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MEETING NOTICE AND AGENDA

MEMBER AGENCIES

- Cities of
- Carlsbad
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- Imperial Beach
- La Mesa
- Lemon Grove
- National City
- Oceanside
- Poway
- San Diego
- San Marcos
- Santee
- Solana Beach
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- and
- County of San Diego

ADVISORY MEMBERS

- Imperial County
- California Department of Transportation
- Metropolitan Transit System
- North County Transit District
- United States Department of Defense
- San Diego Unified Port District
- San Diego County Water Authority
- Southern California Tribal Chairmen's Association
- Mexico

ENVIRONMENTAL MITIGATION PROGRAM WORKING GROUP

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

Tuesday, March 10, 2009

1 to 2:30 p.m.

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

Staff Contact: Keith Greer
 (619) 699-7390
kgr@sandag.org

AGENDA HIGHLIGHTS

- REGIONAL MANAGEMENT AND MONITORING ENTITY OPTIONS
- FISCAL YEAR 2009 LAND MANAGEMENT GRANT RECOMMENDATIONS

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ENVIRONMENTAL MITIGATION PROGRAM WORKING GROUP

Tuesday, March 10, 2009

ITEM #	RECOMMENDATION
1. WELCOME AND INTRODUCTIONS (Chair, SANDAG Board Member, Carrie Downey, City of Coronado Council Member)	
+2. SUMMARY OF FEBRUARY 10, 2009, MEETING	APPROVE
Review and approve the meeting summary of the February 10, 2009, meeting.	
3. PUBLIC COMMENTS AND COMMUNICATIONS	COMMENT
Members of the public will have the opportunity to address the Environmental Mitigation Program Working Group (EMPWG) on any issue within the jurisdiction of the Working Group. Speakers are limited to three minutes each.	
+4. STATUS OF EMPWG FUNDING EFFORTS (Keith Greer)	INFORMATION
Mr. Greer will provide a short overview of the status of the funding efforts approved under the EMPWG and outline the next steps for implementing the remaining tasks.	
+5. REGIONAL MANAGEMENT AND MONITORING ROLES AND GOVERNANCE (Ron Rempel)	DISCUSSION
Mr. Ron Rempel will present potential roles and responsibilities for the regional management and monitoring entity and a comparison of potential governance structures for it. Mr. Rempel will solicit input from the Working Group and public to formulate a draft recommendation to the Executive Oversight Committee.	

ITEM #

RECOMMENDATION

- 6. EMPWG SUBCOMMITTEE RECOMMENDATIONS ON LAND MANAGEMENT GRANTS (Vice Chair, Thomas Oberbauer, County of San Diego)

DISCUSSION/ POSSIBLE ACTION

The EMPWG established a subcommittee to review the grant proposals submitted under the Fiscal Year 2009 EMP Land Management Grant Program. The subcommittee has ranked the projects and will provide a recommendation to the full Working Group for consideration. The priorities and rankings will be sent out in advance of the meeting.

- 7. NEXT MEETING DATE AND ADJOURN

INFORMATION

The next meeting of the EMP Working Group will be on Tuesday, May 12, 2009. Tentative topics to be discussed are enforcement of open space lands and the annual report on progress of the Environmental Mitigation Program.

+ next to an item indicates an attachment

San Diego Association of Governments
ENVIRONMENTAL MITIGATION PROGRAM
WORKING GROUP

March 10, 2009

AGENDA ITEM NO.: **2**

Action Requested: APPROVE

SUMMARY OF FEBRUARY 10, 2009, MEETING

Members in Attendance:

Hon. Carrie Downey, (Chair), City of Coronado
Tom Oberbauer, (Vice Chair), County of San Diego
Ann Harvey, San Diego Conservation Network
Bruce April, Caltrans
Jim Whalen, Alliance for Habitat Conservation
Patti Brindle, City of Poway, North County Inland
Robert Fisher, U.S.G.S.
Jeanne Krosch, City of San Diego
Mike Grim, City of Carlsbad, North County Coastal
David Mayer, California Department of Fish and Game
Megan Johnson, California Coastal Conservancy
Kathy Viatella, The Nature Conservancy
Marisa Lundstedt, City of Chula Vista, South County
Susan Wynn, U.S. Fish and Wildlife Service
Emily Young, The San Diego Foundation

Others in Attendance:

Lyn McAfee, Nature Reserve of Orange County
Jerry Jakubauska
Anne Fege, San Diego Natural History Museum
Marcos Spiegelberg, Center for Natural Lands Management
Clark Winchell, U.S. Fish and Wildlife Service
Megan Hamilton, County of San Diego, Department of Parks and Recreation
Ellen Mille, Helix Community Conservancy
Mark Corcoran, City of San Diego, Water Department
Patrick Murphy, City of Encinitas
Shelby Howard, HELIX Environmental Planning
Erin Schorr, ICF Jones & Stokes
Steve Juarez, California Department of Fish and Game
Ron Rempel
Libby Lucas, California Department of Fish and Game
Randy Rodriguez, California Department of Fish and Game
Justin Shepard
Patrick Atchison

Others in Attendance: (Continued)

Michelle Mattson
Jason Giessow
Josh Garcia
Carlton Rochester, U.S. Geological Survey
Betsy Miller

SANDAG Staff in Attendance:

Rob Rundle
Keith Greer
Grace Chung
Marina Som

1. Welcome and Introductions

Chair Hon. Carrie Downey, City of Coronado, called the meeting to order at 1 p.m., and welcomed the group. She invited members and guests to introduce themselves.

Keith Greer, SANDAG, announced that Ms. Downey is now an appointed member of the SANDAG Board of Directors (Board) and reminded the Working Group to submit their Statement of Economic Interest (Form 700) to the County Board of Supervisors.

2. September 9 Meeting Summary

Ms. Downey asked the Working Group if there were any corrections to the meeting summary. None was noted. Jim Whalen, Alliance for Habitat Conservation, motioned to approve the summary with Kathy Viatella, The Nature Conservancy, seconding the motion. The motion carried without opposition.

3. Public Comments and Communications

Members of the public had the opportunity to address the committee on matters before the Environmental Mitigation Program Working Group. No public comments were received.

4. Requests for Letters of Interest Regarding Wetland Mitigation Partnerships

Mr. Greer informed the Working Group of efforts SANDAG and Caltrans had undertaken to identify wetland mitigation sites within the region. The region's arid environment has made identifying potential mitigation sites difficult. Public and private entities have expressed interest in partnering with SANDAG and Caltrans in developing a conservation land bank as a cost-effective solution for wetland mitigation. Staff will be requesting through a procurement process that individuals and organizations wishing to participate in this partnership submit a letter of interest to SANDAG stating their intent and qualifications by mid-April. A letter informing landowners, development consultants, Working Group members, and other potentially interested parties of this effort will be sent within a week from this meeting date. [NOTE: Requests for letter of interests have been sent out and is posted on the SANDAG's Web site under contract procurements].

It was inquired if this would be based on identifying preservation-only opportunities. Mr. Greer responded that this effort would include both the preservation and creation of wetlands, but the need was for creation opportunities.

5. Nature Reserve of Orange County- Structure, Operations, and Coordination

Lyn McAfee, Executive Director of the Nature Reserve of Orange County (NROC), gave a brief overview of the organization, management, and governance of NROC. Established in 1996, NROC is a 501(c)(3) nonprofit corporation that manages the Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) in the Central/Coastal Subregion of Orange County, California. NROC coordinates management activities, conducts wildlife research and monitoring, and restores disturbed habitats within a 37,000 acre reserve system. NROC, however, does not own, engage in direct management, nor have any enforcement authority over lands. The organization operates primarily on a \$10.65 million non-wasting endowment fund which pays for research, monitoring, and management of the organization.

Mr. Whalen inquired over the decline of the cactus wren population in the reserve. Ms. McAfee said that monitoring has not been able to answer this question and she is hopeful the series of research currently being conducted by NROC with regional involvement will reveal the cause of the decline.

Ann Harvey, San Diego Conservation Network, asked Ms. McAfee if she can provide an example of an experiment done, other than monitoring, to address the cactus wren decline. Ms. McAfee stated that NROC has successfully conducted a cactus wren translocation project which relocated three adults and two juveniles. Additionally, a region-wide working group was formed to address this issue.

Ms. McAfee stressed the need and importance of regional coordination and interaction to facilitate information sharing and to develop a more cost-effective approach for open space management in Southern California. Regionally, she would like to see participation from the counties of Los Angeles, Riverside, Orange, San Diego, and Ventura in addressing open space management plans and issues. Southern California is a unique ecosystem and counties must look beyond their boundaries and communicate with each other, for this reason, Ms. McAfee thanked the Working Group for having her.

Mr. Whalen noted in the past there has been jurisdictional and regional interaction and cooperation through the Five County Funding Group. He expressed that he would like to see this type of interaction again.

Emily Young, the San Diego Foundation, inquired how NROC has been able to foster a spirit of cooperation and coordination amongst its stakeholders. In her opinion, Ms. McAfee believes that the organization's independent status from the County and decision to hire an experienced person who can develop creative ideas to bring people to work together are key factors in fostering successful collaboration amongst stakeholders.

Tom Oberbauer, County of San Diego, inquired if the County of Orange felt that it has lost any control since NROC became a separate, independent entity. Ms. McAfee does not believe this to be the case since the County is represented on NROC's Board by a Director. Additionally, she believes that more credibility has been gained since the organization is independent of the landowners and other participants of the NCCP.

Mr. Whalen asked if NROC plays any advocacy or oppositional roles. He expressed concern over the formation of another interest group that could potentially affect development project approvals. Ms. McAfee responded NROC is a politically neutral entity and does not assume any adversarial position.

Susan Wynn, U.S. Fish and Wildlife Services, inquired over the scope and implementation of NROC's fire management plan. Ms. McAfee stated that the organization is in the process of developing an overarching fire management plan and it has been a difficult task to reconcile competing interests.

Mr. Oberbauer inquired if the fire management plan is available for public review. Ms. McAfee stated an interim plan is available but has not been released.

Kathy Viatella, the Nature Conservancy, asked if the plan has gone through CEQA review. Ms. McAfee said it has not.

Megan Hamilton inquired if it was specified in the NCCP that landowners submit status and work plan information to NROC for its annual reserve status report. Ms. McAfee said the plan does not specify that, but it was found to be more efficient and comprehensive if landowners submit this information themselves.

Mr. Greer asked if any land management entities have not been forthcoming with information. Ms. McAfee said they have been responsive in submitting information and a good working relationship has been developed over the years.

6. Refining the Roles of the Management and Monitoring Coordinators

Ron Rempel presented the Working Group with refined responsibilities and qualifications/requirements for the Management Coordinator and Biological Monitoring Coordinator positions. These positions were approved by the Board to assist with the regional habitat preserve efforts. Mr. Rempel requested Working Group members review and provide input on the refined criteria for each position by February 20, 2009.

Robert Fisher, U.S.G.S., inquired how long the positions will be and if there would be a hiring committee to review applicants. Mr. Greer stated these positions are currently budgeted for two years and SANDAG will have a hiring committee.

Ms. Viatella asked when a work plan will be created. Mr. Rempel stated that a developed work plan will be presented to the Working Group in the next month and a half.

Mr. Whalen inquired what would be the staff size for these positions. Mr. Greer stated there will be an interim period where there is a program developer and the two coordinators, who would work together to create a land management entity. If this entity is approved and financed by the Board then staff positions will come thereafter.

Mr. Whalen commented prospective coordinators should not only have strong communicative skills but must possess the ability to work with disparate parties.

Mr. Fisher commented it is his understanding that the initial responsibilities of the coordinators will be developing strategic plans for monitoring and management as a framework for decision-making and not so much as coordinating external activities.

Mr. Oberbauer suggested adding experience with Mediterranean ecosystems as a qualification for these positions. Mr. Rempel stated that knowledge of the MSCP is listed under education and experience but noted Mr. Oberbauer suggestion.

7. Regional Habitat Conservation Funding: Recommendations of Ad Hoc Subcommittee

Mr. Greer presented the Working Group with Staff analysis of deferred EMP Subcommittee recommendations relating to the creation of a regional habitat conservation fund. On November 13, 2009, the Working Group reviewed six policy recommendations made by the Subcommittee on management options and cost for habitat conservation. The Working Group adopted four of the six recommendations and deferred two for further discussion pending additional information from Staff. At issue were policies relating to (1) funding equity amongst jurisdictions and NGOs in open space management, and (2) determining a contingency amount for the regional funding source.

Mr. Greer said that Staff reviewed the FY 2009 budgets of 10 jurisdictions and the IRS 990 forms and an available audit from 11 nonprofit land managers to determine the funding commitment levels for open space management. Staff found that (1) financial inequity exists among and between jurisdictions and NGOs, and (2) a contingency fund for unforeseen events is common in all jurisdictional budgetary efforts.

Staff recommendations, discussion and actions taken by the EMPWG are as follow:

SANDAG Staff Recommendation: SANDAG staff supports the EMPWG Subcommittee's recommendation to have the regional funding source pay for all of the biological monitoring and biological management costs, and half of the basic land stewardship costs. This would augment the existing basic land stewardship costs for all land managers in the region—both jurisdictions and NGOs. The method of funding could be a pro-rata share of the funds based on land management acreage, and not necessarily a matching program. It is recommended that the method be determined as part of the Quality of Life Ad Hoc Committee's efforts.

EMPWG Discussion: Ms. Young inquired if the Subcommittee accounted for volunteer time in management and monitoring in formulating costs for nonprofits. Mr. Greer stated that the average for basic land stewardship cost is \$100 acre/year, \$50 acre/year for biological management, and \$10 acre/year for monitoring. There were many discussions with the jurisdictions, agencies and at the EMP Working Group to arrive at these costs, such as through volunteer hours, general fund, existing development entitlements, and other available funding sources.

Ms. Young additionally asked how the difference and breadth of stewardship will be accounted for in calculating cost. Mr. Greer stated this issue was not addressed by the Subcommittee and would have to be addressed in the quality of life effort.

Ms. Wynn said the differences in management activities must be factored in the formula because all acres are not created equal. Mr. Greer said that this has to do with methodology and no recommendation has been made on this issue. He suggested that the Quality of Life Committee take this on as an issue and identify it as a need.

Mike Grim, City of Carlsbad, noted that Carlsbad had deferred the responsibility of funding and management to local developers who had set up endowments that theoretically would fund stewardship, biological management, and monitoring in perpetuity. He asked if there had been any discussion on how this would affect the distribution of the regional funding source.

Mr. Greer responded each jurisdiction has their own way of implementing the plan and there is inequity among jurisdictions. The recommendation before the Working Group does not say how it should be done or how money should be doled out afterwards.

Mr. Whalen said he would like to see a regional monitoring program established. Ms. Wynn noted that a regional monitoring program would not replace the responsibilities of preserve managers from needing to know what is on their individual parcels of land, methods, and the day-to-day knowledge.

It was inquired how management costs were determined. Mr. Greer stated that the \$100 acre/year was based upon actual cost of what needs to be done based upon three independent sources.

EMPWG Action: Mr. Whalen motioned to adopt Staff recommendation which was seconded by Bruce April, Caltrans. Recommendation adopted without opposition.

SANDAG Staff Recommendation: It is recommended that a contingency fund be created with a regional funding source. The EMPWG recommended a 10 percent contingency fund be created. This is close to the actual and target averages of the jurisdictions analyzed with the exclusion of Carlsbad. SANDAG staff would recommend that language from SANDAG's Board Policy No. 030, which indicates that the contingency should grow over time until the minimum target for the necessary amount at Preserve build-out is established. Furthermore, this policy states "Once the target is reached, each year's budget process should include the amount necessary to replenish or increase the contingency reserve to achieve this minimum balance, unless explicitly approved otherwise by the Executive Committee."

Since it is expected that the open space Preserve will be built out over a 40-year period (i.e., the land to be managed and monitored will grow), the proposed contingency should be set at 10 percent of the annual operating budget for that given year, with any replenishments necessary to achieve the minimum balance. Policies on the qualifying uses of the fund, the decision-maker on the approval of any use, and the length of replenishment of the contingency after its use should open for further discussion by the Quality of Life Committee.

EMPWG Discussion: Ms. Viatella asked if the cap would be on just the management portion of the regional funding source. Mr. Greer said that the cap would be on the actual money used for management and monitoring operations, and not the capital to buy lands or endowment.

A comment was made that the 10 percent contingency is what had been followed in the past and politically acceptable but future needs and circumstances may not be met by this current extrapolation because of the fluctuations in the economy and climate change; it must be acknowledged that the 10 percent is based on past conditions.

It was asked how the 10 percent contingency was determined and what type of activities will be under the contingency. Mr. Greer stated that Staff analyzed the contingency budget target of ten jurisdictions and the actual proportions they set aside, and 10 percent was fairly consistent with the average targeted reserve and actual contingency amount. The type of activity that would qualify for the contingency has not been decided upon.

Patrick Murphy, City of Encinitas, asked what would be the annual operating budget for the regional habitat conservation fund. Mr. Greer responded that it would be between \$34-50 million depending on the scenario chosen.

Ms. Young commented that it would be a good idea to adopt a percentage based upon experience as the group looks at different conditions to determine realistic percentage.

Ms. Viatella agreed that the 10 percent is a good starting point. She suggested looking at mechanisms to manage financial risks because depending on the source of funds and how predictable it is it may affect the contingency.

Ms. Downey noted the tradeoff of placing more money in the contingency because it would detract money for management and monitoring.

EMPWG Action: Mr. April motioned to approve the recommendation which was seconded by Mr. Grim. The recommendation was approved without opposition.

8. Next Meeting Date and Adjourn

Chair Downey adjourned the meeting at 2:45 pm. The next meeting is scheduled for March 10, 2009, from 1 to 2:30 p.m.

STATUS OF REGIONAL HABITAT CONSERVATION FUNDING

Regional Habitat Conservation Fund Grants FY 2006						
Contract #	IFAS Project #	Contractor	Project	Funding Encumbered	General Land Management/Monitoring Activities	Status
N/A	1200301	SANDAG/USFWS	Conserved Lands Database	\$125,000	Development of a parcel-level database of lands conserved in the region for the protection of natural resources, habitats, and open space.	Conserved land data layer and attributed completed. QA/QC review completed. SANDAG revising database base upon review.
5000635	1200302	USGS	Post Fire Monitoring	\$125,000	Monitoring of flora and faunal changes as a result of the October 2003 wildfires.	Completed
5000687	1200303	City and County of San Diego	Land Management Grants	\$264,006	Vernal Pools - invasive control, dethatching, fencing, reshaping vernal pools, reintroduction	All field work completed. Final report due in Fall.
5000788	1200304	County of San Diego	Land Management Grants	\$70,750	Lakeside Linkages - fencing, access control, trash removal, signage	Completed.
5000688	1200305	US Fish and Wildlife Refuge System	Land Management Grants	\$108,000	USFWS Refuge - invasive control, dethatching, seed collection, reshaping vernal pools, reintroduction	Completed.
5000665	1200306	City of Encinitas/CNLM	Land Management Grants	\$52,744	Manchester Mitigation Bank - erosion control, hydrology study	Completed.
5000676	1200307	San Dieguito River Park JPA	Land Management Grants	\$50,000	Lake Hodges, Bernardo Mnt - habitat rehabilitation, invasive and erosion control, bio surveys, trail maint.	Completed.
5000762	1200308	Back Country Land Trust	Land Management Grants	\$39,000	Wrights Field - fencing and access control	Completed.
5000309	1200309	City of San Diego	Land Management Grants	\$23,000	Crest Canyon - access control to protect sensitive resources	Fencing completed. Final stairway built by summer.
5000689	1200310	San Elijo Lagoon Conservancy	Land Management Grants	\$142,500	Indian Head Canyon/ Rancho Carrillo - invasive control, re-vegetation	Completed.
Regional Habitat Conservation Fund Grants FY 2007						
5000793	1200311	USFWS	California Gnatcatcher Monitoring	\$295,000	Conduct a regional survey of the California gnatcatcher to estimate population size.	Completed
5000794	1200302	USGS	Post Fire Monitoring	\$399,970	Continued monitoring of flora and faunal changes as a result of the October 2003 wildfires.	Completed
Regional Habitat Conservation Fund Grants FY 2008						
5000793	1200311	USFWS	California Gnatcatcher	\$440,000	Conduct a regional survey of the California gnatcatcher to estimate population size.	Amendment to existing contract executed.
5000794	1200302	USGS	Post Fire Monitoring	\$649,399	Continued monitoring of flora and faunal changes as a result of the October 2003 wildfires.	Amendment to existing contract executed.
5000997	1200312	R.D. Rempel	Program Developer	\$150,000	Hire a contractor to lead the development of a regional entity for regional land management and monitoring.	Contract executed.
5000793	1200311	USFWS	Cactus Wren Monitoring	\$150,000	Map and monitoring the status of the remaining coastal cactus wren habitat in San Diego County.	Amendment to existing contract executed.
5001030	1200302	USGS	Endemic Plant Monitoring	\$100,000	Complete protocols for monitoring rare plants per past recommendations of USGS as part of the revisions to rare plant monitoring protocols.	MOU with USGS executed
	1200313	On-Call Consultant	Invasive Species Mapping	\$200,000	Development of detailed GIS database of invasive plant species in San Diego Co.	Scope of work being developed
	1200314	RFP	Burrowing Owl Distribution	\$65,000	Map distribution of burrowing owls in San Diego Co.	RFP completed. Firm being selected.
	1200315	University Nevada Reno	Rare Butterfly Survey	\$50,000	Regional surveys for one or more rare butterfly species.	Scope of work developed. Negotiating MOU with University of Nevada Reno.
	1200316	RFQ	Management Coordinator	\$150,000	Contractor to coordinate regional land management activities.	RFQ pending.
	1200317	RFQ	Management Coordinator	\$150,000	Contractor to coordinate regional land monitoring activities.	RFQ pending.

Contract #	IFAS Project #	Contractor	Project	Funding Encumbered	General Land Management/Monitoring Activities	Status
	1200318	EDAW and CDFG	Vegetation Mapping	\$150,000	Update outdated regional vegetation mapping with new vegetation classification system.	Oversight committee's work completed. EDAW and CDFG start work this spring.
5001033	1200319	SDSU	Vegetation Monitoring	\$145,000	Continue with regional vegetation monitoring protocols.	MOU with SDSU executed
5001132	1200320	Mission Resource Conservation District	Land Management Grants	\$744,600	Invasive control project in two large watersheds. Proven success. Fund for four years.	Contract executed
5001134	1200321	San Dieguito River Park Joint Powers Authority	Land Management Grants	\$881,768	Important regional corridor and linkage. Submitted a line item budget for invasive control, restoration and access management. Fund select items.	Contract executed
5001137	1200322	City San Diego Water Department Proctor Valley Access Control	Land Management Grants	\$325,754	Key access area for unauthorized off-highway vehicle (OHV) access. Needed to protect vernal pools and access to federal and state refuge land.	Contract executed
5001139	1200323	Southwest Wetlands Interpretive Association Tijuana River Valley Invasive Removal	Land Management Grants	\$497,900	Important area but large funding request. Proven success. Large funds requested for one year. Funding reduced with recommendation to submit for future years.	Contract executed
5001135	1200324	San Elijo Lagoon Foundation Carlsbad Hydrologic Unit	Land Management Grants	\$450,450	Invasive control project. Large area. Proven success. Fund for three years.	Contract executed
5001140	1200325	United States Geological Survey (USGS) Pond Turtles Restoration	Land Management Grants	\$151,463	Key declining covered species. Request the USGS work with tribes to gain access to additional enhancement areas.	Contract executed
5001141	1200311	San Diego National Wildlife Refuge (SDNWR) Cactus Wren Recovery	Land Management Grants	\$180,070	Coastal cactus wren project. High priority area.	Contract executed
5001130	1200311	City of Chula Vista Cactus Wren Restoration	Land Management Grants	\$373,048	Coastal cactus wren project. High priority area.	Contract executed
5001133	1200326	County San Diego Salt Creek Recovery	Land Management Grants	\$125,000	Coastal cactus wren project. High priority area.	Contract being signed
5001131	1200327	Fallbrook Land Conservancy Margarita Peak Preserve	Land Management Grants	\$19,950	Small funding request. Very cost effective project to control OHV use.	Contract executed
5001136	1200328	San Pasqual River Restoration	Land Management Grants	\$45,000	Small requested amount. 300% of matching funds. Critical corridor. Need funds to complete project.	Contract executed
5001142	1200311	Ground Works Chollas Creek Cactus Wren	Land Management Grants	\$240,700	Coastal cactus wren project. High priority area - extent populations.	Contract in process
5001138	1200305	SDNWR Shinohara Vernal Pools	Land Management Grants	\$308,238	Continuation of existing vernal pool project. Needs continued weeding to keep weeds from invading created vernal pools. Thirty new pools to be created.	Contract being signed
Regional Habitat Conservation Fund Grants FY 2009						
5000997	1200312	R.D. Rempel	Program Developer	\$150,000	Hire a contractor to lead the development of a regional entity for regional land management and monitoring.	Contract executed.
TBD	1200316	RFQ	Management Coordinator	\$150,000	Contractor to coordinate regional land management activities.	RFQ pending.
TBD	1200317	RFQ	Monitoring Coordinator	\$150,000	Contractor to coordinate regional land monitoring activities.	RFQ pending.
TBD	1200329	TBD	GIS Specialist	\$150,000	GIS specialist to work with regional entity.	Delayed until other positions hired.
	1200313	On-Call Consultant	Invasive Species Mapping	\$50,000	Development of detailed GIS database of invasive plant species in San Diego Co.	Scope of work being developed

Contract #	IFAS Project #	Contractor	Project	Funding Encumbered	General Land Management/Monitoring Activities	Status
	1200318	EDAW and CDFG	Vegetation Mapping	\$150,000	Update outdated regional vegetation mapping with new vegetation classification system.	Oversight committee's work completed. EDAW and CDFG start work this spring.
5000794	1200302	USGS	Post Fire Monitoring	\$550,000	Continued monitoring of flora and faunal changes as a result of the October 2003 wildfires.	Amendment to existing contract to be executed.
5001033	1200319	SDSU	Vegetation Monitoring	\$150,000	Continue with regional vegetation monitoring protocols.	Amendment to existing contract to be executed.
		TBD	Endemic Plant Monitoring	\$200,000	Implement revised protocols for monitoring rare plants per recommendations of USGS.	USGS working on protocols.
	1200311	USFWS	Ca. Gnatcatcher and Cactus Wren Recovery Monitoring	\$150,000	Continue with regional gnatcatcher and cactus wren assessments and recovery actions.	Scope to be developed.
	1200314	RFP	Burrowing Owl Distribution	\$80,000	Continue implementation of Burrowing Owl recovery activities.	RFP completed. Firm being selected.
	1200315	University Nevada Reno	Rare Butterfly Survey	\$120,000	Regional surveys for one or more rare butterfly species.	Scope of work developed. Negotiating MOU with University of Nevada Reno.
TBD	1200330	TBD	Enforcement	\$220,000	Provide cost-effective enforcement for open space areas.	Scope of work to be developed.
TBD	1200331	TBD	Wildlife Corridor Monitoring	\$100,000	Wildlife linkage surveys.	Scope to be developed.
TBD	TBD	Multiple Awards	Land Management Grants	\$1,630,000	Regional land management grants.	Grants proposals to be reviewed by EMP Working Group.

San Diego Management and Monitoring Program Governance Structure

1. Joint Powers Agency
2. Department within SANDAG
3. Public Corporation/NGO

Joint Powers Authority/Agency

- Members would include cities, county, and SANDAG (and potentially water agencies CALTRANS, and others)
- Would be established pursuant to state laws governing JPAs
- Similar organizations- San Dieguito River Park, San Elijo JPA, Southern CA Coastal Water Research Project Authority, Metro Wastewater Joint Powers Authority

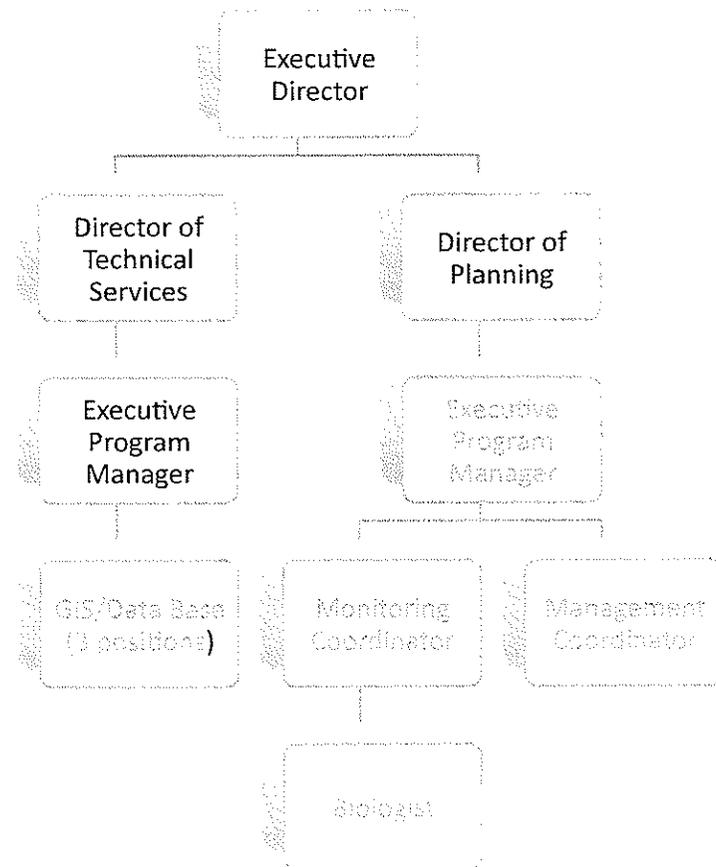
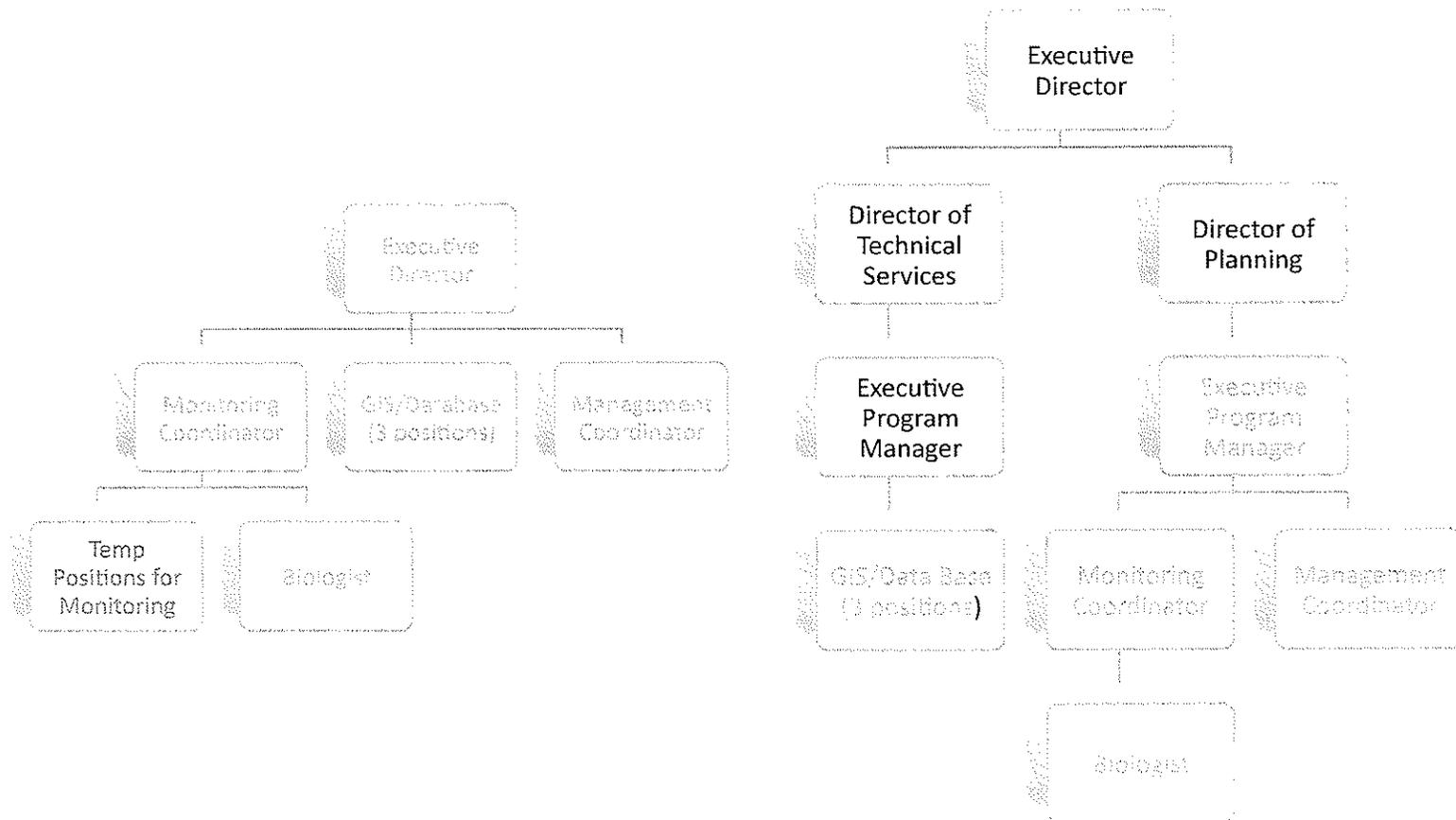
Department within SANDAG or other agency

- Organizational Structure Based on EMP 5-yr. plan, 8 positions (about 4% of SANDAG staff)
- Headed by Director or Executive Program Manager which would report to a Director
- GIS and Database managers would likely be within Technical Services Department

Public Corporation

- Established pursuant to state and federal laws governing 501 c 3 organizations- Public Benefit Corporation
- SANDAG would be the sole member
- Board appointed based on bylaws
- Headed by executive director
- Executive director hires staff

Public Corp compared to SANDAG



Evaluation Factors

- Internal politics of establishment and operation
- External politics of establishment
- Operations and public perception
- Process for dissolution/change
- Cost
- Accountability to elected officials
- Increased layers of government/bureaucracy
- Efficiency and nimbleness
- Staff recruitment, retention and termination

Evaluation Factors Cont.

- Objectivity (public)
- Objectivity (Permittee and Permittor)
- Public support and volunteer involvement
- Access to current and potential conservation lands
- Access to government funds
- Access to NGO/private grant funds
- Accountability
- Credibility
- Access to government databases

Internal Politics of Establishment

- **JPA-**
 - Why
 - Voting structure
 - 15-20 approvals needed
 - Authority
 - Cost
 - **12-24 months.**
- **SANDAG Dept.-**
 - Staff recommendation
 - New function (regional government)
 - Cost
 - **6-12 months**
- **Public Corporation-**
 - Why
 - Cost
 - Control
 - **6-12 months**

External Politics- Establishment and Operation

- **JPA-**
 - Taxpayer org.- why more government and cost
 - Environmental community- cost, control, effectiveness, objectivity
 - Development/business community- more government, cost, control, effectiveness
- **SANDAG Dept.-**
 - Environmental community- independence, objectivity, cost, control, bureaucratic processes, effectiveness
 - Development/business community- cost, bureaucratic, control
- **Public Corporation-**
 - Taxpayer org- hidden government, cost
 - Environmental community- objectivity, independence, science focused, cost, efficiency, community involvement
 - Development/business community- Cost, objectivity, efficiency, control, unanticipated roles, distance from elected officials

Process for Change/Dissolution

- **JPA-**
 - A minority of members could keep it operational
 - As a practical matter, JPAs are seldom dissolved once established
 - Significant changes would require the approval of all members
 - Other changes could be by amendment of the bylaws
- **SANDAG Department-**
 - Would require action of the SANDAG Board
 - Would follow established process for terminating employees
- **Public Corporation-**
 - Appointment of new board of directors
 - Could effectively be dissolved by either the SANDAG Board not approving funding
 - By a vote of the SANDAG Board to dissolve the Public Corporation of which SANDAG is the sole member

Cost



	Base Salary	Loaded Cost	Base Salary	Loaded Cost
Executive Director (Director)	\$144,444	\$233,999	\$144,444	\$311,493
Monitoring Coordinator (Senior Reg. Biologist)	\$84,456	\$136,819	\$84,456	\$182,129
Management Coordinator (Senior Reg. Biologist)	\$84,456	\$136,819	\$84,456	\$182,129
Biologist (Biologist II)	\$57,144	\$92,573	\$57,144	\$123,231
GIS Specialist (Senior Programmer)	\$84,456	\$136,819	\$84,456	\$182,129
GIS Database Tech (Analyst II)	\$57,144	\$92,573	\$57,144	\$123,231
Database Specialist (Associate Programmer)	\$61,356	\$99,397	\$61,536	\$132,702
Administrative Assistant (Admin. Off. Sp. II)	\$40,608	\$65,785	\$40,608	\$87,571
Yearly Cost		\$994,784		\$1,324,617
% difference	33%			

Salaries based on SANDAG mid-range, \pm 20% mid to high or low

Cost

1 Year Costs- Based on Salaries for SANDAG positions at EMP Needs Assessment Staffing level- mid and top of salary range

JPA-	\$1.136 million	\$1.363 million
SANDAG Dept	\$1.324 million	\$1.589 million
Public Corporation	\$.994 million	\$1.192 million
EMP Needs Assessment Estimated Costs	\$1.000 million	

Increased Layers of Government/Bureaucracy

- **JPA-**
 - Would result in the creation of a new government entity/layer
- **SANDAG Department-**
 - Would not result in the creation of a new layer of government per se, but would insert the program into an existing bureaucracy
- **Public Corporation-**
 - Would not result in the creation of a new government entity
 - NGOs tend not to be as bureaucratic and government agencies
 - Small size and specific focus acts against bureaucratic tendencies.

Efficiency and Nimbleness

- **JPA-**
 - Noticing requirements
 - Legal counsel review
 - Weighted voting- budget, policy, politics, etc.
 - Briefing and decision making process
 - Board/Executive Committee involvement in day-to-day operations
- **SANDAG Department**
 - Existing contract and decision making process
 - Legal involvement
 - Interaction between parts of the organization- GIS, Planning, etc.
 - Hiring flexibility and process
- **Public Corporation**
 - Briefing and decision making process
 - Business like operation
 - Hiring flexibility and process

Staff Recruitment, Retention and Termination

- **JPA-**
 - Executive Director – at will of the board and decisions made in closed session base on performance and politics
 - staff level- executive director makes decisions- governed by JPA policies and other laws governing public agencies
 - Creative hiring solutions often difficult
- **SANDAG Department-**
 - SANDAG Executive Director would make executive hiring decisions
 - Staff hiring decisions are made consistent with SANDAG policies and directives
 - Hiring decisions can be made at any level above position
 - Termination of staff generally has to be for cause
- **Public Corporation-**
 - Board hires executive director
 - Executive director hires staff
 - Creative solutions for hiring and flexible benefit packages can be utilized

Objectivity- Public Perception

- **JPA-**
 - Often judged by who is on the board and who has access to them
 - vested interest in content of reports
 - Often viewed as biased towards the jurisdictions represented on the board
 - Board approval prior to release of analyses?
 - Board members are often not conversant in biological issues- impact on public perception of results
- **SANDAG Department-**
 - Vested interest in the content of monitoring reports
 - Approval for release process- multiple layers outside of science program
 - Responsibility for content
 - Independent science process
- **Public Corporation**
 - Objective
 - Science based

Permittee and Permittor Perception of Objectivity

- **JPA-**
 - Vested interest
 - Influence of non-permittees
 - Board/Staff disagreement
 - Approval process
 - Independence of independent science process
- **SANDAG Department-**
 - Vested interest
 - Approval process- multiple layers outside of science group
 - Independence of independent science process
- **Public Corporation**
 - Who can influence
 - Approval process

Public Support and Volunteer Involvement

- **JPA-**
 - Venue for it
 - Low to none historically
- **SANDAG Department-**
 - Venue for it
 - Low to none historically
- **Public Corporation-**
 - Venue for it
 - Medium to high historically

Access to Current and Future Preserve Lands

- **JPA-**
 - Access agreements for public lands
 - Access agreement for private conservation lands
 - Could be difficult to access private and future conservation lands (CRA etc.)
- **SANDAG Department-**
 - Access agreements for public lands
 - Access agreement for private conservation lands
 - Could be difficult to access private and future conservation lands (CRA etc.)
- **Public Corporation-**
 - Access agreements for public lands
 - Access agreement for private conservation lands
 - Potential access to future conservation lands (no CRA issue)

Access to Government Funds

- **JPA-**
 - Government entity to government entity easy
 - Potential direct access to government grant funds
 - Overhead costs
- **SANDAG Department-**
 - Government entity to government entity easy
 - Potential direct access to government grant funds
 - Overhead costs
- **Public Corporation-**
 - Government to Public Corp similar to SDSU Foundation
 - Access to government grant funds might have to go through SANDAG
 - Overhead costs

Access to NGO/Private Grant Funds

- **JPA-**
 - Unlikely
- **SANDAG Department-**
 - Unlikely
- **Public Corporation-**
 - Could access multiple grant opportunities
 - Could be recipients of private funds and endowments

Accountability

- **JPA-**
 - To board
 - Varying levels of access to board members
- **SANDAG Department-**
 - Multi-layered
 - Formal process
 - Same as all SANDAG programs
- **Public Corporation-**
 - To non-political board of directors representing an array of interests
 - Public access to executive director

Credibility

- JPA
 - To be determined
 - Government entity
- SANDAG Department
 - To be determine but will be influenced by existing SANDAG programs
- Public Corporation
 - To be determined
 - Non-government entity

Access to Government and NGO Databases

- **JPA-**
 - Data sharing agreements with government agencies (could cause some concerns about CRA/FOIA issues) especially sensitive data (e.g. specific T&E nesting locations).
 - Data sharing agreements with NGO's may be more problematic due to CRA/FOIA
- **SANDAG Department-**
 - Same as with JPA
- **Public Corporation-**
 - Data sharing/partnership/volunteer agreements are possible
 - CRA/FOIA is less of an issue since non-profits can agree not to share data.
 - Agreements between NGOs are common and do not create CRA/FOIA issues.

Note- Any data utilized as part of the analyses would have to be available for review (i.e. nest success for a listed species would have to be available not necessarily the specific location of the nest)