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# MEETING NOTICE AND AGENDA

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## ENVIRONMENTAL MITIGATION PROGRAM WORKING GROUP

The Environmental Mitigation Program Working Group may take action on any item appearing on this agenda.

Tuesday, March 14, 2006

1 to 3 p.m.

SANDAG, Conference Room 7  
 401 B Street, Suite 800  
 San Diego, CA 92101-4231

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# ENVIRONMENTAL MITIGATION PROGRAM WORKING GROUP

March 14, 2006

ITEM #	RECOMMENDATION
1. WELCOME AND INTRODUCTIONS (Chair Carrie Downey, Councilmember, City of Coronado)	WELCOME
+2. FEBRUARY 14, 2006, MEETING SUMMARY (Chair Carrie Downey)	APPROVE
Review and approve the meeting summary of the February 14, 2006, meeting.	
3. REVIEW THE <i>TRANSNET</i> ORDINANCE, SPECIFICALLY THE EMP PRINCIPLES (Craig Scott/Janet Fairbanks)	DISCUSSION
SANDAG staff will clarify the EMP principles and entertain discussion on the overall <i>TransNet</i> ordinance. The allocation of funds for transportation project mitigation needs (the Transportation Project Mitigation Fund) along with the allocation of funds for economic benefits (the Regional Habitat Conservation Fund) will be described as they relate to the role of the EMP Working Group.	
4. REGIONAL HABITAT CONSERVATION FUND ALLOCATION PROPOSAL (Janet Fairbanks)	DISCUSSION
At its February 14 meeting, the EMP Working Group heard a presentation from Craig Scott on the transportation fund programming process; specifically, how SANDAG distributes <i>TransNet</i> local streets and roads funds to local jurisdictions on a formula basis rather than through a competitive process. Staff is suggesting that the EMP Working Group discuss various allocation scenarios based on the habitat conservation program funding needs. A matrix designed to aid the discussion on funding needs, allocation formulas, and a proposed allocation process will be distributed at the meeting.	
5. PUBLIC COMMENT AND COMMUNICATIONS	COMMENTS
Members of the public will have the opportunity to address the EMP Working Group on any issue within the jurisdiction of the Working Group. Speakers are limited to three minutes each.	

6. ADJOURNMENT

The next EMP Working Group meeting is scheduled for April 11, 2006.

+ next to an item indicates an attachment

San Diego Association of Governments  
**ENVIRONMENTAL MITIGATION  
PROGRAM WORKING GROUP**

March 14, 2006

AGENDA ITEM NO.: **2**

**Action Requested: APPROVE**

MEETING SUMMARY OF FEBRUARY 14, 2006

**Members in Attendance:**

Hon. Carrie Downey, City of Coronado,  
Chair

Tom Oberbauer, County of San Diego,  
Vice Chair

Craig Adams, San Diego Conservation  
Network

Bruce April, CalTrans

Michael Beck, Endangered Habitats  
League

Patti Brindle, City of Poway, North County  
Inland

Keith Greer, City of San Diego

Mike Grim, City of Carlsbad, North County  
Coastal

David Mayer, CA Department of Fish and  
Game

Kathy Viatella, The Nature Conservancy

Mary Jo Wilson, City of National City,  
South Bay

Susan Wynn, U.S. Fish and Wildlife Service

Emily Young, The San Diego Foundation

**SANDAG Staff in Attendance:**

Julie Wiley

Sue Carnevale

Josh Schiffer

Janet Fairbanks

Bob Leiter

Rob Rundle

**Others in Attendance:**

Max Harrington, CBI/UCSD

Jerre Stallcup, CBI

Trish Boaz, County of San Diego

Susan Carter, San Dieguito River Park

Clare Billett, SD CRN

Scott Grimes, Endangered Habitats  
League

Jim Whalen, Alliance for Habitat  
Conservation

Andrew Malk, SD Foundation

John Rudolph, Nautilus Environmental

Glen Laube, City of Chula Vista

## **1. Welcome**

Chair Carrie Downey called the meeting to order.

## **2. February 14, 2006 Meeting Summary**

The EMPWG approved the February 14, 2006, meeting summary with the correction of adding Jim Whalen to the attendance sheet.

## **3. Review and Recommend Funding for Land Management Projects**

Carrie Downey introduced this item. At the last meeting, the Working Group agreed to have the subcommittee review and rank all of the recommendations. In order to have a completely independent review and ranking, the subcommittee consisted of members representing entities that were not applying for funding.

Julie Wiley, SANDAG's legal counsel, explained what constitutes a conflict of interest. If you serve on the board, receive any compensation, or otherwise receive any gift or have a financial stake in any of the entities being considered for funding in the past 12 months, you cannot participate in the discussion. An exception to this rule is if the applicant is a government entity that employs you. If you have a conflict, it is best if you leave the room during the discussion, but not required.

Craig Adams and Emily Young informed the EMPWG that they have conflicts of interest and will not participate in the discussion or voting.

Carrie Downey then explained the subcommittee's project evaluation process and reviewed the eight projects recommended for funding. The subcommittee first ranked the projects biologically, which coincidentally led to a geographically diverse selection of projects.

Keith Greer asked about the City of San Diego's vernal pool application, where about half the project amount is being proposed to be funded. Will the applicant be able to reallocate the funding? Carrie Downey stated there are two ways to deal with it. First, the applicant could determine the priority and allocate it as necessary, and the second is to earmark the funds. Carrie Downey recommends allowing the applicant to allocate the money.

Motion: Michael Beck made a motion, which was seconded, to adopt the subcommittee's entire proposal and forward it to the Regional Planning Committee. The motion passed unanimously.

## **4. Regional Conserved Lands Database**

Tom Oberbauer presented this item. A group of EMPWG members met with Sue Carnevale to review and finalize the attributes for the proposed conserved lands database. The recommendations were presented to the EMPWG for approval.

Patti Brindle asked to add the jurisdiction where the property is located. The Working Group agreed. She further asked if it was possible to add the type of habitat preserved as a category. Tom Oberbauer said habitat type would be a subjective category. A member said that this information was already easily accessible anyhow. The Working Group decided against adding the "type of habitat" category.

The EMPWG decided to add an additional objective to the Conserved Lands Database. The additional goal is “designed to be consistent and integratable with existing and future regional databases.”

Motion: There was a motion to approve the Regional Conserved Lands Database with two changes. The first is that we include a “jurisdiction” category to the chart; the second is to add an additional objective of the conserved lands database. The new objective should read “Designed to be consistent and integratable with existing and future regional databases.” Mike Grim made the motion, which was seconded by Craig Adams, to recommend this to be the protocol for the EMP database collection. The motion passed unanimously.

## **5. Transportation Fund Programming Process**

Craig Scott, SANDAG, described how SANDAG administers *TransNet*. Funds are programmed for expenditure over a five-year period in the Regional Transportation Improvement Program (RTIP). The *TransNet* Ordinance has a local streets and roads component, which distributes dollars to local jurisdictions on a formula basis rather than through a competitive process. It has been suggested that future EMP Regional Habitat Conservation Fund dollars could be distributed in a similar way. The RTIP is a rolling five-year plan, updated every two years to reflect developing projects.

Tom Oberbauer asked if the package of five-year transportation projects includes mitigation costs as part of the allocation. Mr. Scott said that up until now, mitigation costs have been included in the cost of the project. However, with the EMP program, SANDAG will have a separate pot of money for mitigation needs in the future.

Keith Greer stated that the habitat planning has produced regional plans, but no project-by-project strategy. Transportation planning has created a five-year strategy updated every two years to keep up with changing trends. He further stated that the five-year transportation plan is a great idea for habitat planning. Tom Oberbauer said that there is a significant difference between biology and transportation. While transportation is primarily engineering and implementing the circulation element, protecting biological resources may require emergency measures from time to time. Eventually, there has to be a formula with flexibility for environmental emergencies.

Trish Boaz said she likes the transportation funding process, but it is geographically based, while the habitat conservation planning is biologically based. It seems if the EMPWG is not careful, it could end up with the geographic aspect driving the funding dollar distribution.

Janet Fairbanks reminded the group the EMP has two pots of money—one for transportation project mitigation, the other for habitat conservation plan implementation. Transportation projects have to be mitigated regardless of the process—either through project by project mitigation (as is done now) or through a comprehensive approach, which is what this program is trying to achieve. The EMP’s “economic benefit money” is earned through transportation project mitigation actions. Once earned, the money can be spent to implement the habitat conservation plans, therefore, not tied to transportation project mitigation needs. The EMPWG has to decide how to distribute the regional habitat conservation fund.

Craig Adams stated that the transportation mitigation funds should be spent in the best way possible from a biological standpoint as well as a transportation standpoint. He added that while the EMPWG has long-term plans, it does not have a rolling reallocation. The local streets and roads formula does not lend itself well to the regional circumstances that we are dealing with. He has difficulty applying the jurisdiction formula approach to our circumstance.

Michael Beck said at some point, part of the *TransNet* package is to fund small projects that never get on anyone's radar screen. Those have been slipping through for ten years and are not being preserved. It is difficult for these projects to be competitive and get the acquisition money.

Carrie Downey said we need to be looking at the bigger picture, how we will be programming and planning. The transportation example was one option; the EMPWG should entertain other options. Carrie Downey asked the Working Group to think about what kind of mechanism we want to use in the future to allocate resources. This year, funds were allocated for the most urgent needs. She asked the Working Group members to reflect on this year's process when we discuss next year's allocation process.

Tom Oberbauer suggested that at the next meeting we could talk about this model and alternative ideas members suggest. Then, we could have a subcommittee look at the models and work out a cohesive proposal. The Working Group agreed.

## **6. Public Comment**

There were no public comments.

## **7. Adjourn**

The meeting was adjourned. The next EMPWG meeting will be on Tuesday, March 14, from 1 to 3 p.m. at SANDAG.