

Managing Your State's Public Trust

Wildlife Management Institute



Overview

- History of conservation in North America
- Origins of the commission system
- Commission authorities and roles
- Public Trust responsibilities
- Commission governance and effectiveness

A Brief History of Fish and Wildlife Conservation in North America

- Pre-colonial time: Limited human impacts
- 1,500 – 1,880: Unregulated exploitation/ many species decimated
- Early 1900s: Beginning of modern conservation
- Mid to Late 1900s: Science-based management and commissions established
- Late 1900s – Today: Increasing complexity

Why Were Commissions Established?

- Limit effect of partisan politics
- Provide for public engagement
- Provide for stewardship and sustainable use
- Oversee operation of wildlife agencies.

Commission Composition

- Most established by statute
- Size varies from state to state
- Most commissioners appointed/confirmed
- Some states specify qualifications

Commission Authorities/Constraints

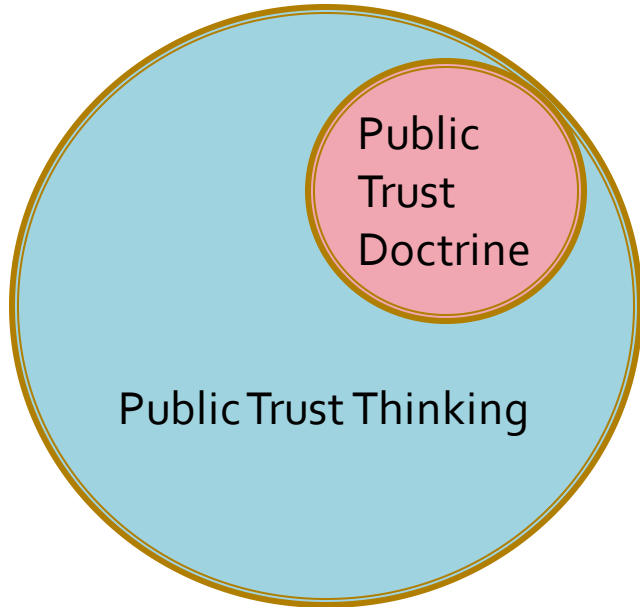
Depending on a state's laws:

- Setting seasons, bag limits, other rules
- Setting fish and wildlife management policy
- Setting the budget and fiscal oversight
- Hiring/overseeing the Director
- Must comply with administrative procedures and “sunshine” laws

The Commission's Essential Roles

- **Managing your state's public's trust:**
 - The "trust" assets including fish and wildlife – *based on ancient philosophy and/or legal doctrine*
- AND**
- The "trust" the public has in the commission and agency – *a modern imperative*

The Public Trust Doctrine & Public Trust Thinking



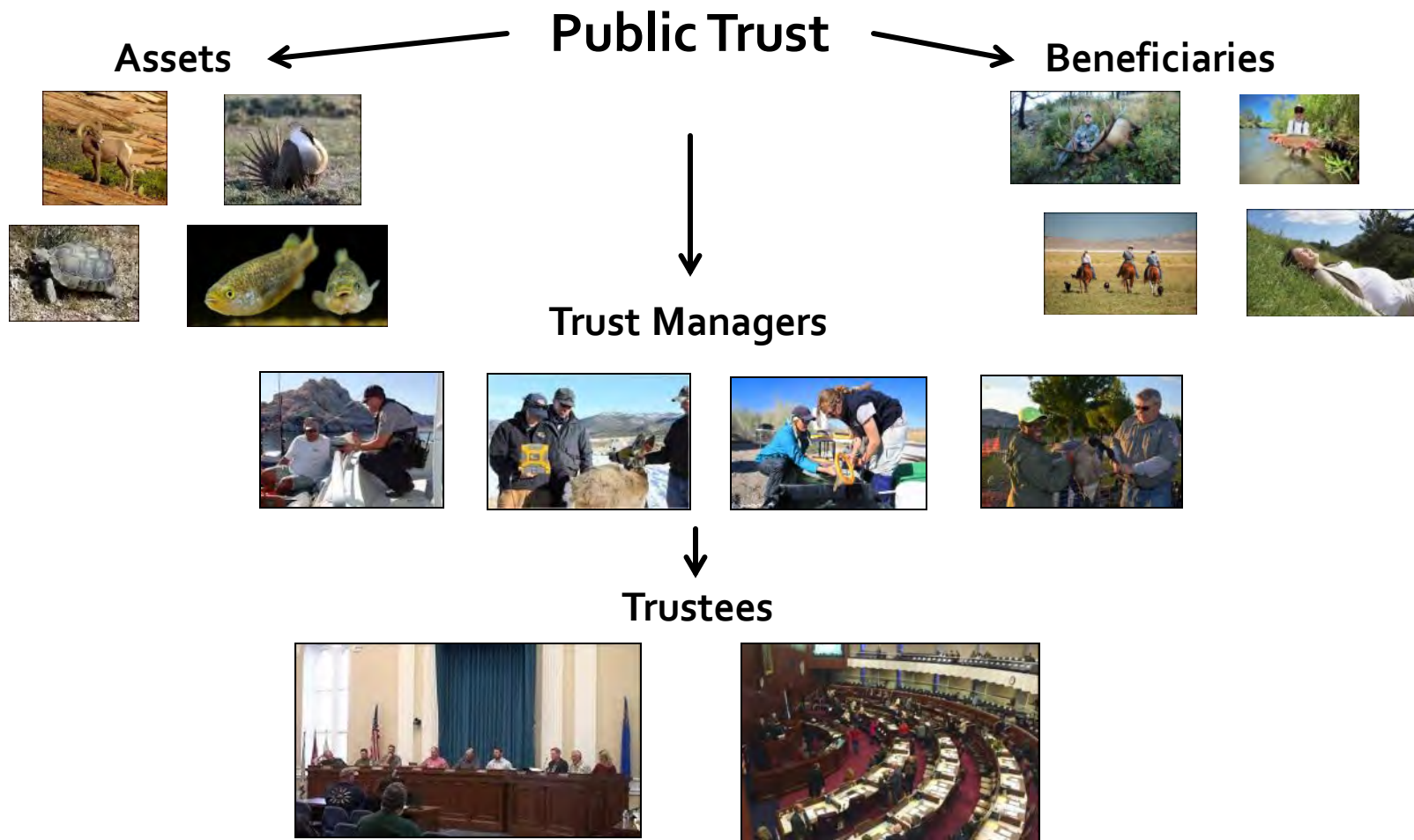
PTD - Codified and Case Law

- Derived from Roman and English common law
- Enforceable by the courts

PTT - Philosophy:

- All citizens have equal rights to the benefits nature provides
- Government is publicly accountable
- Enforceable at the ballot box

Elements of the Public Trust System



Responsibilities of Trust Managers (i.e. agency professionals)

- Monitor the status of the trust assets
- Identify potential benefits of the trust
- Inform trustees and beneficiaries of options/limitations
- Inform trustees of beneficiaries' interests
- Facilitate dialog among beneficiaries
- Offer science-informed recommendations
- Manage the trust as directed by trustees

Responsibilities of Trustees (i.e. Commissioners)

- Maintain the corpus of the trust
- Consider the needs of *all* beneficiaries – both current and future generations
- Allocate benefits from the trust:
 - Consistent with the capacity of the trust and
 - In consideration of competing interests
- Focus on policy and regulatory matters

What Must Trustees Consider?



Why is your job so hard?



Effective Commissions and Commissioners

- Invite all perspectives to the table
- Treat all perspectives equitably
- Seek to fully understand the issue
- Consider the short and long-term impacts of decision
- Act and speak as one body
- Are Accountable for decisions

Public trust is your most valuable asset



- The public's trust in you is vital
- Trust is easy to lose and hard to re-gain
- Keys to public trust:
 - Honesty, openness, fairness – with all
 - Reliability - meeting expectations



For more on this topic

COMMISSION GUIDEBOOK

*Understanding the Fish and Wildlife Commission's
role in strategic partnership with the Agency, the
Director, and Stakeholders*

2022 Edition



ASSOCIATION of
FISH & WILDLIFE
AGENCIES

Thank you



Questions?