more than \$5 each time.

FIGURE 2-5

Board could raise boat registration fees by \$5, or increase them to the other states' average



Board could raise varying revenue depending on approach taken



SOURCE: JLARC analysis of boat registration sales data.

NOTE: Analysis assumes number of boat registrations remain constant in response to fee changes.

Virginia's licensing system is more complex than other states

DGIF offers 132 different privileges for hunting and fishing, which are established in the Code of Virginia. There are different types of privileges needed depending on factors such as species, equipment, location, and age. At a minimum, individuals participating in hunting or fishing must have a hunting or fishing license. Additional privileges are needed to participate in certain activities. For example, to bow hunt deer in Virginia, an individual needs a hunting license, a deer/turkey license, and an archery license.

Virginia has more hunting and fishing licenses than surrounding states. Virginia offers more than twice as many types of hunting licenses (64) and almost twice as many fishing licenses (61) than any surrounding state. There are some unique aspects to Virginia's license system, such as Virginia residents being able to purchase longer-term licenses at a lower cost. Virginia is also the only state that has a combined deer/turkey license.

Despite this complexity, most hunters and anglers find it relatively easy to understand which licenses they need (82 percent). This is likely because most are familiar with Virginia's license structure and understand its nuances. However, of the 18 percent of respondents who indicated that they did not find it easy to understand the license structure, the majority expressed that this was because they had difficulty determining which license, permit, or stamp they needed (72 percent).

DGIF could develop a web-based "wizard" function that allows users to answer a series of questions about themselves (e.g., age, state of residence) and what they are seeking (e.g., activity, type of species) and be shown a suggested list of privileges they may need. This may make it easier for individuals—especially those who are new to hunting and fishing—to determine which combination of licenses, permits, and/or stamps apply. DGIF could develop the wizard functionality as a complement to its Go Outdoors Virginia system that allows individuals to purchase privileges online (sidebar).

OPTION 3

The Department of Game and Inland Fisheries could develop and implement web-based software that asks users the activities they wish to undertake and then suggests the various licenses, permits, or stamps they need.

Other states have simpler license structures than Virginia. Arizona, for example, only offers one general hunting license. This allows people to hunt small game, fur-bearing animals, predatory animals, nongame animals, and upland game birds. An additional tag or stamp is required only to hunt big game animals or migratory game birds and is specific to the species.

Sportsmen reported positive impressions of the Go Outdoors Virginia system to purchase licenses and register boats. Hunters (85 percent or 1,213), anglers (88 percent or 975), and boaters (87 percent or 697) reported the system was easy to use.

Virginia has more and broader exemptions than other states

Although privileges are required to hunt and fish in Virginia, certain individuals are exempt in statute from needing a license to participate in these activities. These include landowners and their families, tenants, and residents 65 years of age or older.

Virginia has more license exemptions than most surrounding states (Figure 2-6). Virginia has 36 exemptions, second only to Maryland, which offers 44. Virginia offers 16 hunting exemptions and 20 fishing exemptions. Pennsylvania has no exemptions for hunting, and both Pennsylvania and South Carolina do not grant exemptions to landowners. Virginia is unique in exempting stockholders owning 50 percent or more of a corporation that owns land in the state. Virginia allows these stockholders and their families to hunt or fish on the corporation's land without a license.

A national study estimated that 20 percent of hunters and anglers may be exempt. The 2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation indicates that nationally, approximately 20 percent of hunters and anglers are license-exempt. There is no reliable Virginia-specific estimate. DGIF's most recent full-season records, though, show that 15 percent of harvests were by license-exempt hunters (16 percent of deer, 22 percent of bear, and 9 percent of turkey.)

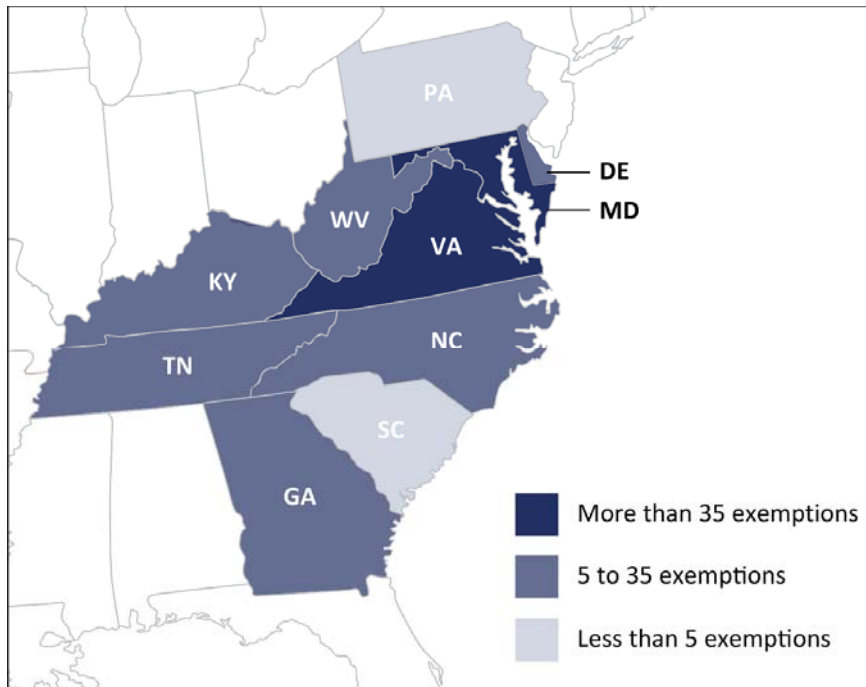
Virginia's license exemptions also tend to be broader than surrounding states (Figure 2-6). Virginia's exemptions for children of landowners, in contrast with other states, place no conditions on the type of land or age of the child. Other states typically place certain conditions on the exemption. For example, in Delaware, the landowner's property must be at least 20 acres of farmland, and in Maryland, the children must be under age 16. Virginia does not include such stipulations in the state's license exemption language.

Appendix F includes detailed information about Virginia's license exemptions and how those compare with other states.

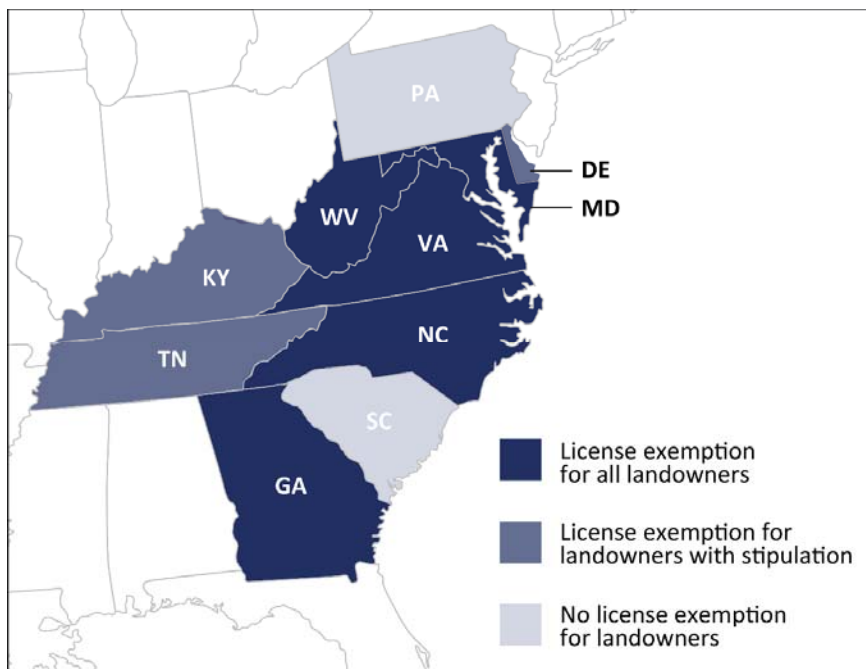
There is likely strong support for the exemptions in the regulated community. Almost all the licensed hunters and anglers responding to the JLARC survey believe that landowners and their families should be exempt from licensure. Hunters believe exemptions for landowners (94 percent), spouses, and children of landowners (94 percent) should continue. Similarly, anglers believe exemptions for landowners (87 percent), spouses and children of landowners (86 percent) should continue. Licensees were less supportive, though, of continuing exemptions for stockholders (31 percent of hunters, 45 percent of anglers). There are, however, likely comparatively few hunters and anglers using the stockholder exemption, so eliminating it would not result in a substantial increase in licensed hunters and anglers.

FIGURE 2-6

Virginia has more license exemptions than most nearby states



For landowners, Virginia has broader license exemptions than many other nearby states



SOURCE: JLARC analysis of state statutes and regulations.

Federal revenue is apportioned across all states. The U.S. Fish and Wildlife Service apportions revenue across all states from two sources. The first source is wildlife restoration funds, and the second source is sport fish restoration funds. This revenue comes from federal excise taxes on firearms, ammunition, and hunting and fishing equipment. The amount apportioned to each state is a calculation based on land and water area, and the number of hunters and anglers.

Exempt hunters and anglers cost the state federal revenue. Federal funding is apportioned across states based on the number of licensed hunters and anglers in the state. Virginia currently has no way to include exempt hunters and anglers in the total the federal government uses to apportion funding. There are widely varying estimates about the number of exempt hunters and anglers in Virginia, and consequently how much federal revenue Virginia is forgoing by not including them (sidebar).

One option to obtain the forgone federal revenue from the state's exemptions is to authorize the Board of Game and Inland Fisheries to require exempt hunters to register with DGIF but not obtain or pay for a license. Exempt hunters and anglers would be charged a nominal fee (e.g. several dollars) to register. This would allow these exempt hunters and anglers to be included in Virginia's count of hunters and anglers used by the federal government to apportion revenue (sidebar). Using several assumptions, it appears exempt hunters and anglers could be reducing Virginia's federal apportionment by up to \$1.5 million annually.

OPTION 4

The General Assembly could amend §29.1-301 of the Code of Virginia to authorize the Board of Game and Inland Fisheries to charge exempt hunters and anglers a nominal registration fee of several dollars, thereby allowing Virginia to claim forgone federal revenue.

3 Conservation Police Officers

SUMMARY The conservation police force has been without a permanent leader since June 2016. The agency should fill this position as expeditiously as practicable and also implement a leadership identification and development program to ensure that future leadership vacancies can be filled as needed. DGIF’s conservation police officers (CPOs) meet requirements similar to other law enforcement agencies. However, when surveyed by JLARC, officers who supervise others expressed concern about the accuracy of the procedural guidance given to officers. Officers also gave varying responses to JLARC when asked how they might enforce certain laws and regulations. DGIF needs to address these gaps in officer understanding about enforcement and has begun the process of updating and improving agency guidance for officers. The Board of Game and Inland Fisheries needs to ensure that the agency fills vacant leadership positions and makes the needed improvements in procedural guidance. DGIF has begun the process of seeking accreditation for its police force, and many requirements to become accredited will address problems identified in this report.

A substantial portion of DGIF spending and staffing is devoted to enforcing laws and regulations. DGIF’s law enforcement division employs about 200 staff, about 130 of whom are conservation police officers (CPOs) assigned to one of 23 districts across four regions of the state.

As is the case in nearly all other states, Virginia’s CPOs have broad law enforcement authority, including:

- jurisdiction throughout the Commonwealth to enforce hunting, inland fishing, and boating laws;
- authority to issue summons or to arrest any person found violating the provisions of the hunting, inland fishing, and boating laws; and
- the same authority as sheriffs and other law enforcement officers to enforce all criminal laws of the Commonwealth.

CPOs have this broad authority in part because many of the natural resource laws they are expected to enforce are criminal laws, which can require the offender to be arrested and taken into custody. CPOs are also usually working by themselves in isolated areas of the state, and the constituents they are working with are often armed, so having full police powers is important for their safety.

Lack of leadership development has created a void in conservation police officer leadership

Unlike most other state agencies, DGIF's statute includes a provision encouraging promoting current staff into leadership positions. The Code of Virginia requires that all DGIF sworn supervisory vacancies shall be filled from within the agency, unless the director determines that the position "requires knowledge, skills, or abilities such that a sufficient pool of qualified candidates does not exist within the Department."

The Code's direction to promote from within makes it essential that the agency has a clear and effective process for promoting supervisors and developing future leaders. Supervisory and leadership promotion decisions need to be made strategically to ensure that over time, the agency is purposefully developing its next cohort of supervisors and leaders who will be ready to replace their superiors when they retire or leave for other reasons.

Conservation police force's colonel position has been left vacant for more than three years, creating uncertainty and lack of decisiveness

DGIF's colonel position—which heads the entire conservation police force—has been vacant for more than three years. During most of this time, two majors have led the conservation police force. One major has been in charge of police operations. The other has been in charge of administration.

The colonel position was initially not filled because the previous executive director did not believe any of the internal staff interested in the position had enough experience at the time. The leadership void was exacerbated because the previous colonel left the lieutenant colonel position (second in command after the colonel) vacant. As the previous executive director neared retirement in mid-2019, he continued to leave the position open to allow the newly appointed executive director to make the hiring decision.

During the more than three years the colonel position has been left vacant, staff have noted that some key decisions have not been made. Conservation police staff observed: "We lack direction and foresight, which leads to focusing most of our attention on current issues with little value placed on planning for the future." Another officer had a similar comment: "There has been no clear, consistent guidance from DGIF leadership or management for the past few years since we have been without a colonel/chief."

Like other state agency heads, DGIF's executive director should have the discretion to fill vacant positions in his or her senior leadership team with the most qualified candidates (irrespective of whether or not they are currently employed by DGIF). The DGIF executive director should have the discretion to hire a candidate with the necessary leadership skills that current DGIF officers of lower rank may not have had the opportunity to demonstrate. These skills may include representing the conservation

police force externally (e.g. within the administration or during the General Assembly session) or making strategic decisions (e.g. determining whether changes should be made in police force policies and operations and then deciding the best strategy to make those changes).

Consequently, the General Assembly should amend the Code of Virginia to allow the DGIF director to hire a colonel without making a determination that a sufficient pool of qualified candidates does not exist within DGIF. The requirement can remain in place for all other law enforcement supervisory and leadership positions (above conservation police officer). Irrespective of whether this legislative change is made, DGIF should appoint a colonel to lead the conservation police force no later than September 30, 2020.

RECOMMENDATION 1

The General Assembly may wish to consider amending §29.1-200.B of the Code of Virginia to exempt the colonel position from the requirement to make a written determination that a sufficient pool of candidates does not exist within the department.

RECOMMENDATION 2

The Department of Game and Inland Fisheries should appoint a colonel to lead the conservation police force no later than September 30, 2020.

CPO leadership identification and development is inadequate, and promotion decisions could be more objective

The vacant colonel position is an example of how inattention to leadership development can create challenges that are not easily solvable in the short term. There are two primary reasons why DGIF has struggled to promote from within its ranks. First, DGIF lacks a defined, leadership identification and development program for its conservation police force. This is essential given the Code's requirement to promote from within unless there is not an internal, qualified candidate. DGIF has no defined method to identify conservation police officers who are interested in and have the skills needed for supervisory roles. Consequently, DGIF should implement a career development program for captains, lieutenants, and sergeants. This program could include leadership training and mentoring programs to ensure there is a pool of candidates for future leadership job openings within the division.

Second, DGIF could make its promotion decisions more transparent and objective, according to DGIF staff and a 2015 report by FMP Consulting. FMP Consulting found that DGIF law enforcement employees did not consistently understand the process for promotions to supervisory positions, and many officers perceived promotions were based on favoritism. FMP Consulting also found that DGIF's lack of an objective tool to inform promotions decisions was unusual. FMP found that two Virginia law

enforcement agencies, the Virginia State Police (VSP) and the Virginia Marine Resources Commission (VMRC), and three other states (North Carolina, Georgia, and Maryland) use written exams to inform law enforcement promotion decisions. Conservation police officers also observed the lack of transparency and objectivity regarding promotion decisions, with only 13 percent agreeing on a JLARC survey that promotion decisions are based on merit. Officers noted their perception that “promotions within DGIF are still somewhat on the ‘good ole boy system,” “the division tends to promote from its ‘yes man ranks,” and “promotions are not based on merit.”

RECOMMENDATION 3

The Department of Game and Inland Fisheries should develop and implement a conservation police officer leadership development program to ensure it has enough qualified staff to fill vacant leadership positions.

RECOMMENDATION 4

The Department of Game and Inland Fisheries should revise its conservation police force promotion process to incorporate a written examination to provide additional, objective information that will inform promotion decisions and ensure promotion decisions are based on merit.

Agency offers no promotion opportunities within the CPO job role, which could affect morale

DGIF's Career Track program, which was recently eliminated, gave CPOs the opportunity to advance, but the program was time consuming and cumbersome. The FMP Consulting report also noted that the structure of the program did not allow for consistent, objective evaluation or outcomes, and employees were frustrated with the program because it lacked transparency and was too dependent on their supervisors' level of effort and commitment to participate in the program. The new DGIF executive director acknowledged the need for a new Career Track program in October 2019.

Currently, there is only one position level (job role) for CPOs, which means there is no opportunity for CPOs to advance unless they are promoted to a supervisory position. If a CPO is not interested in supervisory responsibilities, then there is no way to progress in his or her career. In addition, there are limited opportunities for CPOs to receive salary increases unless the General Assembly approves a statewide salary increase, or the CPO pursues a supervisory position. CPOs previously had the opportunity to receive a pay increase through DGIF's Career Track program, but this program has been eliminated (sidebar).

Career progression benefits both employees and employers. For employees, it encourages loyalty and provides professional and financial growth. For employers, it helps recruit and retain employees. DGIF benefits from retaining as many CPOs as possible, because of the substantial investment in training and the specialized nature of the work. Morale could be affected if there is no opportunity to progress, which could also affect employee retention.

Several CPOs indicated on JLARC's survey that the lack of a career path was among the reasons why they would consider eventually leaving DGIF. One CPO noted

The agency must provide a clear path for career advancement and pay increases if they expect to keep their officers. Several officers leave every year to go to

local law enforcement agencies where they receive the same pay but work regular hours, have less responsibility, and have opportunities for advancement.

Another noted: “Pats on the back and ‘good jobs’ can only go so far. Without a real incentive program it eventually feels hollow.”

Other law enforcement organizations in Virginia, and fish and wildlife agencies in other states, have several career levels for non-supervisory officers (Table 3-1). VSP has four levels of state trooper. Georgia and Maryland have four levels for their wildlife and conservation enforcement officers.

TABLE 3-1
Other police organizations have more non-supervisory levels for officers

Virginia DGIF	Virginia State Police	Maryland Department of Natural Resources	Georgia Department of Natural Resources
Conservation police officer	Trooper 1	Officer	Game warden 1
-	Trooper 2	Officer first class	Game warden 2
-	Senior trooper	Senior officer	Game warden first class
-	Master trooper	Master officer	Game warden first class 2

SOURCE: JLARC analysis DGIF data, other state’s websites, and 2015 FMP consulting report.

DGIF’s law enforcement division has recognized that the lack of a career path could lead to CPO retention challenges. To address this and other issues, DGIF created a CPO retention workgroup in 2018 that developed recommendations to improve the retention of law enforcement personnel. Two recommendations addressed the career path: (1) reinstate a time and merit based pathway for achieving higher grades and ranks and (2) provide clear, attainable, objective, and upfront standards for achieving desirable performance ratings.

DGIF should implement a career path for CPOs who do not want to become supervisors. This could be done by creating a career ladder within the CPO role to reward and motivate staff, similar to those in comparable law enforcement agencies. Standards could be set (such as satisfactory performance appraisals, tenure, etc.) that clearly describe how to progress through the levels.

RECOMMENDATION 5

The Department of Game and Inland Fisheries should develop a non-supervisory career path for conservation police officers by creating a career ladder within the conservation police officer position.

CPOs are generally well trained but lack adequate procedural guidance

Conservation police officers, like all law enforcement officers, have considerable responsibility to take actions (or not take action) that can have major consequences for individuals. Officers may need to rescue a drowning boater, arrest an unlicensed hunter who has illegally killed animals, or conduct undercover activities to detect illegal animal poaching operations. Because of these responsibilities, officers need to be qualified and receive adequate training. They also need to have adequate guidance about how to operate—especially when enforcing laws and regulations.

JLARC staff surveyed samples of hunters, anglers, and boaters to learn about their interactions with conservation police officers. JLARC received responses from 935 sportsmen, for a response rate of 12 percent. (See Appendix B for more information.)

Citizens who have interacted with CPOs in the past year generally indicated that their interaction was positive. Of the individuals responding to JLARC's customer survey who interacted with a CPO in the past year, 94 percent (264) said the CPO operated in a professional manner. Eighty-three percent of respondents (66) said that when they requested assistance or information from a CPO, the issue or question was resolved to their satisfaction.

CPOs receive as much (or more) training than many other officers

To be hired as a conservation police officer, individuals in Virginia must meet similar qualifications as officers in other police forces in Virginia and other states. These include having a high-school diploma or GED equivalent and passing medical, physical agility, psychological, and polygraph assessments. Applicants must also pass background investigations and a criminal history check.

Once hired as a CPO in Virginia, an officer completes a multi-week training curriculum—usually at DGIF's independent training academy located at DGIF headquarters. The Department of Criminal Justice Services (DCJS) indicated that the DGIF academy meets or exceeds its compulsory minimum standards and approved the DGIF basic academy curriculum. DGIF's training academy lasts 26 weeks and covers both DCJS minimum compulsory standards and topics specific to boating, fishing, and hunting. The duration of DGIF's basic academy is in line with the duration of academies for similar conservation officers in Georgia, Maryland, North Carolina, and South Carolina. The DGIF basic academy is one month longer than the average for Virginia's regional academies, where law enforcement officers from the Virginia Department of Conservation and Recreation and the Virginia Marine Resources Commission receive their training.

JLARC staff surveyed conservation police officers to learn about their perceptions of their training and written guidance. JLARC received responses from 115 officers. The survey response rate was 76 percent. (See Appendixes B and G for more information.)

The vast majority of CPOs reported to JLARC they received quality instruction at their academy. When asked on JLARC's survey of conservation police officers, 60 percent of CPOs who recently completed basic training reported receiving "excellent" or "very good" basic training (sidebar). Another 28 percent reported receiving "good" training.

CPOs, like other law enforcement officers, must pass a certification exam proctored by DCJS. The exam tests officers' knowledge of principles in professionalism, legal issues, communication, patrol, investigations, defensive tactics and use of force, driving skills, and weapons use. All new law enforcement officers in Virginia must pass the same DCJS exam. CPOs scored 90 percent, on average, which was slightly higher than the 88 percent average of eight other regional academies in Virginia.

Finally, CPOs in Virginia receive 15 weeks of probationary field training during which they shadow a CPO who is certified as a field training officer (FTO) and then perform tasks under the direct supervision of the FTO. Each FTO must submit a form to DCJS certifying that the new CPO completed all field training for each required topic. All current CPOs were certified by their FTO to complete the tasks necessary for their field training.

The vast majority of CPOs reported they received quality instruction from their FTO during their probationary field training. When asked by JLARC, 77 percent of CPOs reported receiving "excellent" or "very good" field training. Another 13 percent reported receiving "good" field training.

DGIF requires more field training than the DCJS minimum field training. Nationally, other states' field training practices vary substantially. For example, Maryland Natural Resources Police officers complete field training in eight to 12 weeks, while Department of Natural Resources law enforcement officers in South Carolina complete field training throughout their first year on the job to get exposure to tasks in different seasons.

New CPOs could benefit from additional field training to receive experience in all seasons

Given the seasonal nature of a CPO's work, some new CPOs indicated that they did not feel fully prepared to conduct tasks required in seasons other than the 15 weeks of their field experience. Officers typically enforce hunting regulations in the fall and winter; fishing regulations in spring, summer, and fall; and boating regulations in the summer. Depending on when an officer's 15-week probationary period starts, he or she may only be supervised by an FTO enforcing hunting regulations, or fishing and boating regulations.

DGIF should assess the general feasibility, and advantages and disadvantages, of supplementing its current 15-week probationary field training with additional training to provide experience in each season. Officers would not necessarily need to be on probation longer, but could, for example, be under the supervision of a FTO during other short periods of time throughout their first year. One or two weeks in each relevant season enforcing hunting, fishing, and boating regulations would likely be sufficient. One potential disadvantage of this arrangement, though, is that FTOs' supervision of less experienced officers could potentially reduce how much time they spend on enforcement duties during these times.

RECOMMENDATION 6

The Department of Game and Inland Fisheries should assess the feasibility and value of supplementing field training for CPOs to ensure new officers gain experience in each relevant enforcement season while under the supervision of a field training officer.

CPOs have historically lacked adequate written procedural guidance, but DGIF is beginning to provide more and better guidance to CPOs

DGIF currently has three primary sets of guidance documents. Outdated law division policies are being replaced with broad general orders (GO) and standard operating procedures (SOP) for specific situations. This report refers to these collectively as written procedural guidance.

CPOs have not received adequate (e.g., accurate, up-to-date, or easy-to-use or understand) written procedural guidance for CPOs, which is essential to the effective performance of their duties. Adequate written guidance improves officer safety, helps protect citizens, fosters consistent enforcement, and can reduce an agency's legal exposure. Officers need to be aware of the guidance available to them and be able to readily access it in the field as needed. The guidance also needs to include accurate, up-to-date information so that officers are operating in accordance with current agency policy.

DGIF policy (Policy #1) indicates that “[a]s needed, all policies and applicable governing manuals shall be reviewed by managers bi-annually to determine if they should be canceled, revised or continued in present form.” A best practices manual for law enforcement policy development indicates that agency policies should be reviewed annually. In a 2018 survey of law enforcement agencies, 97 percent indicated that policies should be reviewed and updated at least annually. The Virginia Law Enforcement Professional Standards Commission (VLEPSC) requires agencies to review internal policies every four years at minimum to maintain accreditation.

DGIF's law enforcement division was responsible for investigating a collision between a boat and a jet ski on Smith Mountain Lake in which a passenger on the jet ski was killed. The driver of the boat was charged, but the trial ended with his conviction on a reduced misdemeanor charge that was eventually vacated by the judge because DGIF had not released some evidence that was critical to the defense. DGIF indicated that not releasing this evidence was unintentional and was due in part to inadequate training and guidance.

Despite these standards and best practices, the majority of DGIF law enforcement division internal policies were written in 2005 and 2006 and were last reviewed and updated in 2012. This is far longer than DGIF internal policy, best practice, and VLEPSC stipulate. The DGIF Office of Professional Standards has acknowledged that internal policies and procedures are out of date and have not been systematically updated.

DGIF has begun the process of revising, expanding, and updating its written procedural guidance for conservation police officers. The process of revising guidance should be a top agency priority, given that officers have been making law enforcement decisions without adequate guidance. The agency has released several new guidance documents, including three for how to handle boat accidents when they occur, in response to a high-profile boat accident investigation (sidebar).

Senior officers report guidance needs to be updated and improved

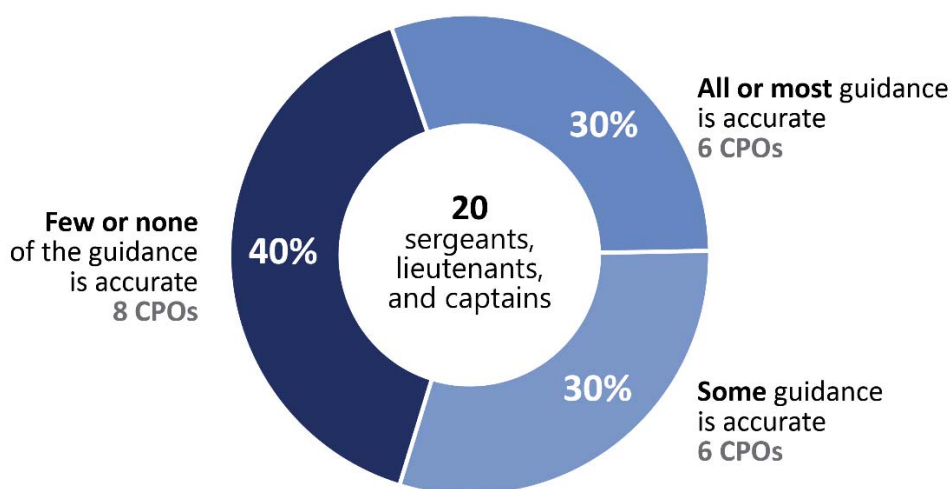
Reflective of DGIF's need to update and improve its guidance, only 53 percent of CPOs reported that “all or most” of the guidance they receive is accurate. For the purposes of the JLARC survey, accuracy was defined as “up-to-date” and “consistent

with state and federal laws.” Only 30 percent of sergeants, lieutenants, and captains reported that “all or most” guidance was accurate (Figure 3-1). It is these more senior, experienced officers who are more likely to know how officers should handle various situations and are best positioned to know whether guidance is accurate.

CPOs cited wasted time as the biggest negative effect of insufficient, out-of-date guidance. But several CPOs also cited instances in which they had made an incorrect decision or confused a citizen.

FIGURE 3-1

Many supervisors report that none, few, or only some of the guidance documents provided to officers are accurate (i.e., up-to-date, reflect law)



SOURCE: JLARC survey of conservation police officers, October 2019.

Officers report some procedural guidance is not easily accessible

Accurate, up-to-date procedural guidance is useful only if officers are aware of the guidance content and can easily access and refer to guidance documents as needed. While most CPOs reported being aware of the guidance available to them and being able to easily access the guidance, about 13 percent of officers reported being only “somewhat” or “slightly” aware of the contents of provided guidance. Furthermore, about 70 percent reported that all or most of the guidance is easy to access, but the remaining 30 percent reported guidance was difficult to access.

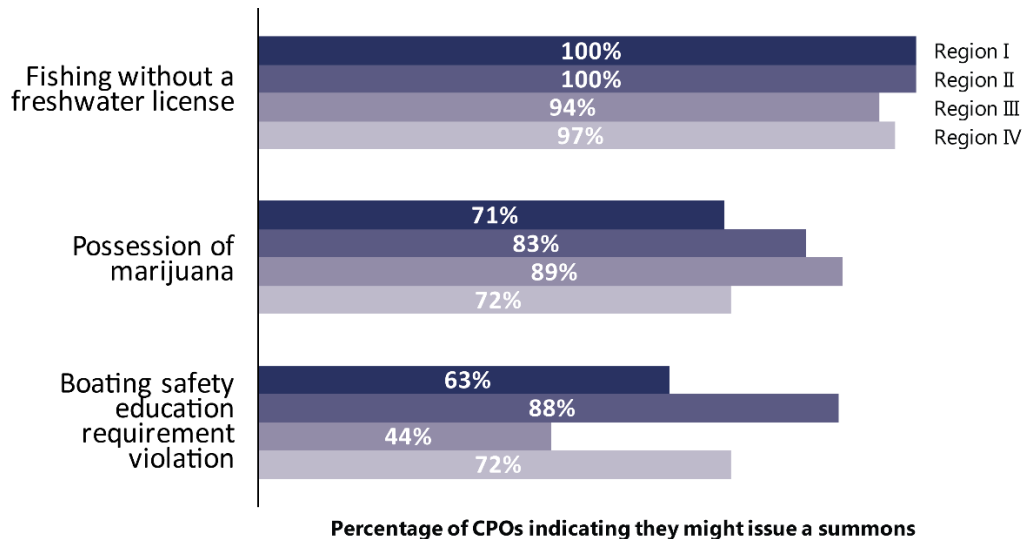
Survey data suggests that officers with more experience comprise a substantial portion of officers reporting difficulty accessing the guidance. This may be because some older officers are less comfortable with technology. The guidance is available to officers on a cloud-based server that can be accessed through the laptop in their vehicles. Some experienced officers reported difficulty knowing where to access the guidance on the server, while others said they did not have cell reception in the field to be able to access the documents.

Inadequate or inaccessible guidance may be contributing to inconsistent enforcement actions

The lack of adequate, fully accessible procedural guidance may affect whether CPOs are taking proper and consistent enforcement actions for certain violations. When asked on the JLARC survey, about one-third of CPOs reported that the guidance they receive is not sufficiently clear about when to give warnings, issue a summons, or make an arrest. CPO responses to how they would enforce certain types of violations were consistent across regions for some violations, but varied considerably across regions for other types of violations (Figure 3-2).

FIGURE 3-2

CPOs answered consistently for whether they would issue a summons for fishing without a license but varied substantially for a boating safety violation



SOURCE: JLARC survey of conservation police officers, October 2019.

Enforcement actions also show some degree of variation across individual CPOs, which likely could be addressed if better procedural guidance were available. Enforcement data over the last five years shows that, on average, CPOs made arrests in about 3 percent of enforcement actions. However, some officers are well above or below the average arrest rate. For example:

- 26 officers made arrests in fewer than 1 percent of their enforcement actions. Fourteen of these officers made no arrests during the five-year time period—including one officer with 308 total enforcement actions.
- 14 officers made arrests in 7 percent or more of their enforcement actions (more than twice the CPO-wide average). Several of these officers had hundreds of total enforcement actions, 10 percent or more of which were arrests.

It is unrealistic to expect complete uniformity in enforcement actions across all CPOs and all DGIF regions given the varying circumstances of each region, offense, and officers' assignments. However, some other states attempt to more clearly articulate what enforcement action is appropriate.

- Georgia's Department of Natural Resources provides documented examples of when verbal and written warnings could be issued, rather than other enforcement actions. They also have written "quality standards" that provide several questions an officer should ask themselves when deciding which action to take.
- Florida's Fish and Wildlife Conservation Commission has written documentation (General Order 02) that provides guidance to officers about the appropriate action (arrest or otherwise) to take in certain circumstances.

DGIF should provide additional training and written guidance as necessary to ensure all CPOs have a consistent understanding of when to issue a warning, issue a summons, or make an arrest. DGIF should also review (at least annually) enforcement action data to assess the effectiveness of the training or guidance provided, and identify officers who may need targeted guidance or training.

RECOMMENDATION 7

The Department of Game and Inland Fisheries should conduct additional training and provide written guidance as needed to ensure all conservation police officers have a consistent understanding of which enforcement actions are most appropriate for given violations.

RECOMMENDATION 8

The Department of Game and Inland Fisheries should annually analyze enforcement action data for each conservation police officer to identify officers who may need additional guidance or training on which enforcement actions are most appropriate for given violations.

The Virginia Law Enforcement Professional Standards Commission (VLEPSC) comprises the Virginia Sheriff's Association, the Virginia Association of Chiefs of Police, and the Virginia Department of Criminal Justice Services (DCJS).

Accreditation will help align DGIF's law enforcement with best practices

DGIF has not been accredited since 1996, despite starting the accreditation process twice before its current accreditation effort. Prior accreditation attempts may have lost momentum because of a lack of interest in accreditation from division leadership, turnover in the accreditation manager position, and difficulty meeting standards for evidence procedure and facility inspections. In Virginia, 140 state and local law enforcement agencies are currently accredited (100 are accredited by VLEPSC; 40 by the Commission on Accreditation for Law Enforcement Agencies).

DGIF is seeking VLEPSC accreditation, which experts indicate is the best way to ensure law enforcement agencies have appropriate written guidance in place to govern

the law enforcement division's administration, operations, personnel, and training. DGIF committed to an accreditation self-assessment, hired an accreditation manager, and purchased software to track compliance with accreditation requirements. It also developed an accreditation strategy in November 2019.

In addition to the steps it has already taken, DGIF should follow best practice and schedule a mock accreditation assessment 6–12 months before its formal assessment to address any remaining concerns and ensure its accreditation by May 2021.

RECOMMENDATION 9

The Department of Game and Inland Fisheries should schedule a mock assessment by a certified Virginia Law Enforcement Professional Standards Commission assessor six to 12 months before its formal accreditation assessment to assess progress towards accreditation requirements and ensure accreditation.

Board needs to ensure accountability for needed law enforcement improvements

As DGIF's supervisory board, the Board of Game and Inland Fisheries has a responsibility to ensure the agency makes the needed improvements in its law enforcement leadership and operations. Several areas of concern in this chapter, especially the vacant colonel position and need for better procedural guidance for officers, are essential for DGIF to address.

At the October meeting of the Board of Game and Inland Fisheries, the recently appointed executive director proposed a series of initiatives intended to address several law enforcement challenges. Among these is establishing a new board committee dedicated solely to law enforcement. Historically, law enforcement has been part of the board's Wildlife, Boat, and Law Enforcement Committee. This new committee should allow the board to establish the accountability necessary to ensure that DGIF makes the necessary law enforcement improvements.

Two current board members possess law enforcement experience, which is important for the board to possess. The Code of Virginia does not require, though, any board members to have law enforcement experience. Statute states that members "shall be knowledgeable about wildlife conservation, hunting, fishing, boating, agriculture, forestry, or habitat," but does not expressly indicate law enforcement. To ensure that the board always includes law enforcement perspective, the General Assembly should amend the Code of Virginia to require at least one member of the board to be a current or former senior law enforcement official.

RECOMMENDATION 10

The General Assembly may wish to consider amending §29.1-102.A of the Code of Virginia to require that at least one member of the Board of Game and Inland Fisheries be a current or former senior law enforcement official.

4 Wildlife Management and Land Conservation

SUMMARY DGIF undertakes a variety of regulatory and other activities to manage the state's wildlife populations. The effectiveness of wildlife management programs is difficult to adequately assess, but stakeholders routinely praise DGIF's wildlife management and conservation staff. The majority of the agency's wildlife management resources are focused on game animal species (e.g., deer, bear) rather than non-game animal species. DGIF and the Board of Game and Inland Fisheries could consider changes to put additional emphasis on non-game animal species. A major focus of the agency's wildlife management efforts is to purchase and conserve land as habitat for wildlife that can also be used recreationally through hunting, fishing, boating, and hiking. DGIF has a generally effective process to decide which land to acquire, but it has not followed the process on occasion. DGIF also lacks an updated and meaningful land acquisition strategy and does not adequately account for the maintenance that will be required over its entire land portfolio.

DGIF devotes a large portion of its funding and staffing to conservation and wildlife management activities. These activities are conducted by a variety of staff. For example, DGIF employs biologists and other scientists to monitor and understand the size and health of various species in the state. The majority of these staff focus on "game" species that can be hunted, trapped, or fished. A small number of staff also focus on "non-game" species (sidebar).

DGIF also purchases land to help conserve wildlife habitat. DGIF is one of the Commonwealth's largest state government landholders. The agency has acquired about 220,000 acres that it seeks to preserve as wildlife habitat. Much of this property is in the form of 46 Wildlife Management Areas around the state.

Stakeholders praise DGIF wildlife and conservation staff, but vast majority focus on game species

The Terrestrial Wildlife and Aquatic Wildlife Divisions are the primary divisions within DGIF responsible for the management and conservation of wildlife in the state. The Terrestrial Division has about 70 full-time staff. The Aquatic Wildlife Division has about 80 full-time staff. These divisions are responsible for both game and non-game species.

Staff in these divisions manage *game* animal species (such as deer, bear, and turkey) by: developing regulations that dictate hunting and fishing seasons and the number of animals that can be harvested; developing species-specific management plans that identify where populations need to expand, decline, or remain the same; operating fish

"Game" species refers to species that are hunted, trapped, or fished, including terrestrial species such as deer, bear, turkey, and some waterfowl and small game. It also includes sport fish, such as trout and bass. **"Non-game" species refers to** species that are neither hunted, trapped, nor fished. Non-game species include threatened and endangered species.

hatcheries and stocking the state's lakes and rivers; and developing strategies to deal with nuisance or injured animals.

Staff in these divisions also manage *non-game* animal species (such as bats, songbirds, and turtles) by working to conserve and protect threatened and endangered species or species of greatest conservation need. Specific activities include research and monitoring; developing species plans; managing and preserving critical habitats; reintroducing or relocating species to areas of the state where they have been absent; and providing technical assistance to landowners.

Stakeholders cite the high quality of DGIF wildlife management and conservation staff and programs

Experts note that it can be challenging to measure the effectiveness of wildlife management programs and activities. Many variables (e.g., climate, population growth, disease, etc.) affect wildlife populations, so it can be difficult to attribute success or failure to specific DGIF programs or activities. Given this challenge, JLARC interviewed stakeholders to gain insight into the quality of DGIF's wildlife management and conservation activities.

Conservation experts, federal officials, and stakeholder groups interviewed by JLARC staff indicated that DGIF's conservation and management staff and programs are well regarded and respected. DGIF has a reputation as being an effective wildlife management agency. Experts and stakeholders indicated that DGIF has experienced and dedicated staff and is a leader among the states in certain program areas.

DGIF's wildlife conservation and management staff are highly respected in their fields. A universal theme from JLARC's interviews with experts, federal officials, and stakeholder groups was the quality and dedication of DGIF's staff who administer both game and non-game wildlife programs. Staff from the U.S. Fish and Wildlife Service (USFWS) and stakeholder groups indicated that DGIF staff—including fish and wildlife staff, land management staff, and land acquisition staff—are highly qualified, knowledgeable, dedicated, and passionate about their work. Stakeholder groups that interact with DGIF stated: "The quality of the people is excellent. They are top notch and they know the science. The wildlife biologists are helpful and very responsive." Another noted that "Their biggest asset is their employees ... They are extremely passionate about what they do, whether it's nongame species, game species, or aquatics."

Board of Game and Inland Fisheries members also agreed that DGIF staff have the knowledge and skills necessary to perform their work effectively. One board member noted that "my time on the board has only increased my respect and appreciation for the people who make up this agency."

USFWS noted that DGIF conservation and management work is characterized by scientific rigor and integrity, based on the grant proposals that DGIF submits to receive federal funds. USFWS staff stated that DGIF has a long history of doing game management work that is grounded in science.

DGIF is considered to be a leader in several areas when compared with other states. The Association of Fish and Wildlife Agencies (AFWA) indicated that DGIF is a leader in fish and wildlife health issues (such as lead ammunition and chronic wasting disease), and has done a good job developing its required Wildlife Action Plan (sidebar). Both AFWA and USFWS mentioned DGIF's R3 (recruit, retain, and reactivate) program. AFWA indicated that DGIF's plan is "aggressive" compared with other states, and USFWS noted that DGIF is known within the region for innovative approaches for recruiting new hunters and anglers and outdoor participants in general.

Though attributing success or failure specifically to DGIF work is difficult, the agency and its partners have worked to contribute to several positive improvements for wildlife.

- The state's bald eagle population has grown exponentially. The number of bald eagle breeding pairs in Virginia has increased from about 20 pairs in 1970 to over 1,000 pairs today due in part to the work of DGIF and other partners (such as the Center for Conservation Biology).
- Two red-cockaded woodpeckers—an endangered bird facing extinction in some areas—were hatched on Virginia's Big Woods Wildlife Management Area in 2019. DGIF, in partnership with The Nature Conservancy and the Center for Conservation Biology, worked for several years to encourage the birds to nest there (through forest thinning and creating artificial nesting cavities in mature pine trees).
- Virginia's freshwater mussel population growth can at least partially be attributed to DGIF's Aquatic Wildlife Conservation Center. Over the last decade, 2.6 million juvenile mussels of 24 species have been propagated at the center, with over 638,000 being released into the wild.

Non-game species management may not be adequately prioritized without a separate division

Despite its successful and well-regarded programs, the organization of wildlife management within DGIF could be restructured to improve the coordination of and adequate prioritization of non-game work. Some staff in the Terrestrial Wildlife and Aquatic Wildlife divisions specialize in either game species or non-game species, and some staff do work that involves both game and non-game species. The agency historically has had fewer non-game staff (both terrestrial and aquatic) because of the agency's traditional focus on game activities. Of the approximately 77 staff in the Terrestrial Wildlife and Aquatic Wildlife divisions that specialize in either game or non-game species, about 20 percent specialize in non-game species. The remaining staff—about 10 in the Terrestrial Wildlife Division and 51 in the Aquatic Wildlife division (including the hatcheries)—specialize in game species. An additional 87 staff in these divisions work on both game and non-game species, including the regional managers,

The USFWS requires states to have a Wildlife Action Plan to receive federal State Wildlife Grant funding. The primary purpose of the plan is to identify conservation actions that will benefit a diversity of species and habitats and to describe where those conservation actions should be implemented.

Non-game staff specialize in several areas. In the Terrestrial Wildlife Division, non-game staff include a herpetologist (reptiles and amphibians), mammologist (who primarily focuses on bats), bird biologists, and watchable wildlife staff. In the Aquatic Wildlife Division, non-game staff primarily focus on mussels and non-game fish.

district biologists, aquatic biologists, and wildlife biologist assistants who work on WMAs.

DGIF has had staff devoted to non-game species activities since the early 1970s, when the Endangered Species Act was passed. Prior to 2010, non-game staff were located in a separate division within DGIF that was overseen by a single supervisor. When DGIF reorganized in 2010, this division was dissolved and staff were assigned to different supervisors throughout the regions.

The staff who specialize in non-game species are currently dispersed throughout the Terrestrial Wildlife and Aquatic Wildlife divisions. Prior to 2010, these non-game staff were consolidated in a single division overseen by one supervisor focused solely on non-game species activities. Several non-game species staff lament the loss of that consolidated division. One biologist noted that: “The loss of the Nongame, Threatened and Endangered Species Division has alienated nongame biologists from each other. In other words, we no longer have a common program or division to work under.”

There are several disadvantages to not having a separate division for non-game programs. First, there is no single person in charge of non-game programs to set statewide policy for threatened and endangered species. Second, it potentially minimizes non-game program work within the agency. Non-game staff and programs may have reduced visibility and profile within the agency, and may not “have a seat at the table.” Finally, there may be reduced opportunities for coordination and synergy among non-game staff, which may reduce the effectiveness of these programs.

DGIF’s focus on game species is understandable given its revenue sources and its role in setting and enforcing regulations of game animals. The Code of Virginia also, though, contemplates that DGIF will be responsible for conservation of non-game animals through references to “other wildlife.”

Most states also place less emphasis on non-game species, but some place more on it than DGIF. One stakeholder group interviewed by JLARC staff said that: “Non-game gets the short end of the stick in all states. They don’t have any specific tax or act that provides revenue to non-game.” However, some states appear to place more emphasis on non-game activities than DGIF. For example, the non-game staff in North Carolina’s Wildlife Resources Commission work together in a single division focused primarily or exclusively on non-game species. Florida’s Fish and Wildlife Conservation Commission also has a large Division of Habitat and Species Conservation, which includes several work units such as Wildlife and Habitat Management, Aquatic Habitat Conservation and Restoration, and Imperiled Species Management.

DGIF and the Board of Game and Inland Fisheries could more effectively emphasize non-game species programs through two changes:

- **Create a non-game division that reports to the deputy director.** This division would be composed of current staff who specialize in non-game species in the Terrestrial Wildlife and Aquatic Wildlife divisions and could be supervised by a newly created “chief” position who would set policy and goals for non-game and threatened and endangered species. Re-establishing a non-game division would raise the profile of non-game programs and could strengthen these programs by fostering better coordination among the non-game staff. Having a single supervisor in charge of non-game funds would help to better prioritize non-game resources. These changes could also help to maximize the impact of resources spent on non-game programs.
- **Create a non-game committee of the DGIF board.** DGIF’s board currently has four committees—Wildlife and Boat; Law Enforcement; Education, Planning and Outreach; and Finance, Audit and Compliance—but a non-game committee would ensure that the board is appropriately focused on non-game activities. North Carolina’s Wildlife Resources Commission has a Habitat, Nongame, & Endangered Species committee, for example.

OPTION 5

The Department of Game and Inland Fisheries could place more emphasis on its non-game species management by consolidating non-game species staff into a single division managed by a supervisor who reports to the deputy director.

OPTION 6

The Board of Game and Inland Fisheries could place more emphasis on non-game species management activities by creating a committee to specifically focus on and oversee non-game species management activities.

DGIF’s land acquisition process is generally effective but lacks strategy and maintenance focus

Land acquisition and management is one of the primary ways DGIF fulfills its conservation and management mission. Therefore, it is critical that the agency has an effective strategy in place to acquire land that meets its needs, while also making effective use of its funds. Once land is acquired, it is also important to ensure adequate resources are allocated for land management to preserve and manage habitats and maximize its investment in the land.

DGIF owns approximately 220,000 acres of land. The vast majority of this land (about 218,000 acres) is on 46 WMAs across the state (94 percent). These WMAs are largely in rural areas but are located around the state. DGIF spent \$32.3 million (primarily federal funds) to acquire 19 properties from 2016 to 2019.

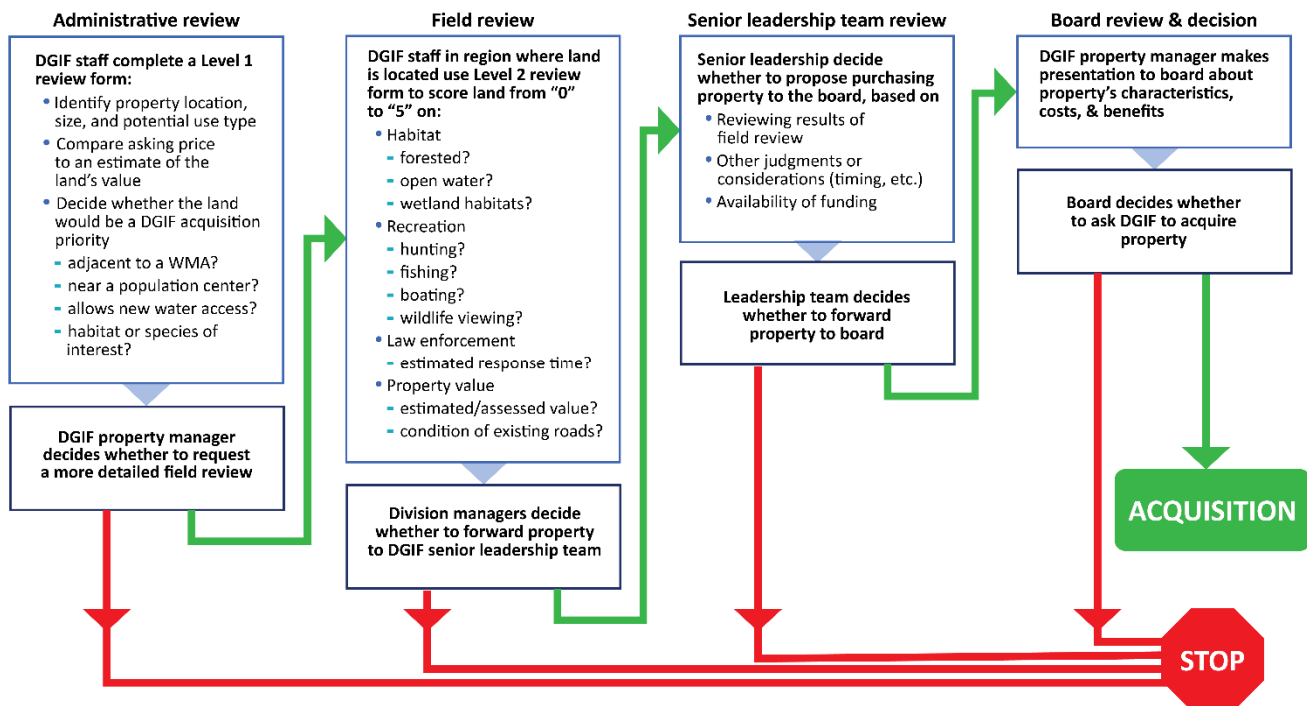
DGIF has a generally effective land acquisition process, but it has not been followed on some occasions

DGIF has a relatively thorough land acquisition process that includes many steps and layers of review that rely on quantitative and qualitative information (Figure 4-1). DGIF may become aware of a property potentially being offered for sale through a variety of ways, including nonprofit organizations, DGIF field staff, real estate brokers, and sellers themselves. Once DGIF has identified that a property may be for sale, its process consists of three steps of review (administrative, field, and senior leadership team) before forwarding properties for consideration to the board. The process has reasonable criteria and weightings applied to each. The process also, though, allows for the necessary judgment and discretion needed to assess each property. In addition, if the board decides to proceed with acquiring the proposed land, the Office of the Attorney General and Department of General Services review the legal, procurement, and price aspects of the purchase.

Board members are the ultimate decision makers on land acquisitions, and they agreed that DGIF staff provide them the necessary information and analysis to allow them to make informed land acquisition decisions. Board members also agreed that DGIF staff are responsive to requests for additional information about the property under consideration to be acquired.

FIGURE 4-1

DGIF's land acquisition process has several layers of review



Source: JLARC staff analysis of DGIF documents.

During interviews with JLARC staff, though, senior and mid-level staff indicated that the process has occasionally not been followed. For example:

- the former executive director (not the real property manager as outlined in the process) was on several occasions the first person to conduct the administrative review and decide whether a property should move to field review and
- the real property manager was excluded from some or all parts of the process on several occasions for unspecified reasons.

However, despite DGIF not always adhering to its internal process, there is no evidence that the board has made poor land acquisition decisions in recent years. There is also no evidence that the board paid unreasonably high prices. In fact, DGIF paid at or slightly below the appraised value for the 14 properties it purchased between 2016 and 2019 (five were gifts or exchanges). DGIF paid 100 percent of the appraised value for 10 of the 14 properties, and 88 percent to 97 percent of the appraised value on the other four. In total, DGIF paid about 1 percent less than the appraised value of all these properties—totaling about \$470,000 in savings.

DGIF should ensure it more closely adheres to its process in all future land acquisition decisions. The board has an important stewardship role in the use of taxpayer funds when acquiring land and in ensuring that it purchases land that maximizes state goals.

RECOMMENDATION 11

The Department of Game and Inland Fisheries should adhere to its land acquisition process and seek approval from the Board of Game and Inland Fisheries before making any deviation from the process.

DGIF also should provide relevant staff with additional guidance about how to assess potential property. Currently, DGIF does not provide guidance on how staff who conduct the field review should assign their ratings for specific criteria. DGIF regional office staff in the region where the property is located are responsible for rating the various criteria from zero to five, but they are not provided guidance on what constitutes a three versus a five, for example. This has likely led to variation in the scores given to properties across the state and may have resulted in some less desirable properties receiving higher scores than warranted. Specific guidance would help ensure the reviews are effectively evaluating the desirability of potential properties.

RECOMMENDATION 12

The Department of Game and Inland Fisheries should strengthen its land acquisition process by providing guidance to field staff on how to assign ratings for each criteria when conducting the field review for potential properties.

DGIF has a maintenance backlog as its land portfolio has grown, although the public reports being satisfied with DGIF lands

It is difficult to set a specific benchmark for how much acreage is reasonable for one person to manage because

- (1) maintenance needs vary considerably based not only on property size, but also its characteristics;
 - (2) properties are typically in various states of needing maintenance each year; and
 - (3) weather events—especially flooding, significant snowfall, or high winds—can result in substantial maintenance when they occur.
-

DGIF staff also indicated DGIF could have a more active forest management program if it had more than one person to manage it or leveraged partnerships with the Department of Forestry. DGIF currently cuts timber to improve habitat and is able to sell this timber. Staff are currently active on 200–300 acres per year but indicated it would be optimal to be active on 600–700 acres. Annual timber sales average between \$400,000 and \$500,000.

DGIF's land portfolio requires maintenance. Depending on the purpose and characteristics of the land, DGIF will undertake activities such as prescribed burning, forest management, and mowing. Staff also will apply herbicides, plant flowers or other plants to attract animals, and remove invasive plants. Properties also include physical structures that need attention, including boat ramps, roads, parking lots, and kiosks.

DGIF does not have a strategic maintenance plan or budget, but most (85 percent) of the public responding to a JLARC survey who have visited a WMA were satisfied with the condition. This included land, roadways, trails, signs, and boat ramps. DGIF has several plans and documents that guide certain aspects of property maintenance activities, such as its Boating Access and Facility Management Plan and WMA Forest Management Plan. It also has developed management plans for some of its WMAs and is in the process of developing plans for the others.

DGIF's maintenance approach is characterized as being allocated a budget and working within it to “try to hit the very worst spots.” DGIF generally knows the condition land and facilities are in, but it does not have a way to prioritize maintenance needs. DGIF is often reactive rather than proactive, and the agency tends to consider maintenance needs each year rather than taking a long-term approach. The agency's priorities are often driven by responding to flooding (washed out roads, etc.) or other weather-related events.

This reactive approach to maintenance is exacerbated by the increased maintenance needs for the agency's growing land portfolio. Staff report a maintenance backlog, including activities such as boat ramp and road maintenance and repairs.

DGIF employs staff known as wildlife biologist assistants to maintain land. It currently has 27 of these staff, with varying levels of maintenance responsibilities across the state. DGIF wildlife biologist assistants are each responsible for maintaining, on average, about 8,000 acres of land. This is about twice as much acreage as the Virginia Department of Conservation and Recreation expects its staff to maintain on average under the natural area preserve program (exclusive of state parks).

DGIF needs to ensure it has an adequate land management budget to properly maintain its land acquisitions. DGIF has spent more than \$30 million on land purchases since 2016. If DGIF does not allocate adequate resources to maintain and manage this land and make it accessible and useable for the public, the value of these investments is reduced. DGIF's most expensive individual land purchase was \$9.3 million for the Ware Creek WMA in 2016 (2,653 acres). The one staff person that manages this land is also responsible for two other WMAs. These staff limitations may mean that this expensive land acquisition may not be adequately managed and maintained over time.

DGIF's new executive director has indicated the agency plans to seek a balance between continuing to purchase new land and maintaining its existing land holdings. This

may mean slowing the rate of land acquisition for several years, or adding maintenance staff as needed to ensure the growing land portfolio is adequately maintained.

DGIF lacks a land acquisition strategy to guide how, where, and whether it will expand its existing portfolio

Though DGIF's land acquisition process is generally effective to consider individual properties, the agency lacks an updated, documented land acquisition strategy to guide its acquisition decisions over time. The current board policy on Acquisition of Lands, Waters, and Structures dates to 2005 and is very general in nature. DGIF staff and stakeholder groups that work with DGIF on land acquisition are generally able to articulate the types of land DGIF is interested in purchasing—land that has valuable or sensitive habitats, water access, game species for hunting, and/or is adjacent to one of DGIF's current WMAs—but this is not documented. It is also not clear which type of land is the highest priority, and if staff agree on what the priority should be.

The Association of Fish and Wildlife Agencies considers a documented strategy to be an effective practice, noting the importance of having an internal acquisition plan to prioritize land it wants to acquire. DGIF needs to have a documented strategy that at a minimum articulates (1) the agency's overall purpose for acquiring land; (2) how much land the agency wants to acquire; (3) what type of land it wants to acquire; and (4) where, in general terms, the agency wants to acquire land. DGIF should also estimate how much maintenance (one-time and ongoing) it can accommodate within its budget across its entire portfolio.

In practical terms, DGIF's land acquisition strategy over the last several years appears to have been to purchase as much land as it could afford with available federal revenue. Several staff characterized the former executive director as rarely ever saying no to considering buying land. Similarly, at least several board members noted that one of the agency's main priorities is continuing to acquire as much land as federal revenue will support. One noted that “now is the time to acquire as much land as possible before it gets developed and the opportunity is lost forever.” Another observed that “continuing to protect land as public land is important, and I'll continue to support wise land acquisition for protection.”

DGIF's land acquisition strategy should align with the state's broader land acquisition priorities. The Natural Resources secretariat has developed a statewide strategy and supporting software tool called ConserveVirginia. ConserveVirginia seeks to identify statewide criteria for land acquisition decisions by the various state agencies that purchase land for similar purposes (e.g., the Department of Conservation and Recreation and the Department of Forestry). DGIF is developing a similar tool to help it evaluate land and identify high priority targets.

As DGIF's land portfolio continues to grow, its land acquisition decisions need to evolve from being driven primarily by available funding and land to consideration of a broader range of criteria.

Respondents to JLARC's survey of DGIF licensees were about **evenly split when asked whether there is enough public land**. About 40 percent of respondents believed there is enough public land (369), while another 43 percent believed there is not enough (394).

Of those believing there is not enough, the majority cited Northern Virginia, and the areas near Richmond and Virginia Beach, as areas where more land is needed.

DGIF should work with the Board of Game and Inland Fisheries to develop an updated, documented land acquisition strategy. At minimum, the strategy should articulate

- the amount of land the agency wants to acquire over a specific time period;
- the most needed type of land to acquire in consideration of the agency's current holdings (e.g., general recreation, habitat preservation, additional hunting or fishing opportunities, water access, etc.);
- the region(s) of the state in which additional land is most needed;
- the region(s) of the state in which additional land may not be necessary (even if available funding would facilitate a purchase) because there is already sufficient land owned by DGIF, other state agencies, or the federal government; and
- the impact acquiring additional land will have on its ability to maintain its existing portfolio, in addition to the newly acquired land.

RECOMMENDATION 13

The Board of Game and Inland Fisheries should direct the Department of Game and Inland Fisheries to develop an updated land acquisition strategy that articulates the type of land it wishes to prioritize, the regions of the state where land is most needed, and how it will adequately maintain land acquired.

5 Coordination with Other Agencies

SUMMARY DGIF has several responsibilities that are similar to other agencies in the Natural Resources secretariat, which require coordination. Though DGIF and the Virginia Marine Resources Commission have similar responsibilities in certain areas, the only actual duplication is related to recreational boating in the eastern part of the state. The agencies do not adequately coordinate their patrol activities or responses to boating accidents in tidal waters. Rather than attempt to consolidate, these agencies should better coordinate their activities related to boating patrol and incident response. In addition, though DGIF and the Department of Conservation and Recreation's Natural Heritage Program have similarities, they are distinct and adequately coordinate. Consolidating the Natural Heritage Program with DGIF, therefore, is not warranted.

The study resolution directs JLARC staff to determine whether efficiencies could be gained by consolidating certain DGIF functions with similar functions at other agencies. In 1996, JLARC's *Feasibility of Consolidating Virginia's Wildlife Resource Functions* cited two DGIF functions that could be considered for consolidation with similar functions in other agencies. The first was DGIF's law enforcement function in Tidewater Virginia and the Virginia Marine Resources Commission's (VMRC's) law enforcement function along the coastline. The second was DGIF's wildlife conservation activities and the Department of Conservation and Recreation's (DCR's) Natural Heritage Program. While there is a small amount of overlap and duplication among these programs, it can best be handled by coordination and does not warrant the much more difficult process of consolidation.

Improving coordination between DGIF and VMRC is more prudent than consolidation

Virginia's use of two separate police forces with tidal or coastal area responsibility is somewhat atypical. Twenty-three states have oceanic coastline and therefore have a marine resources and marine law enforcement function. Of these 23 states, most (18) have a single police force within one agency that oversees all game activity enforcement, including saltwater fishing and commercial fishing. Maryland and South Carolina are among these 18 states. Virginia is one of five coastal states that use multiple police forces to patrol its coastline. Alabama has two police forces, but they are overseen by a single conservation and natural resource agency. Maine, Mississippi, and North Carolina, like Virginia, have two different police forces under separate state agencies.

Most DGIF and VMRC responsibilities are distinct, but there is some overlap on boating patrol and incident response

Most DGIF and VMRC responsibilities are distinct from each other and therefore do not overlap. DGIF has clear and distinct authority to enforce hunting regulations. DGIF also has clear and distinct authority to enforce regulations for recreational freshwater fishing. VMRC has clear and distinct authority to enforce regulations for recreational saltwater fishing and commercial fishing.

The one area, though, where the agencies do have some degree of overlapping responsibilities is recreational boating patrol and enforcement in the eastern part of the state—where DGIF jurisdiction extends and VMRC’s begins (Figure 5-1). The Board of Game and Inland Fisheries has the authority to adopt regulations relating to the operation of vessels “on waters within the territorial limits of this Commonwealth.” This authority to enforce boating laws and regulations extends across all waters throughout the state, including “waters offshore from the coasts of the Commonwealth for a distance of three geographical miles.” VMRC’s recreational boating enforcement jurisdiction includes “the Commonwealth’s territorial sea and extend[s] to the fall line of all tidal rivers and streams.” The fall lines on the state’s eight tidal rivers have been defined based on physical landmarks, such as bridges or dams. For example, the 14th Street Bridge in Richmond demarcates the fall line on the James River.

This overlapping responsibility for boating has resulted in two primary inefficiencies. The first inefficiency occurs when the two agencies conduct boat patrol activities on tidal waters. Both agencies enforce recreational boating safety laws and regulations by checking whether boaters have the appropriate safety equipment on board their vessel. Both agencies do this by holding boating safety checkpoints, as well as patrolling and boarding boats upon reasonable suspicion of a violation of boating safety laws or regulations.

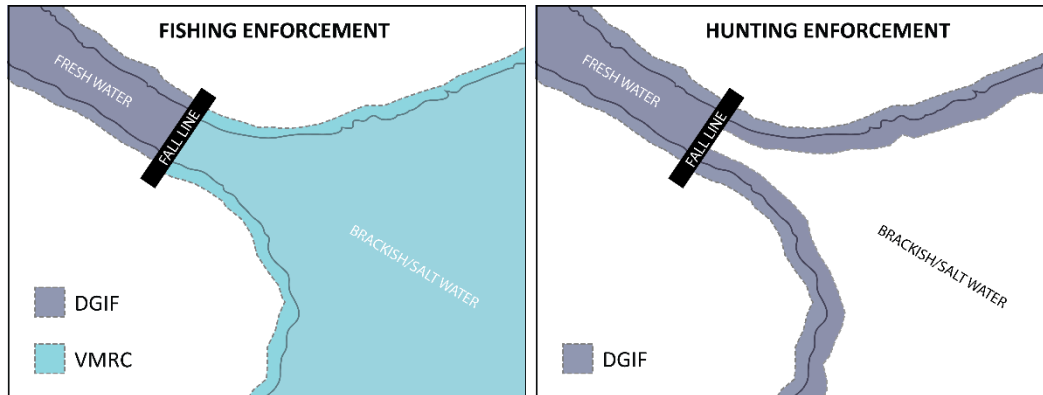
Typically, DGIF and VMRC do not coordinate their patrol and inspection activities (unless there is a special event or holiday). This lack of coordination can lead to both VMRC and DGIF officers conducting patrol and enforcement activities in the same area. As a result, recreational boaters can be subjected to inspections by both DGIF and VMRC officers on the same day. No data is kept about how often this occurs. When this does happen, though, it is unnecessarily burdensome to boaters and is also an inefficient use of resources.

The second inefficiency occurs in responding to boat accidents in the Tidewater region. This lack of coordination occurs despite an MOU that is intended to govern how the agencies should coordinate when responding to an accident. In the event of a boat accident, the agency that first becomes aware of the accident is supposed to notify the other agency that an accident has occurred. Under the MOU, DGIF and VMRC then determine which agency has officers who are closer and can respond more quickly to the accident. If this process is followed, only one agency immediately

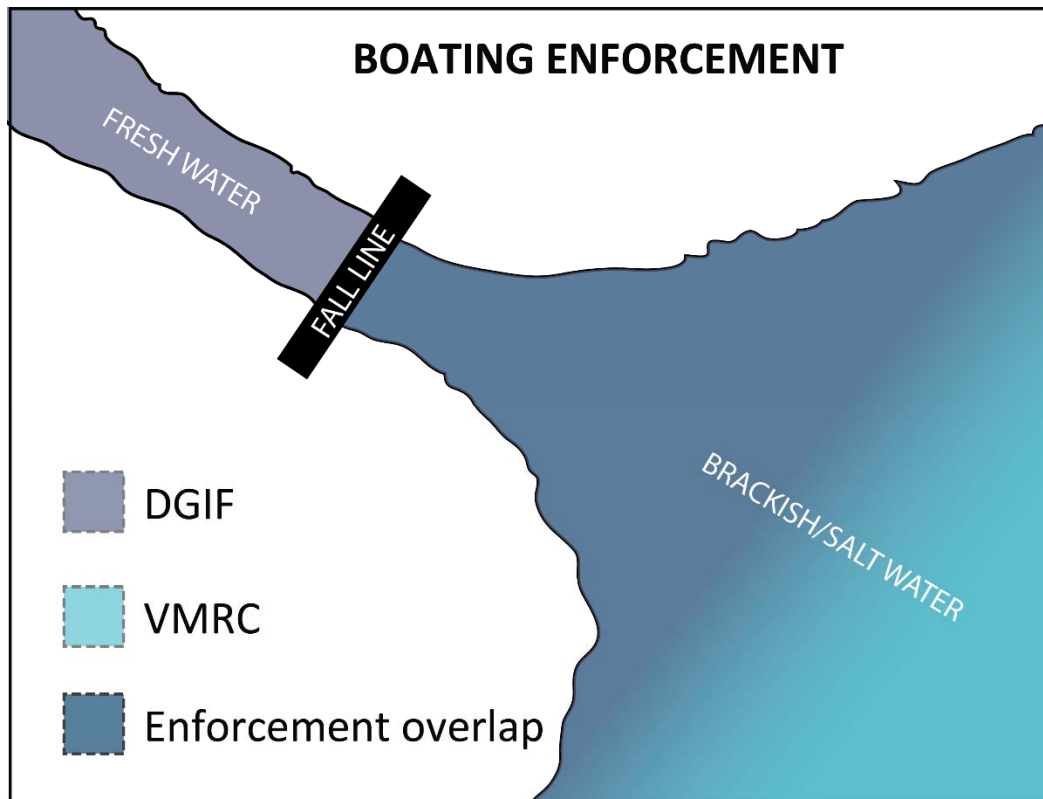
responds to the accident (unless circumstances require more than one responding agency, such as for a mass casualty incident).

FIGURE 5-1

DGIF and VMRC have clear and distinct responsibility for hunting and fishing enforcement



DGIF and VMRC have some overlapping responsibility for boating enforcement



SOURCE: JLARC analysis of §28.2 and §29.1

However, DGIF staff indicate that the process in the MOU is not always followed by either agency. Despite the MOU, DGIF's conservation police officers and VMRC's marine police officers are competitive about responding to certain accidents, and the agencies are not notifying each other when there has been an accident. This lack of coordination has occasionally meant that one agency responds to an accident when the other agency is already on the scene. This is an inefficient use of resources.

Rather than consolidate, DGIF and VMRC should improve coordination on boat patrol and incident response

To assess how spending may change if DGIF and VMRC consolidated their police forces, JLARC staff modeled the expected cost of consolidated operational personnel, administrative personnel, and the administrative functions of dispatch, fleet maintenance, and basic training compared with both agencies continuing to maintain separate police forces.

The inefficiencies related to boat patrol and incident response could be addressed through consolidating the two agencies' enforcement functions. Consolidating the two police forces, though, would be a blunt method to ensure efficiency and adequate coordination. Depending on how the consolidation were undertaken, spending could be reduced by as much as \$4 million or could increase by up to \$3 million. Appendix H includes detail on spending changes related to consolidation.

However, consolidating government programs in pursuit of efficiency is challenging. Interviews with other states that have consolidated their game and marine law enforcement officers into a single natural resource police force indicate that consolidation is "difficult" and "hard on morale." Enforcement responsibilities increase dramatically for officers because they have the same sized area to patrol and additional laws and regulations to enforce. Interviews with other states indicate that consolidation can lead to diminished expertise and loss of geographic familiarity as the demands on officers expand. Further, as administrative positions are eliminated and the existing staff are reorganized, command staff may have to supervise enforcement activities that they have no prior experience with. This can also negatively affect officer morale. One high-ranking officer in another state indicated that because of these factors, "from an officer's standpoint, [consolidation] was not a happy time."

Rather than undertake the difficult task of consolidation and the risks associated with it, a sensible next step would be to improve coordination on patrol activities. Both DGIF and VMRC indicated that they coordinate boat patrol activities in the Tidewater area with success during holidays and large special events, such as Fourth of July. A possible preliminary step could be to create a workgroup to determine how frequently the same boat is inspected by each police force within the same day or same week. Both agencies should also apply the same coordination approach they use during holidays to reduce the likelihood that they independently inspect the same boat (e.g. notify each other of the scope and location of boating safety activities their operational staff have planned on a monthly basis.)

OPTION 7

The Department of Game and Inland Fisheries and the Virginia Marine Resources Commission could create a workgroup to (i) assess how frequently boats are inspected by both police forces and (ii) coordinate their officer dispatch and other systems as necessary to allow officers on patrol to know which boats have already been inspected.

RECOMMENDATION 14

The Department of Game and Inland Fisheries and the Virginia Marine Resources Commission should apply the same coordination approach used during holidays or large events to their regular patrol activities in the Tidewater region to ensure boats are not inspected by both police forces within a short period of time.

A straightforward way to avoid inefficiencies for responding to boat accidents would be for DGIF and VMRC to follow the process specified in the boat accident response MOU. As mentioned, this process is not currently being followed. DGIF and VMRC are not notifying one another about boat accidents or working collectively to determine which agency should respond. Following this process would eliminate duplication and improve response to accidents. The MOU should be revised as necessary to ensure that officers from both police forces follow the MOU protocols.

RECOMMENDATION 15

The Department of Game and Inland Fisheries and the Virginia Marine Resources Commission should revise as necessary their memorandum of understanding governing response to boat accidents in the Tidewater region and ensure its officers adhere to its protocols.

DGIF and the Natural Heritage Program coordinate effectively, reducing the need to consolidate

DGIF and DCR each have a role in the management and conservation of wildlife and habitat. As part of its conservation and wildlife management function, DGIF estimates the size and location of wildlife populations. Its environmental services section reviews projects and permit applications to evaluate the potential impact they have on wildlife resources. DGIF also acquires and manages land to protect wildlife species and habitat.

DCR's Natural Heritage Program aims to preserve rare animal, plant, and insect species populations and natural communities through inventory, protection, and stewardship. The Natural Heritage Program has an environmental review section that reviews projects and permit applications. DCR does not have regulatory authority of animals, plants, or insects (but it does have consulting authority on plants and insects through a memorandum of agreement with the Virginia Department of Agricultural and Consumer Services, which has regulatory authority for threatened and endangered plant and insect species).

The majority of states' natural heritage programs are housed in a natural resource agency that also has responsibility for fish and wildlife. It is relatively uncommon for a natural heritage program to be housed in a state agency that focuses on conservation and recreation, but not fish and wildlife (as Virginia's program is). Seven other states house their natural heritage program in a state agency that does not have a fish and

In 1996, JLARC found that DGIF and the Natural Heritage Program were not coordinating effectively. The JLARC report found that data exchanges were not being conducted as stipulated in a memorandum of agreement. The report also found poor working relationships.

Rare species classification is not based on threatened and endangered species status. Plant and animal species that the Natural Heritage Program tracks are considered rare based on expert- and science-based designations of state and global rarity. The vast majority of rare species are not state or federally listed as threatened or endangered, but all threatened and endangered species are considered rare.

wildlife function. Thirteen natural heritage programs are part of public universities in the state.

DGIF and Natural Heritage Program staff effectively work together and collaborate where necessary. For example, the Natural Heritage Program's karst specialists have assisted DGIF's mammologist in field work to inventory and monitor bat populations, and they routinely work together and with other partners to install cave gates. Staff from both agencies also often work together on land management work, such as prescribed burning on state-owned lands, and share equipment. According to agency staff, collaboration between the two agencies at the field level is a necessity because of lack of scale and funding. DGIF and the Natural Heritage Program regularly share data and coordinate on environmental project reviews at the levels of technical staff and managers. If the state were developing these programs now, placing them in the same organization would make sense. However, because they appear to be coordinating as needed and consolidation would be a disruptive process for DGIF and DCR, there is no compelling reason to consolidate the programs.

The Natural Heritage program employs 48 staff including biologists, ecologists, and other scientific specialists.

6 Agency Management and Strategy

SUMMARY Like any state agency, DGIF needs satisfied, productive employees to achieve its mission. DGIF staff report being generally satisfied with working at DGIF and their ability to be productive. Staff also report, though, several concerns related to agency senior leadership (on a survey administered prior to the new executive director being appointed). The new executive director should engage in a purposeful effort to gain staff trust. Female and black employees were less positive about the agency's culture, and the new executive director and board appear to understand the importance of addressing these concerns. DGIF also needs to address several human resource office and information technology problems that are impeding staff's effectiveness. Over the long term, the agency also needs to engage in a meaningful strategic planning process to address changes in revenue and wildlife management.

DGIF's ability to effectively implement its programs rests on effective management and leadership of staff. The agency employs about 440 staff across the state in a variety of occupations. The agency needs to ensure these employees will continue to work and be productive at DGIF, have confidence in agency leadership, and also have the resources to be successful.

The agency is also trying to adapt to a structural shift in its revenue stream as interest in hunting may be declining, while concurrently adjusting its mix of programs to ensure it is adequately engaging Virginians on topics other than hunting and fishing.

DGIF staff are generally satisfied but believe the agency has leadership and diversity challenges

DGIF staff report being generally satisfied with working at DGIF. They also generally report being satisfied with their direct supervisor—a key aspect of ensuring employees are engaged, productive, and remain with an organization. Most employees also report being able to be productive and understand what is expected of them on the job (Figure 6-1).

DGIF staff expressed substantial concern when asked about DGIF's senior leadership team's (prior executive director, deputy director, and division directors) leadership abilities (Figure 6-2). The survey was conducted when the previous executive director still led the agency. According to the survey, only about one-third of DGIF staff believed the leadership team worked to foster an agency culture focused on efficiency and effectiveness. Less than 30 percent of staff believed the leadership team was proactive about identifying challenges facing the agency and then addressing those challenges. In addition, 30 staff reported on the survey they were considering leaving DGIF, citing

a lack of confidence in agency leadership as a reason. These concerns about leadership seem pervasive throughout the agency. There were no particular DGIF divisions or categories of staff that appeared to be driving these concerns expressed by staff. These concerns seem to be about the agency's top leadership, not staff's individual direct supervisors.

FIGURE 6-1

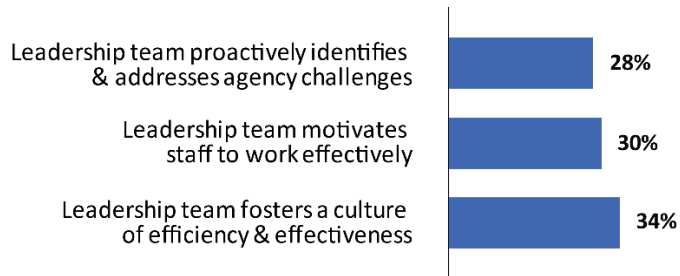
DGIF employees are generally satisfied, like their supervisors, know what is expected of them, and report being able to be productive



SOURCE: JLARC survey of DGIF employees, 2019.

FIGURE 6-2

DGIF staff expressed concern about the leadership team's ability to address agency challenges, motivate staff, and foster effectiveness



SOURCE: JLARC survey of DGIF employees, 2019.

The JLARC survey was administered while the prior executive director was still at the agency earlier this year. Since that time, a new executive director has been appointed. During his first few months, he has made a point of meeting with many staff across the agency. This focus on employee outreach seems appropriate, because JLARC received several comments from staff regarding a lack of insight into leadership's decisions. For example, one survey respondent said: "The senior leadership team is a black box. We have no idea what decisions they make or why." Another staff member said: "Leadership needs to be more transparent, visible, and better communicators."

The executive director and the rest of the agency's senior leadership team should engage in a systematic, long-term effort to gain the confidence of agency staff. This could include continued outreach by the executive director to employees to understand and address concerns. Senior leadership should more regularly communicate with employees in headquarters and field offices. They also should ensure they are as transparent as possible about the reasons for major decisions affecting large groups of employees. These would include funding decisions (e.g., overtime being reduced) and organizational structural decisions (e.g., field offices being consolidated or divisions being restructured). The current executive director has begun making minutes of senior leadership team meetings available to staff. The current executive director also indicated his intention to implement an internal communications plan that was developed several years ago but never implemented.

In 2017, FMP Consulting cited the need for **DGIF to improve "top down" communication.**

To assess whether staff's confidence in leadership has improved, the Board of Game and Inland Fisheries should survey all DGIF staff again in 2021. The survey should ask questions similar or identical to those asked in the JLARC survey designed to assess the staff's confidence in the senior leadership team. If staff still express substantial concerns about the senior leadership team, the board will need to determine how best to address concerns.

RECOMMENDATION 16

The Department of Game and Inland Fisheries should develop and implement a plan to gain the confidence of agency staff through (i) continued outreach to identify staff concerns, (ii) actions to meaningfully address staff concerns, and (iii) improved communication with staff about agency operations and major decisions affecting staff.

RECOMMENDATION 17

The Board of Game and Inland Fisheries should administer and assess the results of a survey of Department of Game and Inland Fisheries staff in 2021 to determine the level of staff confidence in the senior leadership team.

Females and ethnic minorities tended to be less satisfied with certain aspects of DGIF than their white male colleagues (Table 6-1). There are especially substantial differences between the perceptions of males and females about the agency's work culture and opportunities for career advancement. Similarly, there are substantial differences between the perceptions of white employees and black employees about being treated fairly by other staff, the agency's work culture, and relationships with co-workers.

DGIF's senior leadership team seems to understand the need to diversify its workforce and ensure a diverse and inclusive work culture. More recently, DGIF has hired a diversity and inclusion officer, is conducting a study, and is creating an internal diversity committee to improve diversity through recruiting new employees and addressing current staff's concerns about the agency. The Board of Game and Inland Fisheries also

adopted a statement on the importance of diversity and inclusion at its August 2019 meeting.

TABLE 6-1

Female employees and black employees are substantially less positive about certain aspects of working at DGIF

	Gender		Ethnicity	
	<i>Male</i>	<i>Female</i>	<i>White</i>	<i>Black</i>
Agree treated fairly by other DGIF staff	73%	63%	72%	50%
Satisfied with DGIF's work culture	57	37	54	17
Satisfied with opportunities for career advancement	31	18	30	11
Satisfied with relationship with co-workers	88	80	88	67

SOURCE: JLARC survey of DGIF employees, 2019.

NOTE: Responses for other ethnic minorities are not shown because of the low number of such DGIF employees and very low number of survey responses.

DGIF has human resources and IT problems that hinder staff's ability to be fully effective

Complaints have been filed by employees about DGIF human resources. In January 2019, the Virginia Police Benevolent Association sent a complaint to DHRM on behalf of its CPO members alleging that the human resources office loses paperwork and doesn't respond to officers' questions about benefits.

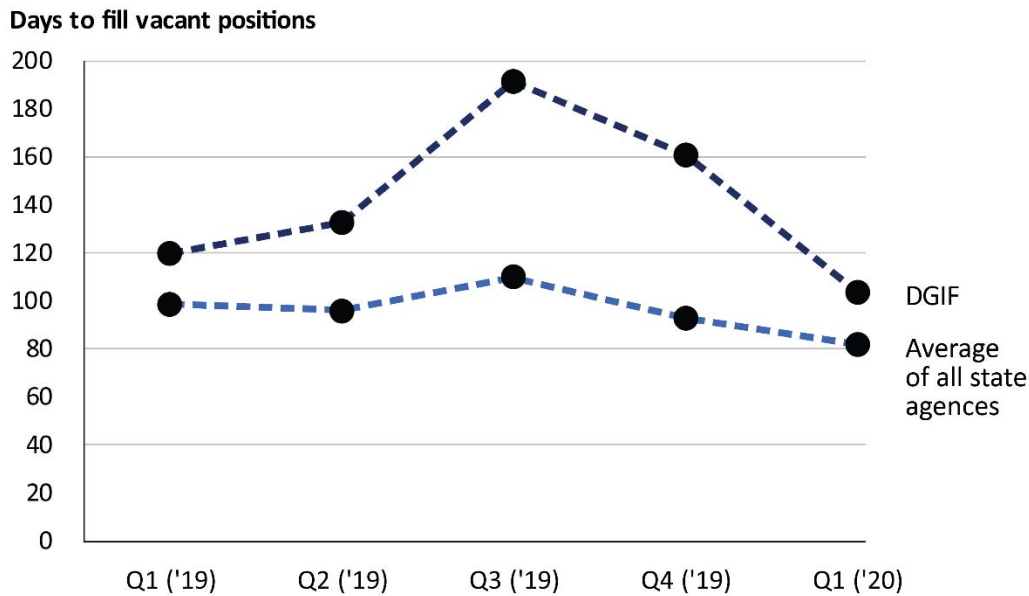
Many DGIF supervisors expressed frustration with the cumbersome nature of DGIF's hiring process and how long it took to fill vacant positions. DGIF is aware of this and recently reduced some of the steps required in its hiring process (e.g., requiring only a single interview panel rather than two interview panels).

The office of human resources itself is a source of frustration as well. Some DGIF staff bluntly said "Human Resources is in need of an overhaul" and "Our HR division [has] negative effectiveness for the agency at-large." The office of human resources also did not provide the full information about staff vacancies, turnover, and time to fill vacant positions requested by JLARC staff.

It is not yet apparent whether the office will fill vacancies more quickly under the new hiring process. JLARC used readily available data from DHRM to better understand and compare how long it takes DGIF to fill vacant positions with other agencies in state government (Figure 6-3). It appears that DGIF has been able to fill vacant positions more quickly in the last two fiscal quarters, but still takes substantially longer than the state government average (104 days vs. 84 days).

FIGURE 6-3

After several quarters of increasing the time it takes to fill vacancies, DGIF appears to be hiring more quickly but still takes longer than statewide average



SOURCE: Virginia Department of Human Resource Management, 2019.

DGIF should identify how best to improve the efficiency, effectiveness, and responsiveness of the human resources office. This may require additional staffing, different staffing, or process improvements. DGIF has recently created and filled a deputy director of human resources position in addition to several other administrative positions. If this does not improve the office, DGIF may need to temporarily seek outside assistance from the Department of Human Resource Management or a private-sector consultant to ensure the agency can recruit and retain a qualified workforce. Ultimately, DHRM is vested with the legal authority to “establish and administer a system of recruitment designed to attract high quality employees” and may need to take a more direct role in ensuring this happens for DGIF.

RECOMMENDATION 18

The Board of Game and Inland Fisheries should set a deadline by which the Department of Game and Inland Fisheries should implement the measures necessary to improve the effectiveness, efficiency, and responsiveness of its office of human resources.

Information technology, like human resources, is an essential resource DGIF needs to function. DGIF employees, senior leadership, and board members expressed concern about the inadequacy of the agency’s internal information technology resources. Less than half of staff agreed that they had the technology and systems to support core

functions. Given that the majority of DGIF staff work outside of the agency's headquarters, access to applications (e.g., the Zuercher reporting application used by conservation police officers) through wireless or cell tower connections is essential. Furthermore, staff in the field who access applications in regional offices or their homes have reported extremely slow response times when using agency applications because of the broadband limitations.

Broadband limitations and other IT challenges were found to be a major problem for many state agencies, including DGIF, in JLARC's review of *VITA's Transition to a Multi-Supplier Service Model* (October 2019). The report made several recommendations related to better resolving agency IT problems.

In contrast with human resources, DGIF's challenges with information technology are not totally within the agency's control. Some of these issues are the responsibility of the Virginia Information Technologies Agency (VITA) (sidebar), and others are the responsibility of localities and utility companies. Given that improving bandwidth in rural parts of the state is not directly in DGIF's control, it should identify and implement realistic approaches to work around the broadband limitations in the field (at least until they improve) as much as possible. These may include having periodic back-ups of information on servers placed onto staff laptops to be used when there is no service, or working more closely with VITA, local governments, and utilities to determine whether DGIF can gain temporary priority to bandwidth when it is constrained.

RECOMMENDATION 19

The Department of Game and Inland Fisheries should identify and implement practical, immediate solutions to help ensure its staff can access the information technology and systems necessary to be fully efficient and effective in their jobs.

DGIF has neglected using strategic planning as a tool to address key challenges

DGIF, like all state agencies, is subject to the Department of Planning and Budget's (DPB) requirement to implement a performance management system that includes a strategic plan. A meaningful strategic plan is important for DGIF because the agency has several financial and programmatic challenges that need attention. Without a strategic plan, DGIF may defer making key decisions about revenue, programs, and staffing. Deferring key decisions will put the agency in a reactive position, which may force the agency to make changes in an ad-hoc and rushed manner over a short period of time, rather than in a strategic manner over a long period of time.

DGIF's strategic plan on file with DPB for FY18 to FY20 is incomplete and out of date. The plan sets seven strategic goals and has a variety of potentially useful performance measures. However, the plan lacks any strategies to achieve those strategic goals.

DGIF senior leadership and the Board of Game and Inland Fisheries are aware of the need to engage in a meaningful strategic planning effort. In interviews, board members cited the need for better strategy. In addition, only 30 percent of DGIF staff agreed that DGIF leadership effectively planned for the agency's future.

DGIF should undertake a strategic planning process that will ensure the agency adapts to changes in a strategic, rather than ad-hoc, manner. Among the primary issues that need to be addressed relate to the agency's revenue and wildlife management activities already highlighted in this report. Chapter 2 includes several options the agency could consider if it needs to raise additional revenue. In addition to those options, there may be new federal revenue streams available in the future. There is a federal proposal to provide more funding to states to protect threatened and endangered species (sidebar). DGIF has also developed several small new programs that will raise revenue, such as its Restore the Wild membership program and the WMA access permit program.

Chapter 4 highlights DGIF's emphasis on game animal species management, which though reasonable, may need to be revisited over time. Some aspects of game species management require substantial funding, such as the agency's nine fish hatcheries (which hatch and release several species of game fish, including trout and striped bass). DGIF reports that funding from angling license sales (trout licenses in particular) is not adequate to fully fund hatchery operations. DGIF spent about \$4 million to operate these hatcheries in FY19, and 35 full-time and 19 part-time staff are devoted to hatchery operations. This is a substantial portion of total agency staffing (10 percent) and spending (9 percent). Several of DGIF's hatcheries are extremely old, dating back to the mid-1900s. These will soon require substantial capital investment to modernize. (DGIF spent more than \$12 million to modernize a hatchery from 2009 to 2011.)

A proposed new federal funding source—the Recovering America's Wildlife Act—could result in up to \$21 million in additional funds for DGIF's non-game programs. If passed, the act would obligate DGIF to spend more money on threatened and endangered species. DGIF recently received approval from the Secretary of Natural Resources to send letters to Virginia's congressional delegation in support of this act.

RECOMMENDATION 20

The Department of Game and Inland Fisheries should undertake a meaningful strategic planning effort that articulates (i) the agency's most substantial challenges; (ii) realistic strategies to effectively address those challenges; and (iii) the changes the agency will make to its revenue base, programs, and staffing to implement the strategies.

Appendix A: Study mandate

**Resolution of the Joint Legislative Audit and Review Commission directing
staff to review the operations, performance, and management of the Virginia
Department of Game and Inland Fisheries**

WHEREAS, the Department of Game and Inland Fisheries (DGIF) interacts with many Virginians each year through its natural resource service, conservation, and enforcement responsibilities; and

WHEREAS, DGIF issues hunting and recreational fishing licenses, and administers all titles and registrations of recreational boats in Virginia; and

WHEREAS, DGIF owns and maintains over 200,000 acres of land across the state, including nearly 6,000 acres acquired over the past two years; and

WHEREAS, DGIF employs approximately 450 full-time-equivalent staff, including 160 conservation police officers who are vested with similar law-enforcement authority as sheriffs and other law enforcement officers in the Commonwealth; and

WHEREAS, DGIF was appropriated \$63 million in FY18 from entirely non-general fund revenue sources, including revenue from the sales of hunting and fishing licenses, federal funds, and a portion of the sales and use tax derived from watercraft and outdoor-related goods and equipment; and

WHEREAS, DGIF retains substantial end-of-year fund balances; and

WHEREAS, DGIF relocated its headquarters to Henrico County in 2015 after initial plans to relocate to Hanover County were unsuccessful; and

WHEREAS, in its 1996 report, Feasibility of Consolidating Virginia's Wildlife Resource Functions, the Joint Legislative Audit and Review Commission determined that overlap existed and consolidation could be considered among DGIF and other state agencies with natural resource missions, including the Virginia Marine Resources Commission, the Department of Conservation and Recreation, and the Department of Agriculture and Consumer Services; and

WHEREAS, DGIF is overseen by the Board of Game and Inland Fisheries, which is a supervisory board responsible for, among other things, appointing the director; acquiring public lands; managing game bird, game animal, fish and other wildlife populations in the Commonwealth; establishing and revising various fees, including fees charged for hunting, fishing, and trapping licenses; now, therefore be it

RESOLVED by the Joint Legislative Audit and Review Commission that staff be directed to review the operations, performance, and management of the Department of Game and Inland Fisheries. In conducting its study, staff shall (i) determine whether DGIF's revenue sources, including balances retained at year end, are appropriate to support its mission; (ii) evaluate the effectiveness of DGIF's customer service operations, including the use of technology in customer-facing operations; (iii) examine DGIF's land acquisitions; (iv) examine the powers and authorities of conservation police officers; (v) assess the organizational structure DGIF uses for its conservation police officer force; (vi) determine whether efficiencies could be gained by consolidating DGIF's functions and those of other

agencies with similar missions; (vii) evaluate the role of and representation on the Board of Game and Inland Fisheries; (viii) compare how Virginia organizes DGIF functions to how other states organize their functions; (ix) make recommendations as necessary; and (x) review other issues as warranted.

All agencies of the Commonwealth, including the Department of Game and Inland Fisheries, the Virginia Marine Resources Commission, the Department of Conservation and Recreation, the Department of Agriculture and Consumer Services, and the Department of Planning and Budget shall provide assistance, information, and data to JLARC for this study, upon request. JLARC staff shall have access to all information in the possession of state agencies pursuant to § 30-59 and § 30-69 of the Code of Virginia, including all documents related to proceedings or actions of the board. No provision of the Code of Virginia shall be interpreted as limiting or restricting the access of JLARC staff to information pursuant to this statutory authority.

Appendix B: Research activities and methods

Key research activities performed by JLARC staff for this study included:

- interviews with DGIF staff and board members, other state and federal agencies, stakeholders and subject-matter experts, and other states' fish and wildlife agencies;
- surveys of DGIF staff, DGIF customers, conservation police officers, and the Board of Game and Inland Fisheries;
- analysis of DGIF financial, staffing, license and permit, and law enforcement data, and certification exam data from Virginia's regional law enforcement academies; and
- reviews of laws, regulations, and law enforcement policies, standard operating procedures, and general orders.

Structured interviews

Structured interviews were a key research method for this report. JLARC staff conducted approximately 68 interviews with individuals from a variety of agencies and organizations. Key interviewees included:

- DGIF staff and board members;
- other Virginia and federal agency staff;
- stakeholders and subject-matter experts in Virginia and nationally; and
- other states.

DGIF staff and board members

JLARC staff conducted 27 interviews in person and by phone with 22 staff from DGIF, including headquarters staff, staff in a regional office, three current board members, and one former board member. DGIF headquarters staff included both the former and current executive director, the deputy director, and the directors of all major divisions, including Law Enforcement, Terrestrial Wildlife, Aquatic Wildlife, Agency Outreach, Planning and Finance, and Human Resources.

These interviews were used to understand the organization of the agency; the work processes used to carry out the agency's primary responsibilities; and staff perspectives on DGIF's mission, challenges, and work culture. Interviews were also used to clarify the meaning of DGIF data.

Other Virginia and federal agency staff

JLARC staff conducted interviews with several Virginia state agencies. These interviews were conducted for a range of purposes:

- to obtain information on DGIF's interactions with other Virginia state agencies, JLARC interviewed the Department of Conservation and Recreation (DCR), the Virginia Marine Resources Commission (VMRC), Department of Forestry (DOF), and the Virginia Department of Transportation (VDOT);

- to obtain perspectives on other agencies' approaches to law enforcement training, accreditation, development of policies and procedures, and thoughts on DGIF's conservation police force, JLARC staff interviewed staff from the Department of Criminal Justice Services (DCJS) and Virginia State Police (VSP); and
- to understand how DGIF works with federal partners and gain perspective on how DGIF compares to other state fish and wildlife agencies, JLARC interviewed two individuals with the U.S. Fish and Wildlife Service.

Staff also conducted interviews with the secretary and deputy secretary of natural resources.

Stakeholders and subject-matter experts in Virginia and nationally

JLARC staff interviewed eight stakeholder groups who interact with DGIF and represent DGIF constituents: Ducks Unlimited, The Nature Conservancy, Virginia Audubon Council, Virginia Council of Trout Unlimited, Virginia Deer Hunters Association, Virginia Hunting Dog Alliance, Virginia Outdoors Foundation, and the Wildlife Foundation of Virginia. The topics of those interviews were used to analyze DGIF's work in conservation and management and customer service operations. Staff also conducted interviews with the American Fish and Wildlife Association and the Conservation Management Institute to obtain their perspectives as subject-matter experts on the effectiveness of DGIF's conservation and management efforts.

Other states

JLARC staff conducted interviews with fish and wildlife agencies in other states: Georgia, Maryland, and South Carolina. These interviews were used in assessment of the organization of Virginia's inland and marine fisheries management and natural and marine resources law enforcement. These states were selected because their marine resource function is consolidated in one fish and wildlife agency and the state has one natural resource police force. These interviews were also used to obtain information on these fish and wildlife agencies' law enforcement administration and operations, including command structures, promotional practices, and policies and procedures.

Surveys

Five surveys were conducted for this study: (1) two surveys of current and former DGIF customers, (2) a survey of DGIF staff, (3) a survey of conservation police officers, and (4) a survey of the Board of Game and Inland Fisheries.

Surveys of DGIF customers

Two surveys of DGIF customers were administered electronically to samples of current and former hunting, fishing, and boating customers. Individuals were selected for the surveys from a subset of DGIF customers who had an email address listed within DGIF's Go Outdoors Virginia online licensing system. Customers who participated in hunting, fishing, and boating were sampled. Customers that only participated in trapping or have only purchased non-license products, such as DGIF merchandise, were excluded.

The first survey covered the following topics: (1) use of public land and adequacy of opportunities for recreation and (2) interactions and satisfaction with conservation police officers. This survey was intended to be sent to a random sample of 12,000 hunting, fishing, and boating customers. Because of issues with the survey software, the survey was sent to 7,802 individuals. JLARC received 935 responses on this survey, for an overall responses rate of 12 percent.

The second survey covered the following topics: (1) behaviors regarding purchasing hunting and fishing licenses and boat registrations, (2) satisfaction with the licensing process, including the functionality of Go Outdoors Virginia, and (3) costs of hunting and fishing licenses and boat registrations. The four versions of the survey followed the same topics and format, however the questions were targeted specifically towards either hunting, fishing, or boating. The four versions were sent to random samples of: (1) 12,000 hunters, (2) 24,000 anglers, (3) 12,000 boaters, and (4) 12,000 customers that participate in more than one activity. The aforementioned issue with the survey software continued only through the sending of the survey to the hunters, with only 7,725 hunters receiving the survey. In total, this survey received 4,616 responses, for an average response rate of 10 percent.

Survey of current DGIF staff

JLARC staff administered a survey electronically to all full-time staff at DGIF. Topics included DGIF's management of employees; the agency's leadership, board, and mission; and employee job satisfaction. The survey included specific questions for conservation police officers regarding the leadership and organization of the conservation police force and its work with other entities. JLARC staff sent the survey to 415 staff and received responses from 322 staff members, for an overall response rate of 78 percent.

Survey of conservation police officers

An additional survey was administered electronically to all conservation police officers, sergeants, lieutenants, and captains on the operations side of the DGIF law enforcement division. The survey aimed to measure conservation police officers' perceptions of their training and written policies and procedures. The survey included questions concerning various aspects of conservation police training, internal policies and procedures, and day-to-day administration and operations. Staff were given the opportunity to respond to the survey anonymously, given the sensitive nature of the survey topics. JLARC staff received responses from 115 of the 152 conservation police officers (76 percent) who received the survey.

Survey of the Board of Game and Inland Fisheries

A survey was administered electronically to all 11 members of the Board of Game and Inland Fisheries. Topics included board members' perceptions of DGIF operations, how well DGIF collaborates with other entities, how well DGIF achieves its mission, and the members' experience with board decisions to acquire land to conserve and preserve wildlife habitat. Eight board members responded to the survey, for a response rate of 73 percent.

Data collection and analysis

Several types of data analyses were performed for this study.

License and registration sales

JLARC staff obtained data on hunting and fishing license sales for FY19 and boat registrations for calendar year 2018. This data was used to analyze changes in license and registration sales over time as well as to identify the most commonly purchased licenses and license combinations.

Estimates of forgone federal revenue

JLARC staff asked the U.S. Fish and Wildlife Service (USFWS) to estimate how federal revenue apportioned to Virginia would change if exempt hunters and anglers were included in the totals used to calculate revenue. USFWS estimated how 5 percent, 10 percent, 15 percent, and 20 percent increases in the number of hunters and anglers in Virginia would affect the state's federal apportionment. These estimates were generated by adjusting the number of certified hunters and anglers in Virginia and running hypothetical, new apportionments for all states—including Virginia—based on these scenarios. In federal FY19, 268,300 hunters and 537,902 anglers were certified to USFWS.

	FY19 Final apportionment	5% increase	10% increase	15% increase	20% increase
Wildlife Restoration Program	\$7,824,475	\$8,031,676	\$8,246,331	\$8,460,574	\$8,674,406
Sport Fish Restoration Program	\$5,359,649	\$5,526,149	\$5,700,833	\$5,875,179	\$6,049,100
Total	\$13,184,124	\$13,557,824	\$13,947,164	\$14,335,724	\$14,723,506

SOURCE: Apportionments provided by USFWS.

NOTE: Numbers may not add up because of rounding.

Conservation police officer enforcement actions

JLARC staff obtained detailed data on individual enforcement actions from FY13 to FY18, including the type of violation taken by each officer, relevant Code section, and type of enforcement action taken. Staff analyzed the data to determine the percentage of violations by Code section (i.e., DGIF Code sections vs. other Code sections), and the proportion of enforcement actions that were arrests vs. summons, in total and by CPO.

Law enforcement officer certification exam data

JLARC staff obtained data on DCJS law enforcement officer certification exam scores for calendar year 2018 from most of Virginia's regional criminal justice training academies. This data was used to compare the exam performance of officers attending DGIF's independent basic academy to the exam performance of those attending basic law enforcement training at Virginia's regional academies.

Law enforcement personnel and expenditure data

JLARC staff obtained detailed personnel and expenditure data from DGIF and VMRC for their enforcement functions in the Tidewater area. This included personnel expenditure data for all administrative and operational officers in that region of the state, as well as total expenditures for the agency's law enforcement dispatch, fleet maintenance, and training functions. This data was collected through

a data collection instrument that JLARC staff developed and sent to both agencies. The data was used to analyze the impact that consolidating VMRC's law enforcement force into DGIF would have on costs and operations.

Game and non-game staffing

JLARC staff calculated the proportion of staff in the Terrestrial Wildlife and Aquatic Wildlife divisions that specialize in game and non-game species. Staffing data for this analysis came from detailed DGIF organization charts and additional data provided by DGIF. For each division, JLARC staff grouped the DGIF staff into three groupings: (1) game-specific staff, (2) non-game specific staff, and (3) staff that do work that benefits both game and non-game species. Examples of game-specific staff include staff that specialize in deer, bear, and waterfowl, and staff that work in DGIF's fish hatcheries. Examples of non-game specific staff include herpetologists, bird biologists, malacologists, and watchable wildlife staff. Staff that do work that benefits both game and non-game species include district biologists and wildlife biologist assistants that work on WMAs, and aquatic biologists.

Based on the organization charts and information provided by DGIF, JLARC staff counted 61 game-specific staff in the Terrestrial Wildlife and Aquatic Wildlife divisions, and 16 non-game specific staff, which means that about 20 percent of these staff specialize in non-game species. An additional 79 staff do work that benefits both game and non-game species.

Document reviews

JLARC staff reviewed a wide variety of documents to inform its study of DGIF, including:

- documents describing other states' hunting and fishing licenses and boat registrations, including their websites, regulations, and regulatory digests;
- laws, regulations, policies, standard operating procedures, and general orders for the conservation police force;
- DGIF species-specific management plans, wildlife management area plans, Virginia Wildlife Action Plan, and other DGIF documents; and
- reports conducted by FMP Consulting on DGIF operations, organization, and classification and compensation structure: (1) classification and compensation review for conservation police officers and (2) organizational assessment for administrative support, agency outreach, statewide resources, bureau administrative team, and the senior leadership team.

Board meeting observation

During the course of the study, JLARC staff regularly attended public meetings of the Board of Game and Inland Fisheries and its committees. Between October 2018 and September 2019, JLARC staff attended eight public meetings and several closed session meetings.

Appendix C: Relocation of DGIF headquarters

In 2015, DGIF relocated its headquarters to an office park at 7870 Villa Park Drive in Henrico County. DGIF began the process of identifying a new headquarters location in 2008, after it concluded its headquarters at 4010 W. Broad Street in Richmond required too much renovation to be a feasible future location. The Villa Park headquarters building is about 89,000 square feet and includes office and warehouse space as well as a retail location where individuals can purchase licenses and registrations.

From start to finish, the process to relocate its headquarters took about seven years (Figure C-1). Other than considerable DGIF staff time, though, DGIF spent a fairly minimal amount of funds that did not eventually go toward its purchase of the Villa Park Drive property. These funds were used to pay a settlement fee and have a variety of potential site analyses conducted by experts (e.g. environmental and site suitability) and value engineering or cost reduction studies performed.

PPEA process

DGIF issued a Public-Private Education and Infrastructure Act (PPEA) request for proposal in 2008 to relocate its headquarters. During this time, the Virginia Department of Transportation gifted DGIF a 5.9-acre parcel of land in the Atlee area of Hanover County to be used for a future headquarters facility. In addition, the 2009 Appropriation Act allowed DGIF to relocate its headquarters at a cost not to exceed \$10 million.

Later in 2009, DGIF concluded that the parcel of land in Atlee gifted by VDOT was only “marginally suitable” but was its best available option at that time.

In early 2010, DGIF notified its board that it had received three proposals in response to the PPEA request for proposal. Later that year, though, it notified the three bidders that it was canceling the solicitation because the “bidding environment and our needs have changed.”

Part of the reason DGIF canceled the PPEA solicitation was because it had received an additional, unsolicited bid to build a new headquarters building outside of the PPEA process. DGIF was advised that it could not continue the PPEA process and simultaneously consider this new, unsolicited bid.

Post-PPEA process

By 2012, DGIF had received additional bids under its new, non-PPEA process. DGIF selected Northlake DGIF LLC to build the new headquarters facility on a 15.45-acre land parcel in the Northlake Business Park in Hanover County. The agreement was contingent on DGIF selling two parcels of land and using the proceeds to defray the cost of the new property, valued at \$1.48 million.

FIGURE C-1
Process to relocate headquarters took about seven years

2008	<ul style="list-style-type: none"> ▪ DGIF issues a PPEA RFP for its HQ (its then-current HQ on Broad St required substantial maintenance to continue to occupy)
2009	<ul style="list-style-type: none"> ▪ VDOT gifts 5.9 acres of land in Atlee to DGIF ▪ HQ relocation costs capped at \$10 million in Appropriation Act ▪ DGIF notifies HAC & SFC that Atlee land was only “marginally suitable,” but best available option ▪ DGS suggests that DGIF tour available building on Villa Park Drive
2010	<ul style="list-style-type: none"> ▪ DGIF notifies board it received three qualified proposals from its August 2008 PPEA RFP ▪ DGIF receives an unsolicited proposal to build a new HQ, is advised it cannot continue its PPEA RFP and consider the unsolicited proposal ▪ DGIF notifies bidders to August 2008 PPEA RFP that it is cancelling the solicitation because the “bidding environment and our needs have changed” ▪ DGIF accepts unsolicited proposal from Highwoods, then as required invites other bids
2011	<ul style="list-style-type: none"> ▪ DGIF negotiates with and enters into an interim agreement with Northlake DGIF LLC: <ul style="list-style-type: none"> -DGIF will sell two parcels of land, using the proceeds to defray cost of Northlake Business Park property -contingent on DGIF acquiring a 15.45 acre parcel in the Northlake Business Park for \$1.48 million to use for HQ
2013	<ul style="list-style-type: none"> ▪ DGIF receives cost estimate of \$9.2 million to complete facility (in addition to value of land) ▪ DGIF and Northlake terminate relationship
2014	<ul style="list-style-type: none"> ▪ DGIF and Northlake sign final settlement in which DGIF pays Northlake \$143,725
2015	<ul style="list-style-type: none"> ▪ DGIF purchases HQ property on Villa Park Drive for \$8.5 million

Source: JLARC summary based on review of DGIF procurement documentation.

Throughout the remainder of 2012 and early 2013, DGIF and Northlake had a variety of disagreements, primarily related to the scope and cost of the headquarters project. DGIF and Northlake subsequently terminated their relationship, and DGIF agreed to pay Northlake about \$144,000.

Villa Park property selection

Prior to terminating its relationship with Northlake, the Department of General Services had recommended that DGIF review a property on Villa Park Drive in Henrico County. The property was in a corporate office park and included land, parking, and an existing building that would accommodate DGIF’s needs.

In anticipation of occupying the Villa Park Drive facility by mid-year, DGIF began working with the property owner to make improvements to the property to accommodate DGIF. DGIF made lease payments in May and June 2015, then took ownership of the property in July.

DGIF purchased the property on Villa Park Drive for \$8.5 million. The agency subsequently began moving into the facility and has used it as its headquarters since. DGIF used its own funding to make the purchase and did not use additional appropriated general funding. Consequently, DGIF returned all bond monies, as part of the PPEA, that had been reimbursed to DGIF up to that point. The official bond authorization for DGIF was subsequently rescinded in the next General Assembly.

Additional transactions

DGIF retained the tenants that were also on the property at Villa Park Drive. Tenants include Honeywell, OfficeMax, and UHS (now Aspira). Since DGIF took ownership of the property in 2015, these tenants have paid DGIF more than \$1 million in rental payments.

DGIF sold its former headquarters property located at 4010 W. Broad Street in Richmond in March 2016 to Kotarides Developers for \$5.1 million.

DGIF is seeking to sell the Northlake Business Park property.

Appendix D: DGIF revenue and fund balances

This appendix summarizes revenue and fund balances across DGIF's accounts.

DGIF revenue accounts

DGIF's total revenue is typically collected through 20 separate accounts (Table D-1). The percentage of total revenue each account comprises has changed during the last 10 years (Table D-2).

TABLE D-1
DGIF revenue account amounts and percentage of total revenue

Revenue account	FY19 amount	% of total revenue
Wildlife restoration	\$12,792,133	25.70%
Hunting licenses	11,581,474	23.27
Angling licenses	9,621,833	19.33
Sport fish restoration	3,692,855	7.42
Motor boat licenses	2,888,072	5.80
Boating safety financial assistance	2,007,756	4.03
Miscellaneous licenses, permits & fees	1,523,082	3.06
State wildlife grant	1,207,790	2.43
Interest from other sources	670,208	1.35
Game, fish & other permits	447,098	0.90
Motor vehicle license fee	417,510	0.84
Unallied science program	374,519	0.75
Rental lands/buildings-operating leases	290,973	0.58
National forest permits	264,294	0.53
Watercraft titling fees	246,375	0.50
State publications sales	244,843	0.49
Private donations, gifts & grants	202,972	0.41
Hunter education/safety program	188,955	0.38
Fine/penalty/forfeited recognizance	12,050	0.02
Watercraft sales tax	0	0.00
Total	\$49,770,099	

Source: JLARC staff analysis of Auditor of Public Accounts data.

Note: Excludes what DGIF characterizes as certain types of "transfers".

TABLE D-2

DGIF revenue account as a percentage of total revenue, FY 10–19

Revenue account	% of total revenue, FY10	% of total revenue, FY19	Change FY10 to FY19
Hunting licenses	28.99%	23.27%	-19.72%
Angling licenses	17.76	19.33	8.87
Wildlife restoration	12.38	25.70	107.69
Sport fish restoration	11.30	7.42	-34.36
Motor boat licenses	6.21	5.80	-6.49
Boating safety financial assistance	4.45	4.03	-9.40
Interest from other sources	2.26	1.35	-40.48
State wildlife grant	1.92	2.43	26.49
Misc. licenses, permits & fees	1.49	3.06	105.79
State publications sales	0.97	0.49	-49.30
Game, fish & other permits	0.94	0.90	-3.97
Motor vehicle license fee	0.84	0.84	0.35
National forest permits	0.71	0.53	-24.69
Private donations, gifts & grants	0.55	0.41	-25.80
Hunter education/safety program	0.52	0.38	-26.77
Watercraft titling fees	0.51	0.50	-2.47
Rental lands / leases	0.14	0.58	313.67
Fine/penalty/forfeited recognizance	0.01	0.02	77.83
Unallied science program	0.00	0.75	
Watercraft sales tax	-0.60	0.00	-100.00

Source: JLARC staff analysis of Auditor of Public Accounts data.

Note: Certain revenue accounts have constraints about for which programs they can be used.

DGIF fund balances

DGIF has 20 separate fund accounts (Table D-3). The total balances across these fund accounts has declined by about \$14.5 million since FY15, or 28 percent.

TABLE D-3
DGIF fund balances have declined since FY15

Fund code	FY15	FY16	FY17	FY18	FY19
09052	\$11,582,651	\$12,563,098	\$13,514,490	\$13,876,045	\$15,803,213
09403	33,240,313	21,146,007	23,093,210	19,147,933	15,494,306
09366	0	0	0	0	3,639,372
09043	1,088,463	1,237,290	1,174,367	1,161,638	1,606,731
09112	1,230,495	1,467,370	1,693,001	1,929,418	1,268,896
09880	429,711	621,047	140,450	59,857	207,282
09700	89,155	93,343	93,343	93,343	93,343
09900	52,193	66,690	70,293	73,222	75,491
09221	70,143	65,544	64,568	65,182	66,008
09200	46,875	18,965	19,090	19,272	19,516
09860	6,178	7,291	8,521	9,344	9,821
02164	5,762	5,762	0	0	0
02403	0	0	133	0	0
02490	0	0	36,104	0	0
02640	0	0	180	0	0
07403	0	520	201,531	520	0
09131	0	0	6,383	42	0
08200	-29,076	-176,526	-12,133	-178,446	-203,155
Totals	\$51,972,397	\$40,477,297	\$40,401,939	\$38,344,017	\$37,405,811

Source: JLARC staff analysis of Auditor of Public Accounts data.

Appendix E: Comparison of license and registration prices

JLARC reviewed the prices of hunting (Table E-1) and fishing (Table E-2) licenses and boat registrations (Table E-3) in Virginia and other states. This catalog compares the fees of common licenses and registrations in nine other states (and the District of Columbia for fishing) to those in Virginia. These illustrate that Virginia’s hunting fees are similar, trout fees are higher, and boat fees are lower than other states.

TABLE E-1
Hunting license fees

License	DE	GA	KY	MD	NC	PA	SC	TN	VA	WV
Hunting license	\$39.50	\$15.00	\$27.00	\$24.50	\$20.00	\$20.90	\$12.00	\$34.00	\$23.00	\$19.00
Deer license	\$20.00	\$25.00	\$35.00	N/A	\$13.00	N/A	\$6.00	\$34.00 ^a	\$23.00	\$10.00
Turkey license	N/A	\$25.00	\$30.00	N/A	\$13.00	N/A	\$5.00	\$34.00 ^a	\$23.00	\$10.00
Bear license	N/A	\$25.00	\$30.00	\$15.00	\$10.00	\$16.90	\$25.00	\$34.00 ^a	\$21.00	\$10.00
State waterfowl stamp	\$15.00	\$5.00	\$15.00	\$9.00	\$13.00	\$3.90	\$5.50	\$2.00	\$10.00	N/A

SOURCE: JLARC analysis of license fees of Virginia and other states.

NOTES: States may also require additional licenses, such as big game permits in addition to game-specific licenses.

^a Tennessee does not offer a hunting license. It only offers a combination hunting and fishing license for \$34.00.

^b Delaware requires a buck tag to hunt antlered deer.

^c Georgia does not require a game-specific license (such as a deer license), however requires a big game license or permit to hunt deer, turkey, and/or bear.

^d South Carolina requires a big game permit as well as a deer tag. This tag is offered for \$0.

^e West Virginia’s big game license is not required to hunt deer in certain situations, such as if certain equipment is being used or if a certain type of deer is being hunted.

TABLE E-2
Fishing license fees

License	DE	DC	GA	KY	MD	NC	PA	SC	TN	VA	WV
Freshwater fishing license	\$8.50	\$10.00	\$15.00	\$23.00	\$20.50	\$20.00	\$22.90	\$10.00	\$34.00	\$23.00	\$19.00
Trout license	\$4.20	N/A	\$10.00	\$10.00	\$5.00	N/A	\$9.90	N/A	\$22.00	\$23.00	\$10.00

SOURCE: JLARC analysis of license fees of Virginia and other states.

TABLE E-3
Boat registration fees

Registration	DE	DC	GA	KY	MD	NC	PA	SC	TN	VA	WV
Class A	\$20.00	\$15.00	\$11.67	\$21.00	\$0.00	\$31.67	\$13.00	\$40.00	\$13.67	\$10.67	\$10.00
Class I	\$40.00	\$25.00	\$23.33	\$40.00	\$12.00	\$33.33	\$19.50	\$40.00	\$27.67	\$12.00	\$15.00
Class II	\$60.00	\$35.00	\$46.67	\$50.00	\$12.00	\$53.33	\$26.00	\$40.00	\$41.67	\$14.00	\$20.00
Class III	\$100.00	\$60.00	\$70.00	\$65.00	\$12.00	\$53.33	\$26.00	\$40.00	\$55.33	\$16.67	\$25.00

SOURCE: JLARC analysis of boat registration fees of Virginia and other states.

NOTE: All registration fees represent the cost of a boat registration per year, regardless of whether the state offers registrations that do not expire for two or three years. States use different size parameters to break up the vessel classes, however most states use four classes: Class A (small boats: approximately less than 16 feet overall length), Class I (medium boats: approximately 16 to less than 26 feet length overall), Class II (larger boats: approximately 26 to less than 40 feet length overall), and Class III (extra-large boats: greater than 40 feet length overall).

Appendix F: Comparison of license exemptions

JLARC reviewed exemptions from licensure requirements for hunting (Table F-1) and fishing (Table F-2) in Virginia and other states. This catalog compares the license exemptions in nine other states (and the District of Columbia for fishing) to those offered in Virginia. These illustrate that Virginia has more license exemptions than other states and that these exemptions are typically broader.

TABLE F-1
Virginia's hunting license exemptions compared to other states

Exemptions in Virginia	DE	GA	KY	MD	NC	PA	SC	TN	WV
Resident or nonresident landowners	↑	↔	↑	↔	↔			↑	↔
Spouses of resident or nonresident landowners	↑	↑	↑	↔	↔			↑	↔
Children of resident or nonresident landowners	↑	↑	↑	↑	↑			↑	↔
Grandchildren of resident or nonresident landowners	↑	↑		↑	↑			↑	
Spouses of the children of resident or nonresident landowners	↑	↑							
Spouses of the grandchildren of resident or nonresident landowners	↑	↑							
Parents of resident or nonresident landowners	↑	↑							↔
Tenants on the land they rent and occupy			↑	↑	↑			↑	↔
Residents 65 years of age or over on private property in their country or city of residence	↓								↓
Resident under age 12	↑	↑	↔		↑		↑	↑	↑
Indians who "habitually" reside on an Indian reservation									
Members of Virginia-recognized tribes who reside in the Commonwealth									
Stockholders owning 50 percent or more of the stock of any domestic corporation owning land in Virginia									
Spouses of stockholders owning 50 percent or more of the stock of any domestic corporation owning land in Virginia									
Children of stockholders owning 50 percent or more of the stock of any domestic corporation owning land in Virginia									
Minor grandchildren of stockholders owning 50 percent or more of the stock of any domestic corporation owning land in Virginia									
KEY ↑ Exemption is more stringent than Virginia ↔ Exemption is the same as Virginia ↓ Exemption is less stringent than Virginia									

SOURCE: JLARC analysis of hunting regulations of Virginia and other states

TABLE F-2
Virginia's fishing license exemptions compared to other states

Exemptions in Virginia	DE	DC	GA	KY	MD	NC	PA	SC	TN	WV
Resident or nonresident landowners	↑		↔	↑		↔			↑	↔
Spouses of resident or nonresident landowners	↑		↑	↑		↔			↑	↔
Children of resident or nonresident landowners	↑		↑	↑		↑			↑	↔
Grandchildren of resident or nonresident landowners	↑		↑			↑			↑	
Spouses of the children of resident or nonresident landowners	↑		↑							
Spouses of the grandchildren of resident or nonresident landowners	↑		↑							
Parents of resident or nonresident landowners	↑		↑							↔
Resident active-duty members of the armed forces while on official leave				↔	↔	↔	↔	↔	↔	↔
Tenants on the land they rent and occupy									↑	↔
Guests fishing in individually owned private ponds			↔							
Legally blind persons	↔		↔							↔
Indians who "habitually" reside on an Indian reservation										
Members of Virginia-recognized tribes who reside in the Commonwealth										
Stockholders owning 50 percent or more of the stock of any domestic corporation owning land in Virginia										
Spouses of stockholders owning 50 percent or more of the stock of any domestic corporation owning land in Virginia										
Children of stockholders owning 50 percent or more of the stock of any domestic corporation owning land in Virginia										
Minor grandchildren of stockholders owning 50 percent or more of the stock of any domestic corporation owning land in Virginia										
Resident and nonresident children under 16 years of age	↔	↔	↔	↔	↔	↔	↔	↔	↓	↓
KEY ↑ Exemption is more stringent than Virginia ↔ Exemption is the same as Virginia ↓ Exemption is less stringent than Virginia										

SOURCE: JLARC analysis of fishing regulations of Virginia and other states

Appendix G: Survey of conservation police officers

In October 2019, JLARC staff surveyed CPOs about a variety of aspects of the training and written policies and procedures they receive as well as how they spend their time. This appendix summarizes results.

Training

Survey question	Response
How would you describe the quality of instruction you received during basic or modified basic training? (share of those completing basic training after 2008)	Excellent (9%) Very good (51%) Good (28%) Fair (9%) Poor (2%)
For which topics of your basic or modified basic training was the quality of instruction fair or poor? (<i>select all that apply</i>) (share of those completing basic training after 2008)	Legal issues (8%) Officer stress prevention (4%) Professionalism (2%) Patrol (6%) Defensive tactics/use of force (4%) Physical skills (6%) Communication (4%) Investigations (8%) Driving (4%) Other (4%)
How useful was your basic or modified basic training in educating you on how to do your job? (share of those completing basic training after 2008)	Extremely useful (21%) Very useful (47%) Moderately useful (26%) Somewhat useful (6%) Not at all useful (0%)
How would you describe the quality of the instruction you received from your field training officer (FTO)? (share of those completing basic training after 2008)	Excellent (40%) Very good (38%) Good (13%) Fair (8%) Poor (2%)
For which topics of your field training was the quality of instruction from your field training officer fair or poor? (<i>select all that apply</i>) (share of those completing basic training after 2008)	Local govt. structure and ordinances (4%) Records and documentation (4%) Dept. policies, procedures, and operations (2%) Detention facilities and booking (6%) Resources and referrals (4%) Courts: personnel, functions, locations (4%) Admin. handling of mental health cases (2%) Facilities and territory familiarization (4%) Local juvenile procedures (6%) Other (4%)

How useful was your field training in educating you on how to do your job? (asked of those who completed basic training after 2008)	Extremely useful (57%) Very useful (36%) Moderately useful (6%) Somewhat useful (2%) Not at all useful (0%)
How would you describe the quality of the instruction you received during in-service training?	Excellent (11%) Very Good (45%) Good (35%) Fair (6%) Poor (4%)
How useful was your in-service training in educating you on how to do your job?	Extremely useful (10%) Very useful (63%) Moderately useful (18%) Somewhat useful (7%) Not at all useful (3%)
Based on your experience, about what proportion of your fellow Conservation Police colleagues have the knowledge and skills necessary to adequately perform their work?	All (19%) Most (66%) Some (12%) Few (3%) None (0%) Do not know (0%)

Policies and procedures

Survey question	Response
How aware are you of the contents of written policies and procedures for Conservation Police?	Extremely aware (32%) Moderately aware (54%) Somewhat aware (11%) Slightly aware (1%) Not at all aware (1%)
Please indicate what proportion of Conservation Police written policies and procedures you believe are accurate (i.e., up to date, consistent with laws).	All (5%) Most (48%) Some (28%) Few (15%) None (4%)
Please indicate what proportion of Conservation Police written policies and procedures you believe are easy to understand.	All (10%) Most (50%) Some (33%) Few (7%) None (1%)

Please indicate what proportion of Conservation Police written policies and procedures you believe are sufficiently detailed or specific.	All (6%) Most (46%) Some (31%) Few (14%) None (3%)
Please indicate what proportion of Conservation Police written policies and procedures you believe are easy to access.	All (37%) Most (33%) Some (10%) Few (11%) None (10%)
How often do you refer to Conservation Police written policies and procedures when performing a law enforcement task?	Always (6%) Often (30%) Sometimes (47%) Rarely (15%) Never (2%)
Have any gaps or limitations in Conservation Police written policies and procedures negatively affected your ability to do your job?	Yes (32%) No (68%)
How have gaps or limitations in Conservation Police written policies and procedures negatively affected your ability to do your job? <i>(select all that apply)</i> (asked of those who said policies had limitations)	I did not take an action I should have (9%) I wasted time (20%) I took an incorrect action (7%) I confused a citizen (8%) I made an incorrect decision (5%) Other (7%)
In the past year, how frequently (if ever) did you deviate from Conservation Police written policies and procedures?	Always (0%) Very often (1%) Sometimes (11%) Rarely (48%) Never (41%)
Based on your experience during the past year, about what proportion of your fellow Conservation Police colleagues do you believe consistently followed written policies and procedures for Conservation Police?	All (7%) Most (69%) Some (8%) Few (9%) None (1%) Do not know (6%)
Are you aware that the DGIF law enforcement division has begun to introduce new standard operating procedures (SOPs) and general orders (GOs) for Conservation Police?	Yes (96%) No (4%)
Please indicate the extent to which you agree or disagree with the following statement: When the DGIF law division introduces new written policies or procedures or changes existing ones, I understand why those changes are being made.	Strongly agree (11%) Agree (43%) Neither agree nor disagree (27%) Disagree (16%)

	Strongly disagree (3%)
Please indicate the extent to which you agree or disagree with the following statement: When the DGIF law enforcement division introduces new written policies or procedures or changes existing ones, I understand the contents of those changes.	Strongly agree (12%) Agree (68%) Neither agree nor disagree (13%) Disagree (7%) Strongly disagree (0%)

Time use

Survey question

Response

Considering your experience in the past week, approximately how many hours in a typical day did you spend on each of the following?

(average share of day for CPOs)

Administrative activities (22%)
Enforcement activities (63%)
Outreach and education activities (6%)
Other (9%)

Considering your experience in the past week, approximately how many hours in a typical day did you spend on each of the following?

(average share of day for sergeants, lieutenants, and captains)

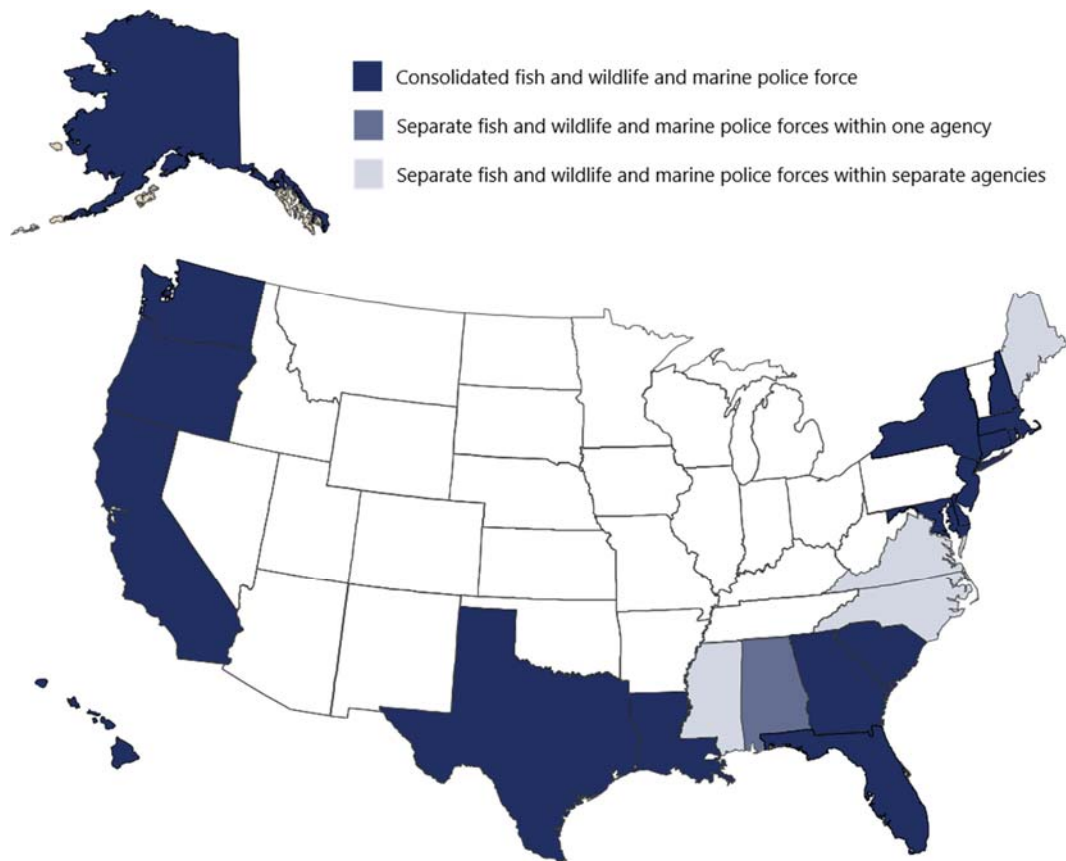
Administrative activities (48%)
Enforcement activities (11%)
Outreach and education activities (4%)
Direct supervision of CPOs (26%)
Other (10%)

Appendix H: Analysis of DGIF and VMRC law enforcement consolidation

Virginia's use of two separate police forces with tidal or coastal areas responsibility is somewhat atypical. Twenty-three states have oceanic coastline, and therefore have a marine resources and marine law enforcement function. Of these 23 states, most (18) have a single police force within one agency that oversees all game activity enforcement, including saltwater fishing and commercial fishing. Maryland and South Carolina are among these 18 states (Figure H-1).

FIGURE H-1

Majority of coastal states patrol coastlines with a single police force



SOURCE: JLARC analysis of state agency websites and regulations.

Virginia is one of five coastal states that use multiple police forces to patrol its coastline. Alabama has two police forces, but they are overseen by a single conservation and natural resources agency. Maine, Mississippi, and North Carolina, like Virginia, have two police forces under separate state agencies. One police force enforces game activities, including inland fishing, while the other enforces marine-related activities, such as recreational saltwater fishing and commercial fishing.

Summary of consolidation analysis

JLARC staff analyzed the impact of consolidating VMRC's marine police officers with DGIF's conservation police officers. The analysis assessed consolidating administrative and operational personnel and three key administrative functions. Expected costs of a consolidated police force were compared with the expected costs of keeping the two police forces separated. All expected costs were calculated based on DGIF's and VMRC's FY19 expenditures.

Virginia could consolidate the VMRC and DGIF police forces, which if successful could reduce duplication and potentially reduce spending. A consolidation could eliminate the (a) need to coordinate across agencies and (b) risk of boaters being inspected by two state police forces.

Whether consolidation of the two police forces would reduce spending in the long term depends substantially on several factors (Figure H-2). There are substantial differences in officer pay and hours worked throughout the year that would need to be resolved. For example, DGIF officers in the Tidewater region are paid, on average, substantially more than VMRC officers (\$76,000 vs. \$48,000). In addition, DGIF officers report working, on average, slightly more hours per week than VMRC officers (46 hours vs. 42 hours). Consolidating the two forces would require deciding whether to "level-up" VMRC officer pay to DGIF's salary scale, keep the differences in pay the same, or reduce DGIF pay to the VMRC officer pay. Typically, consolidation is more successful if pay is "leveled-up;" otherwise there may be resentment among officers who earn different salaries but have similar responsibilities.

Any savings realized from consolidating the police forces' dispatch staff would depend on which agency's ratio of dispatch staff to call volume were adopted. DGIF has fewer dispatch staff per officer, which if applied to VMRC would actually increase costs.

Consolidating the fleet maintenance and officer training functions would produce negligible savings. DGIF outsources most of its maintenance. In addition, the majority of costs related to officer training is for officers staying in hotels during multi-week training academies. This cost would essentially be the same if the police forces were consolidated.

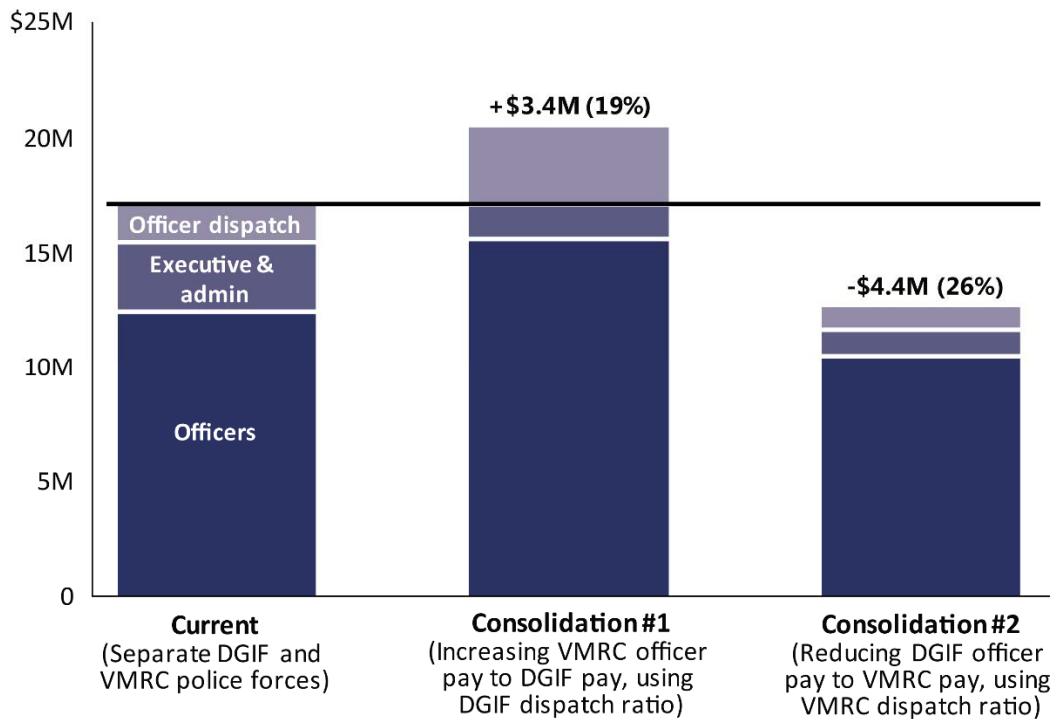
Magnitude of personnel savings is relative to salaries and workload expectations

Consolidating VMRC's police officers with DGIF's conservation police force could result in minimal to moderate cost savings. Cost savings would come from eliminating redundant command staff positions, eliminating officers in nonsupervisory roles through maximizing officer workload expectations, and adjusting officer salaries. Expected cost savings range significantly based on the salaries and workload expectations for officers following consolidation.

JLARC staff compared five officer salary scenarios to develop a range of a consolidation's impact on personnel costs for officers and administrative staff. These scenarios assumed: (1) all officers receive average VMRC salary following consolidation; (2) all officers receive 75 percent of average DGIF salary following consolidation; (3) all officers maintain their current salary following consolidation; (4) DGIF officers maintain current salary, and VMRC officers receive 75 percent of average DGIF salary following consolidation; and (5) all officers receive average DGIF salary following consolidation.

FIGURE H-2

Consolidating VMRC and DGIF would reduce spending only if DGIF officer salaries were reduced to VMRC officer salaries



SOURCE: JLARC analysis of DGIF and VMRC FY19 personnel data on staffing levels, personnel spending, and hours worked per month.

Consolidating VMRC's police force into DGIF would eliminate administrative overhead

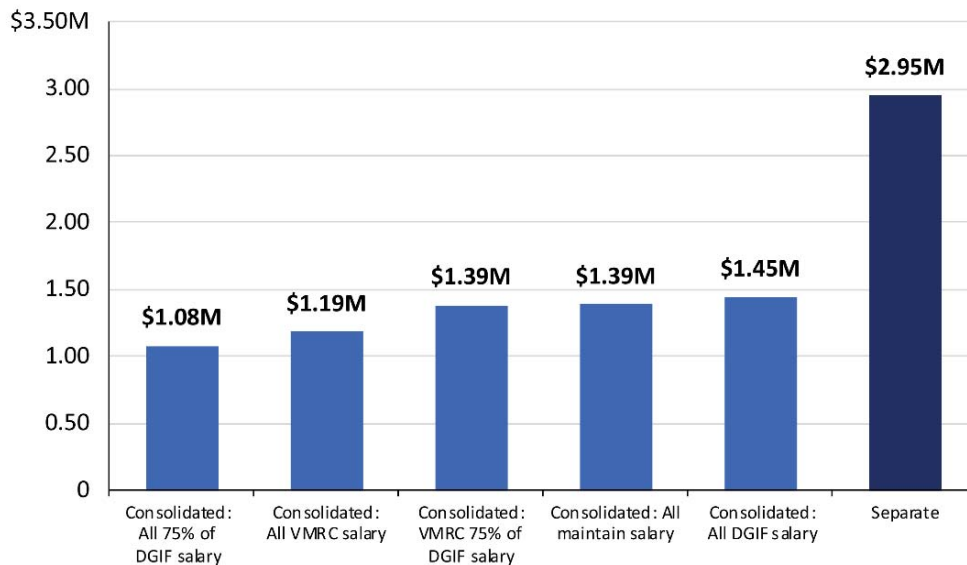
Consolidation would eliminate some supervisory positions, potentially resulting in minimal to moderate cost savings. Consolidation would reduce overhead through the elimination of four captains, one lieutenant colonel, and one colonel. These supervisory positions would be redundant as they already exist in DGIF's command staff structure.

JLARC's cost analyses that assessed consolidation's impact on administrative overhead took into account the elimination of the six command staff positions and addition of one sergeant position. An additional sergeant position likely would be needed in the Tidewater area to meet DGIF's staffing ratio of five officers to one sergeant in that area.

The magnitude of cost savings from eliminating administrative overhead depends on the salaries of the remaining administrative personnel. All salary level scenarios would result in cost savings compared with each agency maintaining its own police force because of the elimination of a net of five positions (Figure H-3). Depending on the salaries of administrative staff in a combined agency, cost savings range from \$1.5 million to \$1.9 million. The scenario that provides the most significant cost savings would be if all officers receive 75 percent of the average DGIF salary. This would result in approximately \$1.9 million in cost savings.

FIGURE H-3

Consolidating VMRC and DGIF would result in cost savings for supervisory personnel



SOURCE: JLARC analysis of DGIF and VMRC FY19 personnel expenditure data.

NOTE: Supervisory personnel include only conservation police officers and marine police officers above the "officer" level, including sergeants, lieutenants, captains, majors, lieutenant colonels, and colonels.

Consolidating VMRC's police force into DGIF could reduce personnel costs of nonsupervisory officers

DGIF and VMRC officers currently work different average hours per week. DGIF conservation police officers in the Tidewater area work approximately 46 hours per week, while VMRC marine police officers work 42 hours per week. DGIF officer's workload varies throughout the year based on the seasonality of their enforcement work. Their average weekly workload ranges from 38 hours worked per week in February to 79 hours worked per week in January. The average workload of VMRC officers is fairly consistent throughout the year. The average weekly workload ranges from 38 hours worked per week in September to 47 hours worked per week in January. These estimates are based on the numbers of hours DGIF and VMRC officers in the Tidewater area worked each month during FY19 and include all overtime hours.

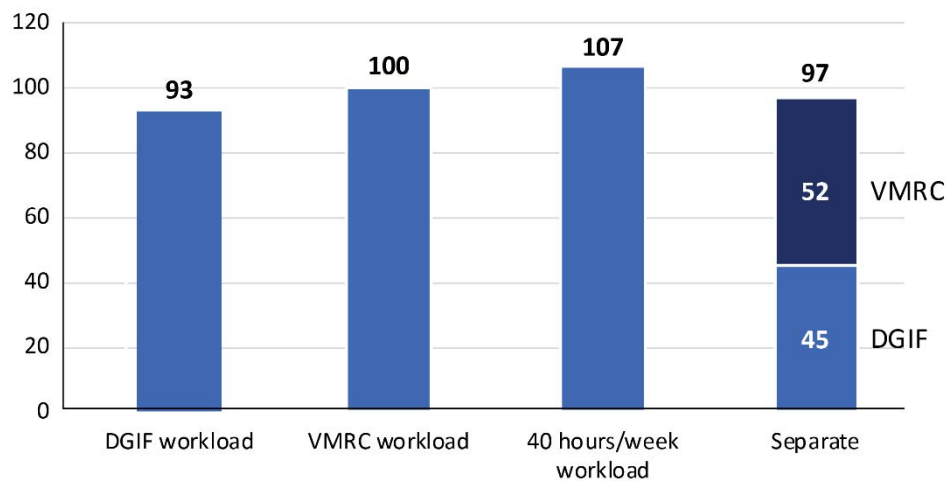
Given the variance in the number of hours and seasonality of DGIF and VMRC's work, consolidation would need to set expected workload expectations for officers. Workload expectations affect how many nonsupervisory officers would be needed in the consolidated police force to meet the enforcement demands. Enforcement demands represent the number of regular and overtime hours DGIF and VMRC staff currently work each month.

JLARC staff modeled three workload expectation scenarios to assess how consolidation would affect the number of operational personnel needed in the combined police force. These scenarios were based on (1) the average number of hours DGIF officers currently work per week; (2) the average number of hours VMRC officers currently work per week; and (3) an average of 40 hours per week.

If all officers in a consolidated force were expected to work DGIF's average of approximately 46 hours per week, only 93 officers would be needed to fulfill the consolidated police force's enforcement demand (Figure H-4). This would eliminate four officer positions from the current total officer positions in both agencies. If officers in a consolidated force were required to work VMRC's average weekly workload of 42 hours per week, the agency would require 100 officers, whereas an average weekly workload of 40 hours per week would require 107 officers.

FIGURE H-4

Consolidating VMRC and DGIF could result in fewer officers only if DGIF workload levels are used



SOURCE: JLARC analysis of DGIF and VMRC FY19 hours worked data.

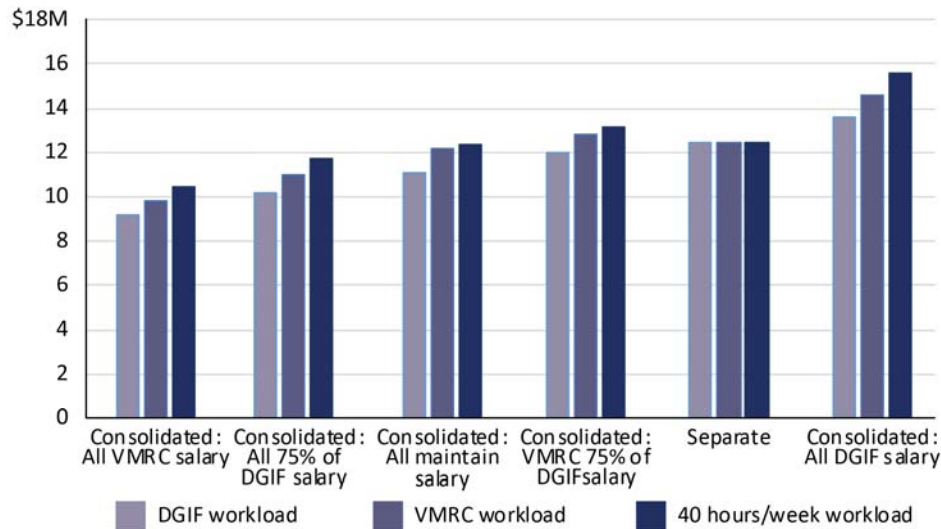
NOTE: Nonsupervisory personnel include only conservation police officers and marine police officers at the "officer" level. It does not include officers that have the rank of sergeant or above.

JLARC staff conducted cost analyses using the five salary scenarios based on the elimination and addition of operational personnel needed from the workload expectation scenarios. Regardless of the workload expectation, there would be no cost savings if all officers received an average DGIF salary following consolidation (Figure H-5). DGIF's average salary for conservation police officers in the Tidewater area (\$76,300) is significantly higher than the average salary of VMRC marine police officers (\$47,800). Other salary scenarios, including if all officers maintained their current salary following consolidation, would result in cost savings, regardless of officers' workload expectation.

The potential cost savings of consolidation are based largely on the salaries officers would receive and how many hours they were required to work. These factors affect staffing, which in turn reduce or increase personnel costs. There is the potential for upwards of \$3 million in cost savings if officers' salaries were lowered to VMRC's average salary level and the expectation for the average weekly hours worked were based on DGIF's higher workload. However, consolidation could also require more than \$3 million in additional personnel costs if all officers received DGIF's average salary and officers were expected to work 40 hours per week.

FIGURE H-5

Consolidating VMRC and DGIF could result in cost savings, especially if salaries are reduced to VMRC levels



SOURCE: JLARC analysis of DGIF and VMRC FY19 hours worked and personnel expenditure data.

NOTE: Personnel included are only conservation police officers and marine police officers at the "officer" level. They do not include officers that have the rank of sergeant or above.

Savings from consolidating administrative functions would be minimal

Consolidating VMRC's police force into DGIF would not result in a significant reduction in administrative police expenses. JLARC's analysis modeled potential cost savings as a result of consolidating three key administrative functions: dispatch, fleet maintenance, and training. These functions are three of the primary roles of the DGIF conservation police force's administrative division and contribute significantly to law enforcement administrative costs. Regardless, a combined police force would not significantly reduce these expenses.

Consolidation could lead to cost savings for dispatch

The majority of both agencies' dispatch costs are related to personnel. DGIF and VMRC each have several full-time dispatch staff and at least one supervisor that oversees the dispatch function. The agencies use different models to staff their dispatch centers. For example, the agencies employ different numbers of dispatchers relative to the size of their police force and dispatch supervisors relative to the size of their dispatch staff. In addition, the agencies' dispatchers handle a different level of call volume.

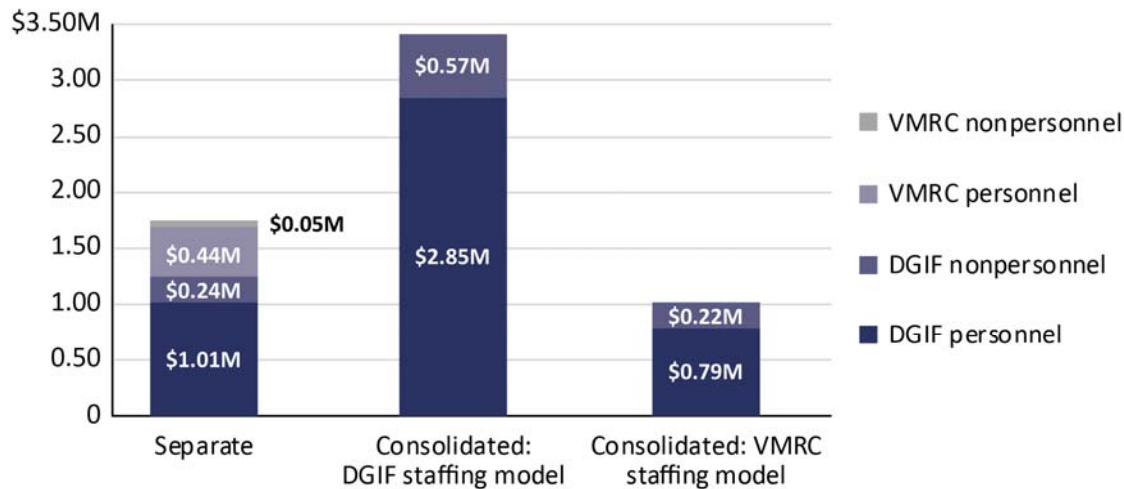
DGIF's dispatch function is highly labor intensive because the communications center needs to be staffed 24 hours per day. The center handles approximately 54,000 calls per year. DGIF currently has nine full-time and three part-time dispatchers, equaling about 10.5 full-time equivalent positions. DGIF has one dispatch supervisor for every 3.5 dispatchers. DGIF staff provide dispatch for both DGIF officers and the Virginia Department of Conservation and Recreation officers.

VMRC has six full-time dispatch positions. In addition to performing emergency dispatch functions, VMRC's dispatchers also field public service calls, such as selling licenses and answering regulatory questions. VMRC's dispatchers deal with approximately 230,000 calls per year, which include recreational and commercial checks and inspections that marine police officers conduct. VMRC's dispatch is indirectly supervised by the agency's first sergeant of law enforcement, who has other duties and responsibilities.

JLARC staff used the call volume and supervisor ratios of DGIF's and VMRC's dispatch to analyze how spending might change under consolidation. Because DGIF's staffing model is more staff intensive, dispatch personnel costs would almost triple if the consolidated agency used DGIF's staffing model and took on VMRC's high call volume (Figure H-6). However, a consolidated agency that took on VMRC's high call volume but staffed dispatch personnel based on VMRC's leaner model would lead to approximately \$700,000 in cost savings.

FIGURE H-6

Spending after consolidating dispatch depends on staffing model



SOURCE: JLARC analysis of DGIF and VMRC FY19 dispatch call volume and expenditure data.

Consolidation would lead to cost savings in terms of fleet maintenance

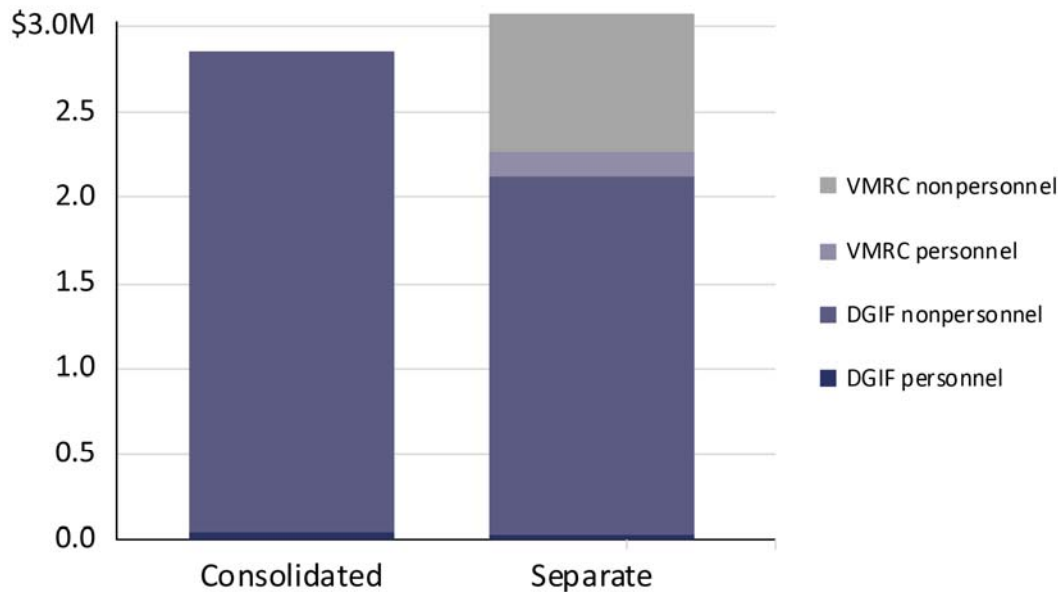
The majority of DGIF's fleet maintenance expenses are nonpersonnel costs. DGIF has two fleet maintenance positions, however external parties carry out the vast majority of repairs and maintenance for DGIF's vehicle and boat fleet. This is more efficient than relying on the agency's own mechanics because their fleet is spread out across the entire state. Personnel costs make up a larger proportion of VMRC's fleet maintenance total costs because VMRC has two full-time fleet maintenance positions that perform repairs and maintenance.

Consolidating VMRC into DGIF's operation would result in approximately \$225,000 in cost savings from fleet maintenance (Figure H-7). Cost savings largely come from the elimination of VMRC's two full-time fleet maintenance positions. The model shows that if consolidation occurred, personnel costs would be reduced by approximately \$136,000.

It is unclear whether non-personnel costs would decline under consolidation. DGIF has lower non-personnel costs relative to the amount of equipment it has as compared to VMRC. This is possibly due to more cost-effective contracts with third parties conducting repairs and maintenance or more purchasing power because of its higher volume of equipment. The model shows that following consolidation, DGIF's nonpersonnel costs would increase as it takes on managing more equipment. It is unclear how other costs may change given each agency's varying external party rates.

FIGURE H-7

Consolidating fleet maintenance would result in approximately \$225,000 in cost savings



SOURCE: JLARC analysis of DGIF and VMRC FY19 fleet maintenance expenditure data.

Cost savings of training VRMC officers at DGIF's academy would be minimal or non-existent and depend on the number of VMRC officers needing training

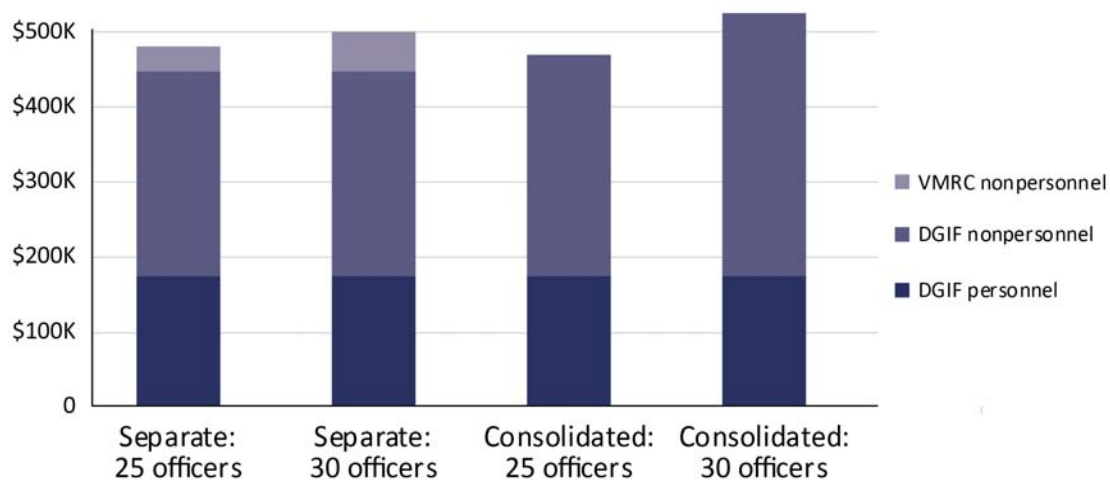
DGIF's training academy costs vary significantly year to year, depending on whether there is a basic academy class or not. Regardless of whether an academy class is held, DGIF has two full-time positions that work on basic training. Additionally, one full-time supervisor spends one-third of his or her time on the training academy. When an academy is held, the majority of DGIF's training academy costs are nonpersonnel. Variable costs, such as lodging, equipment, and travel, contribute most significantly to total nonpersonnel costs. These variable costs are relative to the number of officers trained at the academy. For the most recent training academy (which began in FY18 and was completed in FY19), DGIF's variable nonpersonnel costs averaged \$10,900 per officer. The largest variable nonpersonnel cost is lodging.

VMRC does not have any training-related personnel costs because officers are trained at a regional academy. VMRC pays an annual membership fee to this academy of approximately \$25,000 regardless of how many officers the agency sends for training. This is VMRC's most significant training-related nonpersonnel cost.

If VMRC were consolidated into DGIF, any cost savings associated with training would be either minimal or non-existent. Because such a large portion of DGIF's training costs are variable non-personnel costs, any changes in the cost of training officers following consolidation would be relative to the amount of officers needing training. During FY19, DGIF trained 23 officers (in the training academy that began in FY18), and VMRC trained two. JLARC's consolidation model shows that if the same number of officers were trained following consolidation, there would be cost savings of approximately \$12,000 (Figure H-8). However, if two or more officers were trained following consolidation, the consolidated model would be more expensive than having each agency train their officers separately.

FIGURE H-8

Consolidating training would not result in significant cost savings



SOURCE: JLARC analysis of DGIF and VMRC FY18 and FY19 basic training expenditure data.

NOTE: The Separate: 25 officers model represents the cost for DGIF to train 23 officers and VMRC to train 2 officers. The Separate: 30 officers model represents the cost for DGIF to train 23 officers and VMRC to train 7 officers. The Consolidated: 25 model represents the cost for DGIF to train 25 officers. The Consolidated: 30 model represents the cost for DGIF to train 30 officers.

Additionally, consolidation would substantially change the way VMRC is staffed. Currently, VMRC sends officers to the regional academy for training on an as-needed basis. Because the regional academy holds multiple basic training classes each year, VMRC can hire officers and send them to training frequently throughout the year. DGIF, however, waits to hire conservation police officers until it needs to hire a large enough group of officers that holding a training academy is cost effective. Hiring therefore occurs more sporadically (approximately once every two to three years) and involves hiring approximately 20 or more additional staff rather than just several officers at a time. This system currently works well for DGIF's staffing needs but is something requiring consideration along with costs in terms of consolidation.

Appendix I: Agency response

As part of an extensive validation process, the state agencies and other entities that are subject to a JLARC assessment are given the opportunity to comment on an exposure draft of the report. JLARC staff sent an exposure draft of this report to the Department of Game and Inland Fisheries and Secretary of Natural Resources. Relevant sections were also provided to the Department of Criminal Justice Services, the Virginia Marine Resources Commission, and Natural Heritage Program.

Appropriate corrections resulting from technical and substantive comments are incorporated in this version of the report. This appendix includes a response letter from the Department of Game and Inland Fisheries.



Matthew J. Strickler
Secretary of Natural Resources

COMMONWEALTH of VIRGINIA
Department of Game and Inland Fisheries

Ryan J. Brown
Executive Director

December 9, 2019

Mr. Hal E. Greer, Director
Joint Legislative Audit and Review Commission
919 East Main Street, Suite 2101
Richmond, VA 23219

Dear Director Greer:

Thank you for the opportunity to respond to the Joint Legislative Audit and Review Commission's (JLARC) staff report regarding the Virginia Department of Game and Inland Fisheries (DGIF). In opening, let me note that DGIF greatly appreciates the thorough nature of your staff's work and their professional approach; this process has been a positive experience for DGIF staff. As the new Executive Director appointed toward the completion of the study period, I believe the end result is a quality product that will guide us in improving our delivery of services to the public, conservation of the Commonwealth's natural resources, and the work experiences of our staff.

Below you will find the agency's brief comments on each of the report's recommendations and options. Many of them involve subjects that DGIF itself has noticed, and therefore we already have some initial ideas and/or have taken some action toward implementation. For ease of reference, each recommendation/option included in the report is listed by chapter and recommendation or option number:

- **Chapter 2: Revenue and Licensing:** DGIF strives to responsibly manage its funds and to receive favorable audit reports. As noted in the report, the agency currently maintains fund balances as directed by our Board of Game and Inland Fisheries (Board). Recent amendments to the Board-established floors currently put us well above the minimum balances, as the report notes. As a non-general fund agency with seasonal business trends, certain balance levels will always be necessary in order to provide sufficient funding during periods where revenues vary, as well as in the event of revenue shortfalls. It is of note that while existing revenues and balances support current agency operations, the steady decline in certain revenue sources—if not corrected—may eventually prevent this from being the case. Further, there do exist ever-increasing demands for new and enhanced services from the public that will not be addressed without increased funding levels.

- *Option 1* (Increase fees to register boats, according to current Code limitations on increases): DGIF is aware that fees to title and register boats in the Commonwealth are less expensive than surrounding states. As noted in the report, the Board recently increased these fees (registrations by \$5 and titles by \$3), and would be next eligible under the Code to consider another comprehensive increase in 2022. Any analysis of whether a further increase is necessary or beneficial would be conducted at that time.
- *Option 2* (Appropriation Act authorization by the General Assembly for a one-time increase in fees to register boats, beyond what the Code currently allows): If enacted, this option would certainly lead to greater revenues for DGIF. A responsible and feasible increase amount that is fair to our constituents, especially in light of the recent \$5 increase for registrations earlier this year, would need to be further considered.
- *Option 3* (Develop web-based software or online “wizard” function that asks a licensee what activit(ies) he or she wishes to undertake, and then suggest which licenses, etc. they may need to purchase): The Commonwealth’s hunting and fishing licenses are all created legislatively and, over time, various legislation has led to a large number of offerings that may benefit from some simplification in the future. In the meantime, DGIF has developed the Go Outdoors Virginia System for online license purchases, and we are pleased that this system received favorable reviews in the survey that was conducted. We have continued to look for ways to enhance that system and make it more user-friendly, including introducing a mobile app, a “What do I need” webpage, auto-reminder and renew options for current licensees, as well as certain popular licenses being bundled together. This “wizard” option can certainly be considered as we work to further improve the system.
- *Option 4* (Requiring exempt hunters and anglers to pay a nominal fee in order to allow DGIF to claim foregone federal revenue): As noted in the report, Virginia does legislatively grant greater numbers of exemptions from licensing requirements than other states, and this does result in losses of not only license revenues, but accompanying federal match dollars (~\$25 per hunting license, and ~\$12 per fishing license). Under federal rules, a net-revenue producing license sale (net income, after costs, of \$2) is required to obtain the federal match, and as such, free registration of these exempt hunters and anglers would not allow the federal match to be recovered. DGIF could realize a very meaningful fiscal increase from legislative action to reduce the number of exemptions or to require a small fee be paid for a license for currently-exempt constituents, but we recognize the public policy reasons behind these exemptions as they stand today. It is in the purview of the General Assembly as to whether some reduction or modification of existing exemptions, or requirement to pay a nominal fee, is appropriate; DGIF is happy to provide any information that would be helpful.

- **Chapter 3: Conservation Police Officers:** DGIF is very fortunate to have many dedicated Conservation Police Officers (CPOs) who, as noted in the report, earn a high satisfaction rating from the public. I was pleased to read that staff's analysis of their enforcement actions confirmed that the vast majority are tied directly to enforcement of laws necessary to the protection of natural resources and enforcement of boating laws, which is sometimes misunderstood or misrepresented. It is recognized, however, that several actions could enable our officers to better perform their duties, provide improved services for the public, and provide for increased morale and a more satisfactory work environment. To that end, at the October 2019 meeting of the Board, I introduced an initial series of improvements and study items pertaining to our Law Enforcement Division. Additionally, a Special Assistant to the Director for Law Enforcement has been brought on staff to assist with these actions. Without detailing them all here, several are pertinent to the recommendations:
 - *Recommendation 1* (General Assembly amendment to the Code to allow recruitment of the Colonel position from inside or outside of the Department's existing staff): Such a legislative action would give DGIF flexibility to consider applicants for its top law enforcement position from both within and outside of the agency, similar to other division director positions within DGIF and leadership positions within many other law enforcement agencies. Notably, as understood from the report, this would not exclude internal applicants from competing for the position, nor apply to other law enforcement leadership positions within DGIF, as the "hire from within" policy does provide some predictability to our staff that they will have the opportunity to compete for promotional opportunities as their careers progress.
 - *Recommendation 2* (Hiring a Colonel): DGIF recognizes that it is due to fill the Colonel position. The two Majors who have been filling that role in addition to their normal duties have performed very admirably, but recruiting and hiring the Colonel position is a critical step to be taken in the shorter term. The Employee Work Profile for the Colonel will be reviewed prior to recruitment to ensure that the correct leadership experience and qualifications are specified.
 - *Recommendation 3* (Development of a leadership development program for CPOs) and *Recommendation 5* (Development of a non-supervisory career path for CPOs): As noted in the report, a Career Track process had existed for CPOs in the past, but was discontinued. The old program is disfavored. A number of other states, and other agencies within the Commonwealth, have more refined Career Track-type programs, both for leadership development and career path purposes. A new draft program is currently well under development.
 - *Recommendation 4* (Incorporate a written examination into the promotion process): DGIF will explore this recommendation and we feel that it could be beneficial to the promotion process. An objective test that can be validated as job-related would need to be developed, likely by an outside entity, specific to conservation law enforcement.

- *Recommendation 6* (Assess the feasibility of supplementing field training for CPOs): DGIF agrees that this recommendation is worth further investigation for benefits that it could provide to new CPOs in ensuring that they have supervised training consistent with the seasonal variations in work types that apply to their positions.
 - *Recommendation 7* (Conduct further training for CPOs and provide written guidance to ensure consistent understandings in enforcement actions): CPO training levels and types were identified as areas for study in my recent Board presentation. Further, perhaps the single largest improvement that can be made for DGIF's law enforcement efforts is DCJS Accreditation, which is a very high priority. An Accreditation Manager has been hired within the last two months; also, another CPO has been detailed to assist on a part-time basis, and the hiring of a part-time assistant who is a DCJS Assessor has been authorized. The Accreditation Manager has already presented an aggressive 18-month strategic plan for completing this comprehensive process, which will functionally result in the re-writing of all DGIF law enforcement policies and procedures, as well as other improvements.
 - *Recommendation 8* (Analyze enforcement action data for each CPO to identify those who may need additional guidance or training): DGIF agrees that reviewing enforcement data for individual officers can be beneficial. This data should be analyzed by supervisors of each officer; additionally, DGIF has budgeted for a new Crime Analyst position that could help address this need, among other duties.
 - *Recommendation 9* (Schedule a mock assessment 6-12 months before formal accreditation assessment): DGIF agrees with this recommendation, and the Accreditation Strategic Plan developed by the new Accreditation Manager calls for a mock assessment within the recommended timeframe.
 - *Recommendation 10* (Amend the Code of Virginia to require one member of the Board of Game and Inland Fisheries to be a current or former senior law enforcement official): As noted in the report, DGIF currently has law enforcement representation on the Board (and has had such representation in the past), and finds this representation very beneficial.
- **Chapter 4: Wildlife Management and Land Conservation:** DGIF is proud of its wildlife management staff and I was pleased to read that your staff received positive feedback on their efforts, as well as the recognition of the quality of our programs by stakeholders, conservation experts, and federal officials. DGIF is also fortunate to maintain the Wildlife Management Area (WMA) system, providing wildlife habitat and recreational opportunities for Virginia's citizens and visitors.
 - *Option 5* (Consolidate non-game species staff into a single division): DGIF has recently been discussing ways to increase emphasis on non-game species management while maintaining our efforts on game species, as we are a comprehensive wildlife management agency. One possibility that has been informally discussed is the formation of a division for non-game species staff as

set forth in this option; whether this option or the enhancement of components of existing divisions is the best means of placing more emphasis on non-game management is still under review.

- *Option 6* (Create a Board of Game and Inland Fisheries committee focusing on non-game species): The recent creation of a Law Enforcement Committee will reduce the workload of the Wildlife and Boat Committee and, in function, is expected to provide additional time for that committee to consider more non-game species issues. This committee is currently very well attended by both committee members and other members of the Board who are interested in the topics it covers; this may in itself result in greater exposure for the Board to non-game species management issues. This can be further evaluated, however, as the new committee structure is implemented.
 - *Recommendation 11* (Adhere to land acquisition process): DGIF fully intends to adhere to its documented land acquisition process, and to seek approval from the Board before making any deviation from the process. Deviations from the documented process in the past have been in the minority of instances.
 - *Recommendation 12* (Provide guidance to field staff on how to assign ratings in the land acquisition process to ensure consistency): DGIF agrees that staff reviews of potential acquisitions should be handled in a consistent manner, and can review current guidance given to staff in the scoring process and make improvements as needed.
 - *Recommendation 13* (Develop a land acquisition strategy): The existing policy on land acquisitions dates to 2005 and is very general in nature. Further development and updating of this policy into a more comprehensive strategy, to also maintain alignment with the Governor's ConserveVA initiative and agency priorities, is certainly appropriate.
- **Chapter 5: Coordination with Other Agencies:** DGIF concurs that its efforts can be enhanced through working closely with other natural resource agencies, and that joint efforts can be best maximized through cooperation with existing agencies rather than through consolidation of function or merger of agencies.
 - *Option 7* (Form a workgroup with VMRC to assess boat inspections and coordinate dispatch efforts for boat inspections): DGIF is open to discussing the formation of such a workgroup with VMRC.
 - *Recommendation 14* (DGIF and VMRC should apply the same coordination approach used during holidays or large event to regular boat patrol activities in Tidewater): DGIF agrees that coordinating patrols, whether through the approaches used in the past or through simple sharing of boat patrol schedules and coordination meetings, would be beneficial. DGIF leadership will discuss this with VMRC leadership.
 - *Recommendation 15* (Revise as necessary the MOU between DGIF and VMRC with respect to boat accident response in Tidewater): DGIF leadership will discuss the current MOU and any needed updates with VMRC leadership.

- **Chapter 6: Agency Management and Strategy:** DGIF's greatest asset is its staff, and taking actions to best enable them and to improve their morale are goals of mine and areas of focus that were identified by the Board at its 2019 retreat. In addition, planning for future agency and staff success is vital to providing public and natural resource benefits going forward, as well as ensuring public support for the agency.
 - *Recommendation 16* (Identify staff concerns, take actions to address concerns, and improve communications with staff): Improving internal communications and improving staff morale is a major goal. As noted in the report, DGIF has developed an Internal Communications Plan and recently appointed a Public Information Officer, part of whose job it will be to assist in implementation of that plan. Other actions (surveys, employee recognitions similar to a Law Enforcements Awards ceremony held recently, etc.) will be identified and taken to improve the morale of DGIF employees.
 - *Recommendation 17* (Conduct a survey of staff in 2021 to determine confidence in the senior leadership team): It will be recommended that the Board authorize such a survey, and improvements in staff confidence will be an expectation set for senior staff.
 - *Recommendation 18* (Set a deadline by which DGIF should implement the measures necessary to improve its Office of Human Resources): As referenced, DGIF has recently added a deputy director of human resources, as well as an administrative assistant position, and has prioritized the hiring of two human resources generalists to replace retiring staff. "Staffing up" is only a part of the solution, and additional action (such as the streamlining of hiring processes) will be taken as necessary to improve human resources efforts. The Board will be encouraged to set a deadline for these improvements to be made to ensure accountability.
 - *Recommendation 19* (Identify and implement solutions to ensure access to information technology and systems): As noted in the report, not all of DGIF's IT problems can be resolved by the agency, as some originate from VITA contract and resource limitations. Nevertheless, DGIF has made strides in recent months to improve connectivity at its headquarters, regional, and district offices, which has been a major issue reported by staff. At the time of the report, upgrades to IT systems and networks have either already been implemented, or are scheduled to be implemented in the next thirty days.
 - *Recommendation 20* (Undertake strategic planning): DGIF recognizes the value of strategic planning. To that end, each division within DGIF has recently been tasked with the development of Mission/Vision/Values documents, and will eventually undertake strategic efforts to develop budgets, operational plans, and performance measures, as appropriate. These will be aligned with a Vision Document, directed to be developed by the Board at its 2019 retreat, which will serve as the basis of future strategic planning and decision making for the Department.

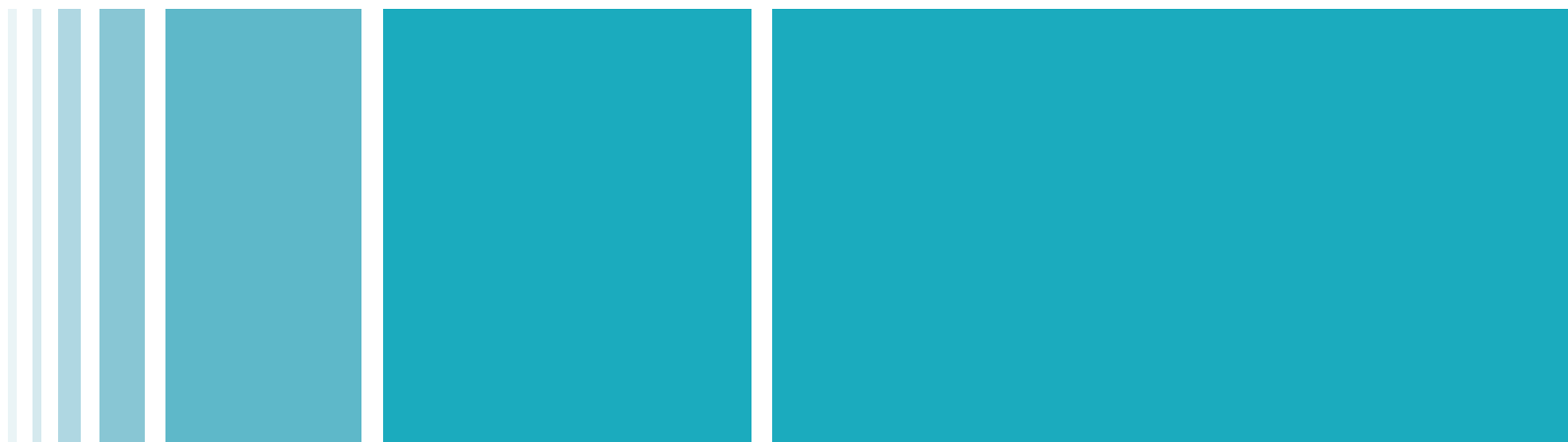
The above is simply a brief overview of how DGIF intends to respond to the recommendations made in the report; I would be happy to provide any additional discussion or information that may be helpful to the Commission or your staff at any time. Again, DGIF appreciates JLARC's approach to its work, the value of the recommendations made, and the opportunity to provide our comments to you on the complete report.

Sincerely,

A handwritten signature in blue ink, appearing to read 'RJB', is positioned above the printed name.

Ryan J. Brown
Executive Director

RJB/



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919 East Main Street Suite 2101 Richmond, VA 23219