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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.

December 12, 2006

1 to 3 p.m.

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

Staff Contact: Keith Greer
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AGENDA HIGHLIGHTS

- PRESENTATION ON GOVERNANCE STRUCTURES FOR REGIONAL MONITORING
- CONTINUED DISCUSSION ON CRITERIA AND PROCESS FOR ACQUISITION OPPORTUNITIES

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ENVIRONMENTAL MITIGATION PROGRAM WORKING GROUP

December 12, 2006

ITEM #		RECOMMENDATION
1.	WELCOME AND INTRODUCTIONS (Chair, Councilmember Carrie Downey, City of Coronado)	
+2.	OCTOBER 10, 2006, MEETING SUMMARY Review and approve the meeting summary of the October 10, 2006, meeting.	APPROVE
3.	PUBLIC COMMENTS AND COMMUNICATIONS 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.	COMMENT
4.	PRESENTATION ON GOVERNANCE STRUCTURES FOR REGIONAL MONITORING (Jerre Stallcup) Ms. Stallcup of the Conservation Biology Institute received a grant from the San Diego Foundation to research governance structures and coordination processes for biological monitoring in the state and elsewhere in the country. She will provide the Working Group with a brief summary of her findings.	PRESENTATION / DISCUSSION
5.	REVISING THE <i>TransNet</i> EXTENSION ORDINANCE AND EXPENDITURE PLAN TO INCLUDE COMPLETION OF THE SPRINTER AND PROPOSED REVISIONS TO <i>TransNet</i> Early Action Program (Craig Scott) The Board of Directors is being asked to adopt an amendment to the <i>TransNet</i> Extension Ordinance and Expenditure Plan to add the SPRINTER completion, and revisions to the Early Action Program to include the completion of the SPRINTER, additional potential EMP expenditures for mitigation of the Early Action Program projects, and capital improvements to the Trolley Blue and Orange lines.	INFORMATION
6.	CONTINUED DISCUSSION ON CRITERIA AND PROCESS FOR ACQUISITION OPPORTUNITIES (Vice Chair Tom Oberbauer) The EMP Working Group will continue to discuss prioritization criteria and a process for the acquisition of land using funds from the Regional Habitat Conservation Fund as discussed in the October Working Group meeting. The subgroup will present a proposed weighting system and emergency criteria for consideration.	DISCUSSION / POSSIBLE ACTION
7.	ADJOURN The next EMP Working Group meeting is scheduled for January 9, 2007, from 1 to 3 p.m.	

+ next to an item indicates an attachment

San Diego Association of Governments
ENVIRONMENTAL MITIGATION PROGRAM
(EMP) WORKING GROUP

December 12, 2006

AGENDA ITEM NO.: **2**

Action Requested: APPROVE

OCTOBER 10, 2006, MEETING SUMMARY

File Number 3002700

Members in Attendance:

Carrie Downey, Councilmember, City of Coronado, Chair
Tom Oberbauer, County of San Diego, Vice Chair
Craig Adams, San Diego Conservation Resources Network
Bruce April, Caltrans
Jeannette Baker, U.S. Army Corps of Engineers
Michael Beck, Endangered Habitats League

Patti Brindle, City of Poway
Robert Fisher, USGS
Mike Grim, City of Carlsbad
Jeanne Krosch, City of San Diego
David Mayer, Department of Fish and Game
Deborah Townsend, Wildlife Conservation Board
Kathy Viatella, The Nature Conservancy
Susan Wynn, U.S. Fish and Wildlife Services

SANDAG Staff in Attendance:

Keith Greer
Bob Leiter
Rob Rundle

Shelby Tucker
Sue Carnevale

Others in Attendance:

Clark Winchell, USFWS
Afrodety Moros, SDSU
Dahvia Locke, County of San Diego
Anne Fege, SDNHM
Trish Boaz, County of San Diego
Mary Niez, County of San Diego
Steven Schwarzbach, USGS

Patrick Atchison, TAIC
Bill James, TRC
Jim Whalen, J. Whalen Associates
Clare Billet, SDCRN
Melanie Johnson Rocks, City of San Diego
Mary Ann Mueller, USGS
Jerre Stallcup, CBI

1. Welcome and Introductions

Chair Carrie Downey welcomed the Working Group and started the meeting.

The Working Group went around the room and introduced themselves. Chair Downey welcomed Deborah Townsend to the Working Group representing the Wildlife Conservation Board.

2. October 10, 2006, Meeting Summary

Mr. Craig Adams requested that future meeting summaries indicate C. Adams for himself and M. Adams for Matt Adams to avoid future confusion. Ms. Dahvia Locke of the County requested that the spelling of her name be corrected in the minutes. With the requested changes, Mr. C. Adams motioned to approve the October 10, 2006, meeting summary. Mr. Tom Oberbauer seconded the motion, and the motion was approved unanimously.

3. Public Comments and Communications

There were no public comments or communications.

4. Continued Discussion of FY07 Management And Monitoring Activities and Five-Year Funding Strategy

Mr. Greer presented the proposed FY 07 Management and Monitoring Activities and Five-Year Funding Strategy as provide in the agenda. Mr. Greer indicated that Mr. Clark Winchell of the U.S. Fish and Wildlife Service and Mr. Robert Fisher were present to discuss the proposals for California gnatcatcher and post-fire monitoring, respectively.

Chair Downey confirmed that the Working Group supported the division of \$750,000 for management and \$1,250,000 for monitoring for the fiscal year 2007 EMP allocations. Mr. Jim Whalen raised some concerns about the low level of funding for the various recommendations and raised concerns about future funding of these activities. Mr. Whalen requested information on the proposed vegetation mapping and asked what was included in the budget for the proposed positions. Mr. Oberbauer explained that the State of California is moving toward a new vegetation mapping system (Keeler-Wolf) for mapping and monitoring vegetation changes over time. Anza Borrego Park, Camp Pendleton, and San Dieguito River Park have already been mapped with this system. This proposal would jump-start the project. Ms. Susan Wynn explained that the proposed \$150,000 was the first of three years of funding requests, for a total of \$450,000. This is similar to Riverside County, which completed its mapping for \$500,000. Todd Keeler-Wolf of the California Department of Fish and Game would provide some in-kind service. Mr. David Meyer indicated that the numbers in the proposed budget were obtained from Todd-Keeler Wolf.

Mr. Mike Beck responded to the question of what if there is a shortfall in funding. Mr. Beck indicated it is a lot easier to get other funding once we have a five-year funding strategy. Mr. Whalen is not convinced that the proposed funding is adequate to complete the monitoring and management for the regional preserves. Ms. Wynn agreed, but confirmed that for the proposed activities the funding was adequate. Ms. Anne Fege reminded the group that the jurisdictions have obligations for management and monitoring. Ms. Wynn pointed out that the five-year funding strategy does have a section on other funding, were it known. Mr. Greer indicated that the proposed list of activities was where the subgroup saw "gaps" in the current management and monitoring.

Chair Downey asked if there were questions about the allocation of the \$2 million. Mr. C. Adams asked about the \$600,000 for weed management. Mr. C. Adams asked if the funding for the weed management was going to be done through a competitive process.

Ms. Wynn indicated that the funding would implement the strategic plan developed by the Management Coordinator position. Ms. Wynn indicated that the strategic plan would come back to the EMP Working Group for approval. Mr. Greer indicated that the process to implement the strategic plan could be through a competitive process, but, until the plan is complete, it was not known at this time. Chair Downey indicated that the description of the process should be clarified in the report to the SANDAG Board.

Ms. Viatella asked that the Monitoring Coordinator be tasked with developing a monitoring framework. Ms. Wynn indicated that the monitoring framework is currently being developed. Mr. Greer stated that language could be included to task the Monitoring Coordinator with coordination of the framework monitoring strategy.

Mr. C. Adams asked about the "X"s in the five-year strategy. What is plan for the future for California gnatcatcher and post-fire monitoring? Mr. Clark Winchell addressed the options for the California gnatcatcher—complete a couple of years and then reevaluate a long timeline, or complete once every three years as proposed. Detailing the gnatcatcher program would be part of the first-year program. Mr. Fisher described the post-fire proposal. "X" is included because the USGS does not know the other potential funding sources and what modifications in cost would occur as the protocols are developed. Ms. Patti Brindle asked about the gnatcatcher monitoring in Poway. Mr. Winchell indicated that eight points were completed in 2004. The points were allocated randomly across the region. Data were also included in the state's BIOS database. Ms. Brindle asked about the lack of post-fire monitoring in Poway. Mr. Fisher indicated that there were no pre-burn study sites in Poway and the current proposal is to examine those areas with pre-burn history to see any trends in recovery. Mr. C. Adams clarified that the Monitoring Coordinator should be tasked with filling in the "X"s.

Mr. Mike Beck motioned to recommend to the Regional Planning Committee that it recommend approval of the management and monitoring budget for FY 2007 and the five-year funding strategy, "X"s included. Ms. Wynn seconded, and the motion carried unanimously.

5. Continued Discussion on Recommendation from the Acquisition Opportunities Subgroup

Mr. Oberbauer introduced the item. Chair Downey recommended that the group start on the list of outstanding issues. Outstanding Discussion Item 1, process for which projects get funded. Once identified, except for emergencies, the projects would get funded in the order listed. Mr. Greer added that the process would require a baseline solicitation of projects for ranking. Once developed, and absent any emergency, a prioritized list would be established and funded according to when the funding comes in. Mr. Beck indicated that the Wildlife Conservation Board would be a critical component in the development of the list as leverage for funding. Ms. Debbie Townsend indicated that she saw that the leverage of funding was suggested as a criteria and she agreed this would be important. Mr. Oberbauer indicated that the subgroup discussed an approach to develop an overall strategy and then prioritize projects from this strategy, or include the strategy as a criteria (revised criteria #2). Mr. Oberbauer stated that from the County's perspective, it favors the overall strategy approach.

Mr. Greer asked if leverage of funds is a criteria or a factor? Yes, criteria #5; which could be weighted for higher matching funds. Mr. C Adams indicated that this goes back to Discussion Item #4, should the prioritization criteria be weighted.

Chair Downey, indicated that weighting is an important topic. Mr. Beck indicated that there needs to be some subjective discussion; not so structured and quantified. Ms. Wynn indicated that if the weighting can get the projects prioritized into three categories, you can then have the subjective discussion for those projects that are prioritized in the highest prioritized categories. It was agreed that the Wildlife Conservation Board will be a critical partner during the ranking process to help determine if there are matching funds. Chair Downey asked if the group supported that concept of ranking. Ms. Viatella supported the weighting, but only if it included a subjective component. Chair Downey provided her experience on last year's ranking of projects, which included both a weighting of criteria and a subjective discussion. Ms. Viatella clarified that what was being discussed was a ranking with criteria and weighting with a final composite score. From those projects, the top projects would have a subjective process applied to allow for other considerations to factor into the discussion. Mr. Greer indicated that some kind of objective process would be important. Mr. C. Adams clarified that you would have a criteria, you score the criteria, and you weight the criteria against each other and that produces the prioritization. The group agreed that this was the collective understanding. Ms. Melanie Johnson indicated that item #4 of the Prioritization Criteria was not, in fact, a criterion, and should be removed. Mr. Greer offered to draft a propose weighting criteria for consideration by the acquisition subgroup.

The group turned its discussion to the development of the strategy of acquisition priorities. The Regional Transportation Improvement Program (RTIP) was used as an example. Mr. Greer indicated that the existing prioritization criteria #2 could be expanded to include strategy of what should be considered important, or criteria #2 could refer out to another document that identifies the acquisition strategy for the next few years. Mr. Beck indicated he would be supportive of a conservation criteria approach versus a geographical area approach. Ms. Wynn indicated that the criteria should be biological-driven. These criteria could have subsets with more refinement on a geographic basis (e.g., coastal sage scrub west of I-5). Mr. C. Adams would prefer a separate strategy, but in consideration of the resources he could support the expansion of the existing prioritization criteria #2. Mr. C. Adams asked when the process of the refinements would be done. Mr. Leiter indicated that the SANDAG Board would like to see the criteria, how the criteria fit into a strategy, and the weighting factors for the criteria. A preamble of the criteria and weighting factor could be in developing these weighting factors to help define the planning rationale. Mr. Greer will develop language and bring to the subgroup for consideration.

Chair Downey summarized the group's consensus that the group wants a strategy. There should be a list of projects that will be ranked based upon weighted criteria. Mr. C. Adams clarified that there should be a cycle for prioritization. The group discussed the timing of the cycle. Mr. C. Adams pointed out that there are two components of the cycle of prioritization; one is adjustments within the current list, and the other is solicitation for new projects. Mr. Oberbauer indicated that the subgroup discussed an amendment process similar to the RTIP process. Mr. Leiter offered to have SANDAG staff come and present how

the RTIP process allows for updates and amends to the list to help draw analogies. Mr. David Mayer indicated that the review of the acquisition prioritization is so important it needs to be on at least a quarterly basis due to changes in funding opportunities and changes in status of discretionary projects.

The group discussed the need to assure that acquisitions were timely and milestones were being met. Mr. Leiter indicated that prioritization criteria B could be tightened up to reflect that only acquisition based upon a fair market appraisal would occur. Mr. Greer indicated that the appraisal should be completed only after funding has been identified due to the shelf life of appraisals.

The group agreed that there was a need for an emergency criterion. Mr. Greer directed the group to alternative language for the emergency criterion, which tries to limit the projects that could qualify. Chair Downey expressed that she wanted to include that the appropriate jurisdiction was supportive of the emergency acquisition. Mr. Beck expressed concern that the definition of critical is very subjective. This creates a very low or high bar for projects to qualify for an emergency. Mr. Mike Grim asked how you clarify between those projects that have become an emergency in the last few months versus those where the applicants just didn't apply. Ms. Johnson offered that anything that was submitted as an emergency had to justify why some factor changed since last solicitation (e.g., a willing seller has emerged, lost funding, new endangered species was found). Mr. Greer offered to bring back draft language to the subgroup.

The group thought that matching funds should not be a factor for the prioritization and ranking, but during the subjective process it should be a consideration. Mr. Greer will look into the legal aspects of creating a separated fund to for the monies necessary to create an acquisition contract (appraisals, title reports, due diligence, etc.). The group would have to recommend an amount of funding.

The question of who could be a part of the prioritization process due to potential conflicts of interest was deferred to a future meeting.

6. Adjourn

Meeting was adjourned at 3 p.m. The next EMP Working Group meeting is scheduled for November 14, 2006, from 1 p.m. – 3 p.m. [Meeting was subsequently cancelled due to lack of a quorum.]