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MEETING NOTICE AND AGENDA

ENVIRONMENTAL MITIGATION PROGRAM WORKING GROUP

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

Tuesday, July 14, 2009

1:00 to 2:30 p.m.

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

Staff Contact: Keith Greer
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AGENDA HIGHLIGHTS

- **TransNet ENVIRONMENTAL MITIGATION PROGRAM: STATUS REPORT**
- **REVISIONS TO FIVE-YEAR FUNDING STRATEGY, FISCAL YEAR 2010 FUNDING AND LAND MANAGEMENT GRANT CRITERIA**
- **SCOPE OF WORK FOR ENFORCEMENT FUNDING**

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ENVIRONMENTAL MITIGATION PROGRAM WORKING GROUP

Tuesday, July 14, 2009

ITEM #		RECOMMENDATION
1.	WELCOME AND INTRODUCTIONS (Chair, SANDAG Board Member, Carrie Downey, City of Coronado Councilmember)	
+2.	MEETING SUMMARY OF MAY 12, 2009 Review and approve the meeting summary of May 12, 2009.	APPROVE
3.	PUBLIC COMMENTS AND COMMUNICATIONS 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.	COMMENT
+4.	<i>TransNet</i> ENVIRONMENTAL MITIGATION PROGRAM: STATUS REPORT (Keith Greer, SANDAG) The <i>TransNet</i> EMP status Report outlines the status, successes, and challenges of implementing the <i>TransNet</i> Environmental Mitigation Program under the Memorandum of Agreement signed in March 2008 by the SANDAG Board of Directors. This report has been presented to the Independent Taxpayer Oversight Committee and will be presented to the Regional Planning Committee, Transportation Committee, and Board of Directors for information.	INFORMATION
+5.	RECOMMENDATIONS OF THE EMPWG AD HOC SUBCOMMITTEE: REVISIONS TO FIVE-YEAR FUNDING STRATEGY, FISCAL YEAR 2010 FUNDING AND LAND MANAGEMENT GRANT CRITERIA (Susan Wynn, U.S. Fish and Wildlife Service) On June 9, 2009, an ad hoc subcommittee established the EMPWG met to review and discuss modifications to EMP Land Management Grant Criteria, the existing Five-year Funding Strategy and the proposed FY 2010 funding allocations. The EMPWG will discuss the recommendations of the ad hoc subcommittee.	RECOMMEND

ITEM #**RECOMMENDATION**

- +6. PROPOSED SCOPE OF WORK AND BUDGET FOR OPEN SPACE ENFORCEMENT (Marina Som, SANDAG) INFORMATION/ DISCUSSION

During the May EMPWG meeting a panel of enforcement experts discussed their authorities, experience and recommendations on enforcement of illegal activities in open space areas. SANDAG staff has continued to work with these panelists to frame a scope-of-work for the \$220,000 of enforcement funds allocated by the SANDAG Board. Marina Som will present the proposed scope of the project.

7. NEXT MEETING DATE AND ADJOURN INFORMATION

The next meeting of the EMPWG will be on September 8, 2009. Tentative topics to be discussed are presentation on the San Diego County Vegetation Mapping project and the status of the Conserved Lands Database.

+ next to an item indicates an attachment

San Diego Association of Governments
ENVIRONMENTAL MITIGATION PROGRAM
WORKING GROUP

July 14, 2009

AGENDA ITEM NO.: **2**

Action Requested: APPROVE

MEETING SUMMARY OF MAY 12, 2009

File Number 3002700

Members in Attendance:

Hon. Carrie Downey, (Chair), City of Coronado
Tom Oberbauer, (Vice Chair), County of San Diego
Bruce April, Caltrans
Patti Brundle, City of Poway, North County Inland
Mike Grim, City of Carlsbad, North County Coastal
Anne Harvey, San Diego Conservation Network
Jeanne Krosch, City of San Diego
Marisa Lundstedt, Chula Vista, South County
David Mayer, California Department of Fish and Game
Michelle Mattson, Army Corps of Engineers
Carlton Rochester, USGS (Alt.)
Jim Whalen, Alliance for Habitat Conservation
Susan Wynn, U.S. Fish and Wildlife Service

Others in Attendance:

Rick Alexander, Sweetwater Authority
Gabriel Buhr, California Coastal Commission
Lt. Mike Ference, California Department of Fish and Game
Lucy Galvin, Helix Water District
Josh Garcia, City of San Diego
Marvin Gerst, Los Penasquitos Canyon Preserve Citizens Advisory Committee
Mary Lindquist, Padre Dam MWD
Jeff Lincer, Wildlife Research Institute
Nikki McGinnis, City of San Diego Water Department
Darryl Murry, County Sheriff
Randy Rodriguez, U.S. Department of Fish and Game
Ron Rempel
Markus Spiegelberg, Center for Natural Lands Management
Jill Terp, San Diego National Wildlife Refuge
Vicki Touchstone, San Diego National Wildlife Refuge
Sgt. Rick Turvey, County Sheriff
Chris Zirkle, City of San Diego Open Space Division
David Zoutendyk, U.S. Fish and Wildlife Service

SANDAG Staff in Attendance:

Rob Rundle
Keith Greer
Marina Som

1. Welcome and Introductions

Chair Councilmember Carrie Downey, City of Coronado, called the meeting to order at 1:05 p.m., and welcomed the group. She invited members and guests to introduce themselves.

2. March 10, 2009, Meeting Summary

Ms. Downey noted a correction on page 8 of the agenda packet, the second sentence of the last paragraph should state "This structure would be similar to what is currently in place at SANDAG..." not "This structure would be similar to that of what is currently in place at SANDAG..."

Jim Whalen, Alliance for Habitat Conservation, motioned to approve the summary with the correction. Mike Grim, City of Carlsbad, seconded the motion and it carried without opposition.

3. April 14, 2009, Meeting Summary

Ms. Downey pointed to page 17, fourth paragraph: David Mayer, Department of Fish and Game, recommended to applicants—and not "applications"—as written.

Patti Brindle, City of Poway, noted that she was present at the April meeting and would like her attendance reflected in the summary. Keith Greer, SANDAG, reminded everyone to sign in to ensure that their attendance is recorded in the summary.

With these corrections, Ms. Brindle motioned to approve the April summary. Susan Wynn, U.S. Fish and Wildlife Service, seconded the motion, which passed without opposition.

4. Public Comments and Communications

Ms. Downey stated the Regional Planning Committee (RPC) expressed its approval and appreciation of the work done by the EMPWG in reviewing the FY 2009 Land Management Grant applications. The RPC acknowledged that the EMPWG was proposing to review and possibly modify the grant criteria, and recommended that the EMPWG consider projects that would be noticeable to the public for they would be instrumental in the approval of any future proposed Quality of Life Initiative. Ms. Wynn stated that a map of where projects had been funded would be helpful to illustrate this point.

Marvin Gerst, as the new chairman for the Los Penasquitos Canyon Preserve Citizens Advisory Committee, expressed his interest in open space enforcement issues and hoped to see mountain bikers represented in this group due to a sense that they have been unduly criticized and discriminated against. He mentioned the Mountain Biking Association and the Multi-Use Trail Coalition as two possible stakeholders. Mr. Greer noted that the Mountain Biking Association is on the EMPWG distribution list and is informed of the meetings like all other stakeholders on the

Working Group and indicated that any additional contact information provided by Mr. Gerst would be helpful.

5. Enforcement Options for Open Space Lands

A panel consisting of Lt. Mike Ference (California Department of Fish and Game), Sgt. Rick Turvey and Darryl Murry (San Diego County Sheriff's Department), and Chris Zirkle (City of San Diego Open Space Division) discussed their agencies' authorities and experiences in the enforcement of illegal activities in open space areas. The panelists provided suggestions on how to most effectively and efficiently utilize \$220,000 of funds encumbered by the SANDAG Board of Directors on September 26, 2008, for regional enforcement efforts.

- *Department of Fish and Game – Game Wardens*

Lt. Ference provided an overview of the duties and responsibilities of California Department of Fish and Game game wardens. Game wardens are peace officers who have the ability to enforce all laws relating to State Penal and Vehicular Codes, however, their primary objective is the enforcement of laws and regulations related to the protection of fish and wildlife and their habitat. They have assisted other agencies, such as the Department of Homeland Security, the Chula Vista Police Department, the FBI, and the Border Patrol in various missions, and assistance with SANDAG's open space enforcement operation would be through increasing the law enforcement presence in the region. This could be done through paying for overtime of existing game wardens. Lt. Ference noted the cost of this operation would be about \$34,000 for one warden working fifty-two 10-hour work weeks. In addition to increasing patrols, Lt. Ference noted that the identification of problem areas, access control with signage and fencing, and obtaining the District Attorney's buy-in to increase fines and penalties are critical steps in addressing illegal activities in open space.

Mr. Whalen inquired if other members would agree that access control is the primary open space issue. Markus Spiegelberg, Center for Natural Lands Management, said that this is generally the case, however, once access control is established, there is often the issues of having dogs off leashes and illegal trail-building.

In addressing EMPWG members' inquires about staffing and prioritization of open space enforcement compared to other duties, Lt. Ference stated there are currently seven wardens in the region of San Diego (227 wardens statewide), and unfortunately, open space enforcement is a very low priority. With funding, however, wardens would be compensated for overtime to assist with open space enforcement activities. Lt. Ference said staffing would not be a problem since officers from other areas can be brought in through overtime pay.

- *San Diego County Sheriff's OHV Enforcement Team*

As the Reserve Coordinator of the OHV Enforcement Team, Sgt. Turvey discussed protocols for open space enforcement by the Sheriff's Department. The enforcement team consists of nine unpaid reserve deputies and three paid deputy sheriffs that are funded by a state grant for off-road enforcement. The team's primary function is to identify problem areas and enforce all vehicle codes, as well as a county code that states that it is illegal to off-road anywhere in the County of San Diego, with the exception of private property and legally designated areas. Based upon the number of radio calls and citations, monthly crime analysis reports are generated to identify problem areas to target patrols. Additionally, Sgt. Turvey identified buy-in from the District

Attorney, fencing or concrete barriers, and signs as means to deter illegal off-road activities. Sgt. Turvey noted that illegal off-road activities have subsided since fencing and signage were placed in Otay Mesa and Proctor Valley, although it is still an issue in Fanita Ranch and Eagle's Peak. Sgt. Turvey can be contacted at (619) 956-4996 or rick.turvey@sdsheriff.org.

Mr. Whalen noted there has been poor response from the Sheriff's Department when illegal off-road activities in the Fanita Ranch area were reported and restricting access control with fencing would inhibit wildlife movement as well. Although he understands Mr. Whalen's concerns, Sgt. Turvey stated that off-road enforcement is a low priority compared to other complaints received, but efforts are being made by the Sheriff's Department to track down the highest-priority times, days, and locations to conduct enforcement operations.

Ms. Wynn inquired if additional funding would move this issue higher on the Sheriff's Department priority list and if their jurisdiction is across San Diego County, regardless of state and federal lands. Sgt. Turvey affirmed that additional funding would aid in the open space enforcement effort and, if requested, they would lend their assistance on state or federal lands. Darryl Murry, Reserve Caption for the open space enforcement team, added that open space enforcement is not limited to a certain time or day; rather, there are many days that reserve deputies go out and work.

Mr. Oberbauer asked if all the reserve deputies are occupationally law enforcement personnel. Sgt. Turvey stated that reserve deputies come from a wide range of professions but they go through the same training as paid deputy sheriffs; however, they are not compensated for their work.

Mr. Whalen inquired about the protocol for impounding off-road vehicles. Sgt. Turvey said that all on-road vehicle codes apply to off-road vehicles, so a vehicle can be impounded by the Sheriff's Department if a person is operating a vehicle on a suspended license.

- *City of San Diego – Park Rangers*

Mr. Zirkle discussed the responsibilities and limitations of the City of San Diego Park Rangers. Park Rangers are public officers under California State law. Although they are authorized by the municipal code to enforce all city codes, their authority is limited by internal departmental instructions that identify enforcement as a peripheral duty. Rangers are encouraged to use the lowest level of enforcement, which is education. The San Diego Police Department, which has primary enforcement responsibility in the City's open space lands, is limited in its ability to actively patrol these areas because of insufficient resources. The City has relied on signage, education, access restrictions (fencing and barriers), and technology (aerial monitoring) as other enforcement measures. Mr. Zirkle believes that most people will do the right thing if they know what it is; thus, education, interpretation, and working with volunteers to increase community awareness is critical and something that SANDAG should consider pursuing. Mr. Zirkle noted the importance of considering various protocols to address different types of violations occurring in open space; for example, access control for pedestrians is much different for bikers or ATV users.

Mr. Whalen asked if the City has considered making Park Rangers peace officers. Mr. Zirkle stated that the City does not want to change this designation.

Ms. Wynn inquired about Ranger responsibilities on Cornerstone Lands. Mr. Zirkle indicated that Cornerstone Lands are the responsibility of the Water Department. Nikki McGinnis, City of San Diego Water Department, stated that the Water Department has Rangers/Divers working on

the Cornerstone Lands. Rangers/Divers have the same duties as Rangers; however, they have more enforcement authority.

Randy Rodriguez, U.S. Department of Fish and Game, inquired of other tools used by the City to address enforcement issues relating to litter and environmental services. Mr. Zirkle said other departments provide assistance in regards to environmental services and noted the creation of a volunteer patrol group in Los Penasquitos Preserve.

Mr. Whalen, recalling the disbandment of a transient encampment of 300 people in Ranchos de Los Diabiltos, asked if there is interagency cooperation to respond to such an issue. Mr. Zirkle affirmed that there is, and the procedures to address the issue, such as the one Mr. Whalen had mentioned, have not changed.

Anne Harvey, San Diego Conservation Network, asked if Park Rangers and the police department have ever coordinated a special joint-force enforcement operation. Mr. Zirkle affirmed that this had been done before and noted the police department has been good in responding to their calls.

Ms. Downey inquired if the EWG decided to fund a person from the Department of Parks and Recreation to assist in this operation, whether the City would have the jurisdictional authority to do enforcement across state lands. Mr. Zirkle stated he does not believe that hiring one officer will be effective and that a couple of officers may be needed.

- *General Discussion*

Mr. Greer inquired whether the Sheriff's Department has jurisdictional authority to enforce open space violations on City lands. Sgt. Turvey stated that as peace officers in the State of California, they can enforce any laws anywhere; however, they will not trump the enforcement authorities of other departments unless specifically requested. However, the Sheriff's Department will conduct off-road enforcement across the county, even if it encroaches on City lands. Ms. Downey mentioned that a multi-jurisdictional joint motor taskforce could assist in this effort.

Marisa Lundstedt, Chula Vista, South County, asked how to coordinate with the Utilities and Border Patrol to address access issues. Lt. Ference said that this is an issue that has to be addressed with those agencies directly, and, if needed, he can provide contact information.

As asked by Ms. Wynn, Sgt. Turvey stated that an official request by a jurisdiction is not required for the Sheriff's Department to assist in enforcement activities.

Ron Rumpel mentioned that planes from the Department of Fish and Games were used to conduct aerial surveillance for open space enforcement in western Riverside County and as a result of this effort approximately 800 citations were issued over a four-month period.

Mr. Oberbauer inquired as to the location of Eagle's Peak. Sgt. Turvey said it is located between Lawrence Welk and Lawrence Welk Court, from State Route 15 all the way down to Deer Springs Road.

It was asked if mountain bikes are considered off-road vehicles. Sgt. Turvey stated that off-roading only applies to mechanized vehicles. Mr. Rodriguez, to follow up, inquired if there is a nexus between vehicle codes and bicycles. Sgt. Turvey stated the vehicle code for bicycles would only

pertain to a paved road. Mr. Zirkle added that the City's Environmentally-Sensitive Lands Ordinance does not differentiate between motorized or non-motorized vehicles—if a person is disturbing sensitive vegetation, then he or she is liable for the damage.

Mr. Grim noted a similar ordinance in Carlsbad; however, there were issues over trail use by mountain bikers. He noted that there have been problems with bikers creating new networks of trails or improving existing trails to ride their bikes upon in Del Mar Mesa. He asked if the City has ever used breeding season as a criterion to restrict access. Mr. Zirkle stated they have not.

Ms. Downey asked if there is enough information available for the public, especially relating to the use of bikes in open space. Working Group members agreed that this is an issue of signage, but simply a "No Trespassing" sign or "Stay on the Trail" sign is not sufficient.

Jill Terp, San Diego National Wildlife Refuge, inquired if there would be less of an impact if a more centrally located designated off-road area existed in the central South County. Sgt. Turvey stated that this could be the case since the closest legally designated off-road area is Corral Canyon in the Alpine-Campo area. Sgt. Turvey noted that efforts to create an OHV park in places like Chula Vista has been met with strong opposition by residents.

Mr. Whalen stated they had entertained a similar idea of enclosing a section of the Sycamore Landfill for off-road activities because illegal off-roading was so prevalent in Fanita Ranch; however, it was crushed by NIMBYism.

Mr. Greer mentioned that the State had recently completed a report identifying potential sites to create OHV Parks and a representative from State Parks had met with local mayors to discuss the idea of creating such a park in San Diego County. Currently, however, this seems like a missed opportunity due to major site objections from various interest groups in the region. Ms. Wynn recalled that the identified sites were not in the best or most environmentally sound locations.

Mr. Spiegelberg provided his experience of turning recreational bikers, whose activities were detrimental in open space lands in Carlsbad, into partners by involving them in the enforcement process, through education and assistance in trail building or redesign.

Mr. Rodriguez inquired if maps of legal riding areas are provided to off-road vehicle purchasers. Sgt. Turvey affirmed that dealers do provide maps to customers.

Mr. Greer stated that staff would like to consult with Lt. Ference, Sgt. Turvey, and Mr. Zirkle to develop a draft proposal for open space enforcement and education. Ms. Wynn recommended developing mini strategic plans for the enforcement areas. Ms. Downey added that the Working Group should identify three or four priority areas for enforcement.

Ms. Downey thanked the panelists for their contributions to the discussion.

6. Next Meeting Date and Adjourn

The meeting was adjourned at 2:22 pm. The next meeting is scheduled for July 14, 2009, from 1:00 to 2:30 pm.

San Diego Association of Governments
ENVIRONMENTAL MITIGATION PROGRAM
WORKING GROUP

July 14, 2009

AGENDA ITEM NO.: **4**

Action Requested: INFORMATION

TransNet ENVIRONMENTAL MITIGATION PROGRAM: STATUS REPORT

File Number 1200201

Introduction

The *TransNet* Extension Ordinance and Expenditure Plan, approved countywide by voters in November 2004, includes an Environmental Mitigation Program (EMP), which is a funding allocation category for the cost to "create a reliable approach for funding required mitigation for future transportation improvements thereby reducing costs and accelerating project delivery (*TransNet* Extension Ordinance Section D)." The EMP established two funds: (1) the Transportation Mitigation Fund for direct mitigation, management, and monitoring for transportation-related impacts; and (2) the Regional Habitat Conservation Fund for efforts related to regional land acquisition, management, and monitoring for implementation of the regional habitat conservation plans.

On February 22, 2008, the Board of Directors authorized a Memorandum of Agreement (MOA) with Caltrans, the California Department of Fish and Game, and the United States Fish and Wildlife Service to establish the process to implement the goals of the *TransNet* EMP. The MOA, executed on March 19, 2008, memorialized a Plan of Finance (POF) strategy of \$440 million over ten years for the Transportation Mitigation Fund and \$40 million for the Regional Habitat Conservation Fund.

The MOA states "Starting in 2010, and then once every two years thereafter, SANDAG will develop a report card to analyze the status and progress of the MOA implementing the goals of the *TransNet* EMP for presentation to the SANDAG Board as part of the update to the Regional Transportation Improvement Program (RTIP)." The intent of this report is to provide a brief update on the progress of the EMP since inception as an interim yardstick to measure progress until the 2010 report.

Discussion

Attachment 1 summarizes the progress of the Transportation Mitigation Fund. Since January 2008, nine properties have been acquired focused on the mitigation for State Route 76, Interstate 5, and advanced mitigation for other Regional Transportation Plan (RTP) projects and local streets and roads. A total of 676 acres have been acquired and corresponding letters that these lands can be used as mitigation for project-related impacts have been obtained. Two of the properties acquired under the EMP already have received subsequent federal permits showing that the process of advanced acquisition of mitigation is working as envisioned. The focus for acquisitions has been to satisfy the biological mitigation needs of the SANDAG Early Action Projects as identified by the Board of Directors in the Regional Transportation Plan. SANDAG, through its acquisition agent Caltrans, is underway with a dozen additional appraisals for future acquisitions of key parcels

approved by the wildlife agencies across western San Diego County. It is expected that within one-year staff will have identified all of the biological mitigation for the *TransNet* Early Action Projects, and will be in the process of securing the opportunities accordingly.

Attachment 2 summarizes the progress of the Regional Habitat Conservation Fund. Since FY 2006, 30 land management grants have been awarded throughout the western San Diego region to help implement the San Diego County land manager's efforts under regional habitat conservation plans to preserve and enhance habitat and endangered species. The grants have been awarded through a competitive program, which has resulted in a wide range of applicants from large agencies to small nonprofit organizations, across a large geographic area. In addition, 9 multi-year contracts for regional biological monitoring have been executed to establish the existing conditions of species and habitat within the regional preserve system. These contracts include monitoring the succession of plants and animals resulting from the 2003 and 2007 wildfires, the status and distribution of the California gnatcatcher, the conditions and monitoring of the habitat within the preserve, and the establishment of monitoring protocols and the status of rare plants.

A final effort under the Regional Habitat Conservation Fund is the development of a regional entity to coordinate among land managers and biological monitoring efforts to maximize efficiency and reduce the cost of maintaining and monitoring these preserve systems. This includes using a scientific framework to review the data on land management and biological monitoring, combined with an assessment of the cost and effectiveness of actions to produce a strategic approach on how to best utilize limited funding.

Challenges

The *TransNet* EMP is a unique approach that is being discussed as framework for other parts of California and the United States. While staff has overcome many hurdles in its implementation, several challenges still exist.

Securing opportunities for wetlands remains a challenge. As shown on Attachment 1, there remains a large need for securing opportunities for coastal and freshwater wetlands. Wetland mitigation is significantly more challenging to secure due to the federal and state regulations to create new wetlands to achieve a "no-net-loss" of wetland acreage. These stringent requirements, combined with the desire of the regulatory agencies to have the mitigation occur with the same watershed as the impact, limit opportunities. SANDAG and Caltrans staffs have employed a three-pronged approach to identifying and securing more lands for wetland mitigation. This includes focused efforts to target properties by staff, use of a consultant to model and validate opportunities unknown to staff, and a request for proposals to private and public land owners. These efforts are showing results and it is expected over the next year the amount of lands identified and secured for wetland mitigation significantly will increase towards the estimated need of the transportation projects.

Both the public and SANDAG leadership have requested a transparent, up-to-date system to depict the status of the EMP and to be able to track expenditures. Building off of the existing *TransNet* Dashboard concept, staff has been working with a consultant to create an EMP Dashboard that will enable online access to the status of efforts under both the Transportation Mitigation Fund and the Regional Habitat Conservation Fund. The EMP Dashboard is expected to be completed in four to six months, at which time staff will return to the EMPWG for a demonstration on its use.

Finally, the question of how much saving has accrued under the EMP since the start of its implementation has been raised. Cost-saving is measured by determining the ability for the early acquisition of mitigation land to be completed within the estimated budget. Land acquisition under the EMP has occurred only since January 2008. Many properties need to have restoration and management cost determined, as well as to obtain various permits. The *TransNet* EMP MOA provides for a 10-year evaluation period, with reporting every two years to establish opportunities for review. For the nine properties acquired to date, the total acquisition cost was \$7.3 million (17.2% lower than the 2002 acquisition budget). This reflects the downturn in the real estate market. A complete picture of cost-saving can not be determined with such limited data; however, SANDAG will continue to monitor the budgets and report accordingly.

Next Steps

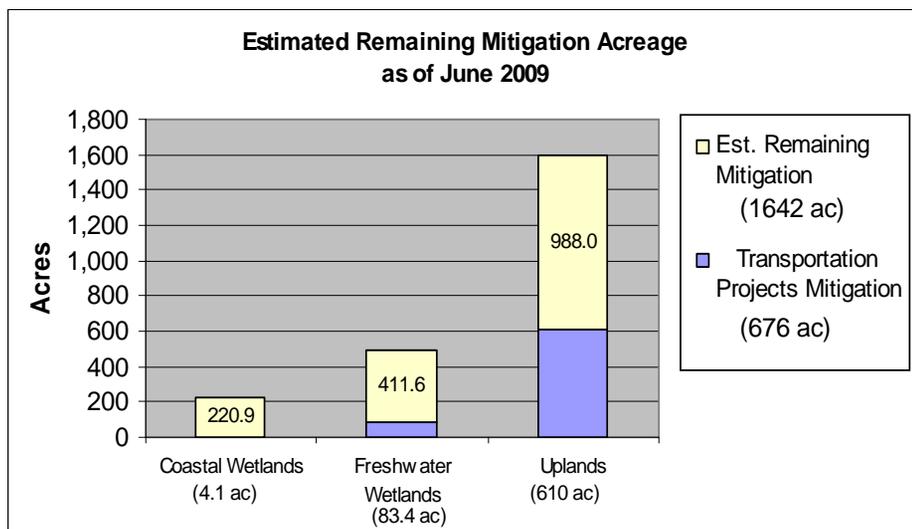
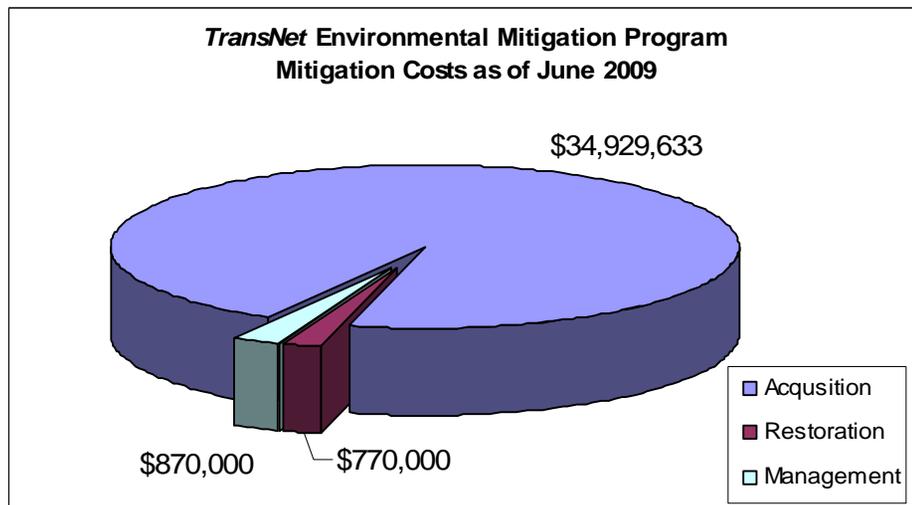
This report is intended to be a status update of the program. In June 2010, a more detailed report will be provided to the EMPWG for its consideration. Also, within approximately six months staff will present the *TransNet* EMP Dashboard for review by the EMPWG. This report was presented to the ITOC, and will be presented to the Regional Planning Committee, the Transportation Committee, and the Board of Directors at future meetings this summer/fall.

Attachments: 1. CIP Project Number: 1200200 Biological Mitigation Fund
2. CIP Project Number: 1200300 Regional Habitat Conservation Fund

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

CIP Project Number: 1200200 Biological Mitigation Fund

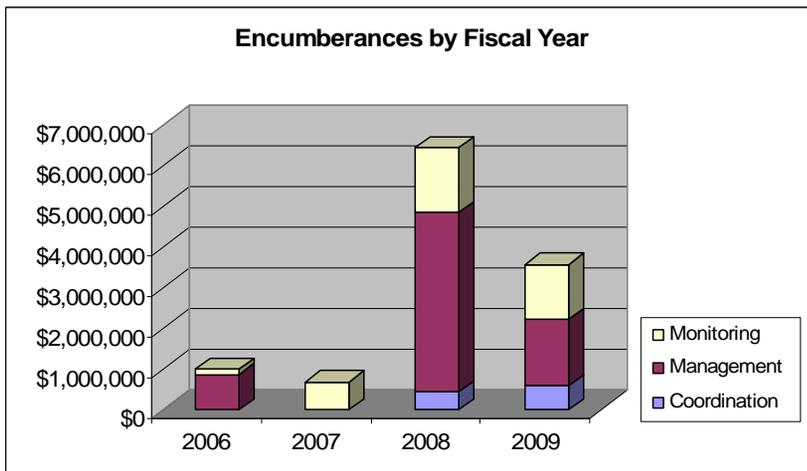
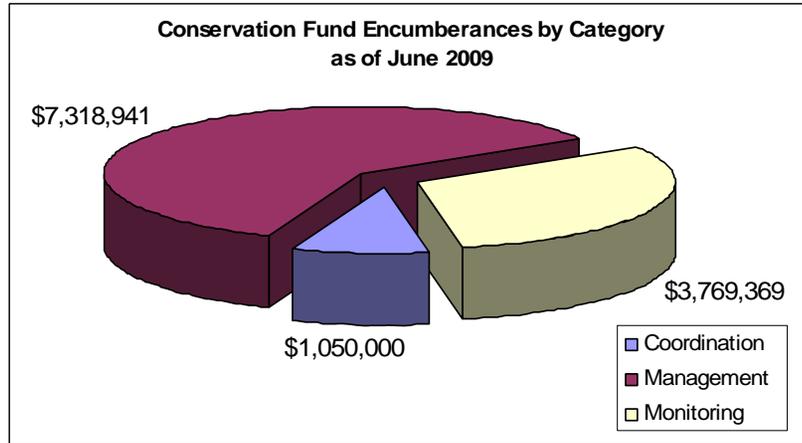
Purpose: Environmental Mitigation Program (EMP), Biological Mitigation Fund. To secure mitigation for projects in the Regional Transportation Plan and local streets and roads pursuant to the *TransNet* Extension Ordinance and the subsequent *TransNet* Implementation Memorandum of Agreement.



Status: As of June 2009, 676 acres of land have been acquired for mitigation under the *TransNet* EMP. The focus has been on properties for the *TransNet* Early Action projects, including State Route 76 expansion and the Interstate 5 corridor. Several properties will require the future restoration of habitat. The identification and acquisition of wetland mitigation opportunities is a significant challenge which staff actively is working to resolve.

CIP Project Number: 1200300 Regional Habitat Conservation Fund

Purpose: Environmental Mitigation Program, Regional Habitat Conservation Fund. In March 2008, the SANDAG Board of Directors authorized funding pursuant to the *TransNet* Extension Ordinance to maintain and enhance the habitat values of the regional conservation preserve system pursuant to a five-year funding strategy.



Status: Currently SANDAG has granted 30 projects for land management activities, and has contracts for nine monitoring projects ranging from post wildfire recovery to status monitoring of endangered species. In 2009, an effort to coordinate all the land management and monitoring activities started to achieve better efficiency of and effectiveness of efforts across the region.

San Diego Association of Governments
ENVIRONMENTAL MITIGATION PROGRAM
WORKING GROUP

July 14, 2009

AGENDA ITEM NO.: **5**

Action Requested: RECOMMEND

RECOMMENDATIONS OF THE EMPWG AD HOC SUBCOMMITTEE:
REVISIONS TO FIVE-YEAR FUNDING STRATEGY, FISCAL YEAR 2010
FUNDING AND LAND MANAGEMENT GRANT CRITERIA

File Number 3002700

Introduction

During the April 14, 2009, Environmental Mitigation Program Working Group (EMPWG), an ad hoc subcommittee was formed to review and propose recommendations to update and refine the Five-Year *TransNet* EMP Funding Strategy, Fiscal Year 2010 funding recommendations, and the eligibility and evaluation criteria for land management grants.

The ad hoc subcommittee met on June 9, 2009, and consisted of Thomas Oberbauer, Mike Grim, Marisa Lundstedt, David Mayer, Emily Young, Bruce April, James Whalen, Michael Beck, and was chaired by Susan Wynn.

Discussion

Five-Year Funding Strategy and FY 2010 Allocations

On December 15, 2006, and again on September 26, 2008, the SANDAG Board of Directors approved a conceptual five-year funding strategy for the *TransNet* Regional Conservation Funds for regional management and monitoring efforts. Annual allocations to implement this strategy are reviewed by the Board and approved accordingly.

The ad hoc subcommittee reviewed the existing five-year funding strategy and has proposed changes to FY 2010 as shown in Attachment 1. The ad hoc committee is also proposing minor changes in FY 2011 and proposed allocations for FY 14.

Attachment 1, column B, shows the existing allocations for the various elements of the five-year strategy and the proposed changes in column C. The reallocations are proposed due to the current status of the regional management and monitoring efforts, as well as the availability of funds encumbered in FY 2009, but not expended. The EMPWG will review and discuss the proposed updated Five-Year Funding Strategy and the proposed FY 2010 allocations.

Revisions to the *TransNet* EMP Land Management Grant Criteria

During the April 14 meeting of the EMPWG, the members asked for the formation of a subcommittee to review the existing land management grant eligibility and evaluation criteria and make any recommendations for enhancements/modifications. In addition, during the May 1, 2009, Regional Planning Committee the EMPWG was asked to review and possibly modify the grant criteria, to increase funding for projects that would be noticeable to the public as a way to educate the public and lay the foundation for a proposed future Quality of Life Initiative.

The ad hoc subcommittee reviewed the existing criteria and found that as a whole the eligible activities and the criteria for evaluation were still valid. They are suggesting that additional information be provided on the allocation of the requested funding and proposed match, indicate how the matching funds are to be secured for the grant, and to increase the information related to public outreach to have applicants indicate:

- a. Estimated number of public to benefit from the project,
- b. Number and proposed volunteer hours proposed on project,
- c. Use of signage and interpretation features to be used to educate public on purpose of project, and
- d. An access plan, for public use if applicable.

These additions would allow future evaluation panels the opportunity to better rate the grant's ability to provide outreach and exposure to the public.

Finally, SANDAG staff is proposing to make the application easier by developing a "fill-in-the-blank" form that will either be online or sent out with the call for projects. This will allow standardization in the grant applications to make it easier for applicants, evaluators, and staff. In addition, SANDAG staff will make it clear in the Request for Proposals that the applicant will be required to submit a resolution from their authorizing board prior to the SANDAG approval of the grants by the Board of Directors or be considered ineligible. This resolution will require the applicant to indicate that they will assure the matching funds if any are proposed.

Attachments: 1. Conceptual Five-Year Funding Strategy
2. EMP FY 2010 Land Management Grants – Program Overview and Instructions

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

CONCEPTUAL FIVE-YEAR FUNDING STRATEGY

Attachment 1

Updated June 2009

		A	B	C	D	E	F	G
		Prior FYs	CURRENT YR-1	PROPOSED YR-1	YR-2	YR-3	YR-4	YR-5
		FY06-09	FY10	FY 10	FY 11	FY 12	FY 13	FY 14
REGIONAL COORDINATION								
1	Program Developer	\$300,000	\$150,000	\$150,000	\$0	\$0	\$0	\$0
2	Program Administrator	\$0	\$0	\$0	\$250,000	\$250,000	\$250,000	\$250,000
3	Administrative Support	\$0	\$90,000	\$90,000	\$90,000	\$90,000	\$90,000	\$90,000
4	GIS Specialist	\$150,000	\$150,000	\$0 ¹	\$150,000	\$150,000	\$150,000	\$150,000
5	Database Specialist	\$0	\$150,000	\$0	\$150,000	\$150,000	\$150,000	\$150,000
6	GIS/Database Technician	\$0	\$0	\$0	\$130,000	\$130,000	\$130,000	\$130,000
7	Conserved Lands Database Development	\$125,000	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal Regional Coordination		\$575,000	\$540,000	\$240,000	\$770,000	\$770,000	\$770,000	\$770,000
REGIONAL MANAGEMENT								
8	Management Coordinator	\$300,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000
9	Land Management Implementation	\$5,280,000	\$1,740,000	\$2,085,000	\$1,640,000	\$1,645,000	\$2,040,000	\$1,540,000
10	Invasive Species Mapping	\$250,000	\$0	\$0 ¹	\$0	\$0	\$0	\$0
11	Updated Vegetation Mapping	\$300,000	\$150,000	\$300,000	\$0	\$0	\$0	\$0
12	Enforcement	\$220,000	\$0	\$150,000	\$0	\$0	\$0	\$0
13	<i>Preserve-level management plan standardization</i>	\$0	\$0	\$225,000				
Subtotal Regional Management		\$6,350,000	\$2,040,000	\$2,910,000	\$1,790,000	\$1,795,000	\$2,190,000	\$1,690,000
REGIONAL MONITORING								
14	Monitoring Coordinator	\$300,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000
15	Biologist	\$0	\$150,000	\$0	\$150,000	\$150,000	\$150,000	\$150,000
16	Post Fire Monitoring	\$1,725,000	\$225,000	\$0 ¹	\$325,000	\$325,000	\$325,000	\$325,000
17	Vegetation Monitoring	\$295,000	\$0	\$0	\$0	\$0	\$165,000	\$165,000
18	Rare and Endemic Plant Monitoring	\$300,000	\$0	\$0	\$0	\$295,000	\$0	\$0
19	California Gnatcatcher Monitoring	\$740,000	\$500,000	\$0	\$445,000	\$0	\$0	\$500,000
20	California Coastal Cactus Wren Monitoring & Recovery	\$300,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000
21	Burrowing Owl Monitoring	\$145,000	\$45,000	\$150,000	\$0	\$0	\$0	\$0
22	Rare Butterfly Monitoring	\$170,000	\$60,000	\$60,000	\$120,000	\$120,000	\$0	\$0
23	Wildlife Corridor and Linkages Monitoring*	\$100,000	\$100,000	\$200,000	\$100,000	\$100,000	\$100,000	\$100,000
24	Other Species Monitoring (e.g., priority 2 species)	\$0	\$40,000	\$140,000	\$0	\$145,000	\$0	\$0
Subtotal Regional Monitoring		\$4,075,000	\$1,420,000	\$850,000	\$1,440,000	\$1,435,000	\$1,040,000	\$1,540,000
TOTAL FUNDING STRATEGY		\$11,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	

Note: Some activities will require implementation over multiple years.

¹ Funds encumbered in FY09 are available in FY 2010

*including genetic studies

**ENVIRONMENTAL MITIGATION PROGRAM (EMP)
FY 2010 LAND MANAGEMENT GRANTS –
PROGRAM OVERVIEW AND INSTRUCTIONS**

Program Description

The *TransNet* Extension Ordinance and Expenditure Plan, as approved by the voters on November 2, 2004, includes an Environmental Mitigation Program (EMP). The EMP is a funding allocation category for the costs to mitigate habitat impacts for regional transportation projects. The EMP is a unique component of the *TransNet* Extension in that it goes beyond traditional mitigation for transportation projects by including a funding allocation for habitat acquisition, management, and monitoring activities as needed to help implement regional habitat conservation plans.

On September 26, 2008, the SANDAG Board of Directors approved land management and monitoring activities and a budget for FY 2009. The Board approved \$1.63 million for land management projects related to 1) Invasive Control, 2) Fire Recovery, 3) Habitat Restoration, and 4) Access Control/Management and Garbage Removal.

Eligible Activities

SANDAG has allocated \$1.63 million to address invasive species control, recovery and protection of resources damaged by the recent wildland fires, restoration of degraded habitat areas, and management to preclude unintended damage caused by recreation use. This is especially critical due to the potential for the establishment of invasive species in areas burned by the 2007 wildland fires, and the need for recovery and protection of areas until they naturally recover from the burns. It is envisioned that the \$1.63 million would be part of a multi-year strategic approach to: (1) control key exotic species, (2) promote fire recovery, (3) provide habitat restoration, and (4) provide access control/management and garbage removal in the regional preserve system. The proposed activities could include active land management efforts that include one or more of the following activities:

1. Invasive Control – Projects that reduce existing or emerging invasive species that threaten endangered and/or other sensitive species.
2. Fire Recovery – Projects that promote natural recovery of post-burn areas such as erosion control features (e.g., silt fences), fiber rolls or straw wattles, straw or wood chip mulching, hydro-seeding and hydro-mulching, the strategic identification of potential target areas for restoration efforts, and sources of plant materials for current and future restoration activities.
3. Habitat Restoration – Projects that engage in active habitat restoration on post-burn and other degraded habitat lands to promote recovery of native vegetation communities and/or threatened, endangered, and other sensitive species habitat.
4. Access Control/Management and Garbage Removal – Projects that control access to managed trails and enforce legal use of the open space areas to allow these areas to recover as soon as possible to their pre-burn conditions. This includes signage (both interpretive and cautionary), education, patrolling public use, and law enforcement. In addition, efforts to

remove garbage in existing preserve systems to allow habitat areas to recover would also be eligible activities.

Land management activities will be determined based on the needs of each property within the preserve. Projects that are not ready to start within 12 months of submission of the application to SANDAG would not be eligible for this funding cycle. A resolution from the applicant authorizing the grant application and committing to the proposed level of matching funds will be required prior to the SANDAG Board of Director's Action on the prioritized list of grant project or the proposed grant project will be dropped from consideration. Projects not started within 12 months of submission of the application will lose funding pursuant to SANDAG's "Use it or Lose it" Policy.

How Much Funding Is Available?

On September 26, 2008, the SANDAG Board of Directors approved XXX million for FY 2010 land management activities. Additional funding may be available in FY 2011 pending approval by the SANDAG Board.

Process for Allocating the Funds

SANDAG will accept project proposals from land managers in San Diego County that will benefit regional conservation planning under the Natural Communities Conservation Planning Program. The applicant must own the land, or be designated to manage the land by the land owner by contract or other written form of legal documentation. The land must be conserved as open space for natural resources. Representatives of the land owner and land manager must be identified on the application form and be authorized in writing to enter into a contract agreement with SANDAG.

Applicants must complete a project submission form that will be posted on the SANDAG website. The form will provide uniformed applications length and format when submitted online via SANDAG's website.

All project proposals will be reviewed for eligibility, ranked, and prioritized using the criteria in Attachments 3 and 4. A list of recommended projects will be submitted for consideration to the EMP Working Group and the Regional Planning Committee (RPC), and the projects are subject to approval by the SANDAG Board of Directors.

Successful applicants will then be eligible to enter into a contract with SANDAG for grant funding. Successful applicants would be required to submit quarterly reports on their progress and a final summary report of the project's contribution to promote habitat conservation in the region along with the final invoice.

Who Will Score The Projects?

An evaluation committee will be made up of EMP Working Group members and/or other qualified individuals who do not have an affiliation with any of the proposed projects. The committee will include people with knowledge of the regional preserve system and land management.

Proposed Schedule

October 15, 2009 – A call for projects is provided to EMP Working Group members and other interested stakeholders. A call for projects also will be posted on the SANDAG Web site.

December 1, 2009 – Applications are due to SANDAG.

December 15, 2009 – The evaluation committee will review and rank projects following the criteria in Attachments 3 and 4, and forward the proposals to the EMP Working Group for consideration.

January 2010 – The Environmental Mitigation Program Working Group will be providing a recommendation to Regional Planning Committee who will be asked to recommend a list of land management projects. The list of projects will be subject to approval by the SANDAG Board of Directors.

PROJECT SUBMISSION FORM
For Consideration for *TransNet* Environmental Mitigation Program (EMP) Funding
for Land Management
(FY 2009 Funding Only)

General Information on the Property (Click on the fields below to begin typing. Please use as much space as is needed. Attach to front of Proposal).

Applicant Name:

Address:

Name of
Property:

General Location:

Jurisdiction:

Total Acres:

Acres Requiring Management:

Owner(s) of Property:

Land Manager(s) of Property (include name(s), years of experience managing habitat lands, existing land management responsibilities, and references):

** If the applicant is not the landowner, please submit a letter or right-of-entry permit from the land owner granting permission to perform the land management duties as outlined in the application. Failure to provide the letter or right-of-entry permit will lead to disqualification of the application.

Funding Needs

1. How much money is being requested for this funding cycle? \$

Budget Item	Requested Funding Amount	Description
Non-personnel Expenses	\$	Includes all equipment and supplies.
Personnel Expenses Staff	\$	Includes all staff time for work on the project
Consultant Expensive	\$	Includes all cost for consultant services
Administrative Expensive	\$	All cost to administer the contract
Overhead	\$	All indirect charges for overhead on the project

2. Are there matching funds available? Yes or No

If yes, please provide the source of funds and dollar amount: \$

If yes, how are the matching funds assured?

Budget Item	Proposed Matching Funding	Description
Non-personnel Expenses	\$	Includes all equipment and supplies.
Personnel Expenses Staff	\$	Includes all staff time for work on the project
Consultant Expensive	\$	Includes all cost for consultant services
Administrative Expensive	\$	All cost to administer the contract
Overhead	\$	All indirect charges for overhead on the project

3. What management activities will be done on the property? Please list each activity and its associated cost, and an implementation schedule including time frames for each activity (you may reference the project’s scope of work):

4. Are there any federal or state permits required for these activities? Yes or No

If so, are there associated costs for these permits? Yes or No

If so, are the permit costs included in the request? Yes or No

Biological Significance

1. Does the property support or did it support natural vegetation in a core area? Yes or No

If yes, list the habitats contained on the property:

2. Does the property contribute to the Natural Communities Conservation Program regional preserve system? Yes or No

3. Is the property a linkage or regional wildlife corridor? **Yes** or **No**
4. Are there, or were there, significant populations of covered species or species proposed for coverage by a habitat conservation plan? **Yes** or **No**

If yes, please list the species:

Risk

1. Does the site suffer from natural, human, or domestic animal disturbance (e.g., off-road vehicle use, grazing, fire, flooding, and/or feral cats)? **Yes** or **No**

If yes, list the type(s) of disturbance:

2. Do exotic, invasive species threaten the preserve? **Yes** or **No**

If yes, list the species:

3. Is there uncontrolled erosion? Uncontrolled access? **Yes** or **No**

If yes, identify the source if possible:

4. Is immediate action needed to address a problem, or else the site would degrade further? Would the further degradation potential affect covered species?

Yes or **No**

If yes, explain:

Cost-Effectiveness

1. Does the proposal use efficient and proven methods and/or strategies to address the land management needs that would result in a high likelihood of success and reduce future land management costs? (e.g., control of small outbreak of aggressive exotic species, fencing to prevent damage to rare plant populations)

Yes or **No**

If yes, explain:

2. Does the proposal implement a strategic approach which covers large geographic areas (e.g., watershed or subwatershed extent) involving multiple partners and providing multiple benefits (e.g., part of a larger coordinated effort) (i.e., High Economy-of-Scale)? **Yes** or **No**

If yes, explain:

3. How would the project result in measurable biological success to implement the Natural Communities Conservation Program regional preserve system? What measurable results would be used to determine success of the project? explain:

Outreach and Public Education

4. Would the project involve the public outreach/public participation to identify the land management activities being funded and promote awareness of grant funded project? **Yes** or **No**

If yes, please explain and include the following in your explanation

- a. Estimated number of public to benefit from the project,
- b. Number and proposed volunteer hours proposed on project,
- c. Use of signage and interpretation features to be use to educate public on purpose of project,
- d. An access plan, for public use if applicable.:

PROJECT PROPOSAL (not to exceed 10 pages when combined with (Project Submission Form))

The proposal will include the purpose of the project, the scope of work, timeline, and costs. Applicants must clearly identify their proposed tasks in the scope of work, funding requested for each task (please identify staff hours and cost separately from consultant costs), start and end dates of the tasks, and deliverables. **The first page of the proposal needs to include an Executive Summary of the project.** Applicants are encouraged to identify phasing in their proposal in case full-funding for the project is not available.

REVIEW OF THE CONSERVED LANDS DATABASE

All proposed projects should be on lands that are conserved for the primary purpose of protecting open space and natural resources. Lands not conserved as open space for natural resources are not eligible for this grant funding.

Applicants should ensure that their property(ies) are in the conserved lands database and are accurately portrayed. This database can be accessed at <http://gis.sandag.org/ConservedLand>. If your property is not included in the database or is not accurately shown in the database, please contact SANDAG to add, correct, or update the information. **SANDAG will use this database (including any revisions by applicants) to determine if the land is conserved as open space and is warranted consideration to receive grant funds. Projects proposed for consideration that are not in the conserved lands database will not be eligible to receive grant funds.**

An access plan, for public use if applicable. :

EMP Criteria for Eligible Management Projects (FY 2008 Funding)

Is the project biologically significant?

For example:

- Does it, or did it, support natural vegetation in a core area?
- Is the project important? Does it contribute to the Natural Community Conservation Planning regional preserve system?
- Is it a linkage or regional wildlife corridor?
- Are there, or were there, significant populations of covered species or species proposed for coverage by a habitat conservation plan?

Yes

Is the project area at risk of further degradation if no management is provided?

For example:

- Was the site affected by the 2003 and/or 2007 wildfires and requires land management to recover?
- Does the site suffer from human or domestic animal disturbance (e.g., off-road vehicle use, grazing)?
- Do exotic, invasive species threaten the preserve?
- Uncontrolled erosion? Uncontrolled access?

Yes

Is funding necessary to complete the project as verified by the Wildlife Agency?

Yes

ELIGIBLE PROJECT: Prioritization of eligible projects. Factors for consideration:

- Sites that support rare vegetation types, narrow endemics, or cover species at risk of extirpation (e.g., Tier 1 habitats, vernal pools, cactus wren).
- Critical linkage parcels or regional wildlife corridor.
- Success of management activities is likely with clear measurable positive results (e.g., Arundo removal at the top of a watershed will receive higher priority than a site in the middle).
- Lack of management on the site may affect continued coverage of species.
- Dedicated staff (agency, jurisdiction, non-governmental organization) willing to assume long-term management.
- Percentage of matching contributions available to complete the project.
- Urgent action is needed to address a problem, or else the area would degrade further.
- Projects that propose to implement a strategic approach which covers large geographic areas involving multiple partners and multiple benefits (e.g., watershed approach for exotic species removal).
- Projects that promote public awareness of grant activity through public outreach and participation.

**STOP
PROJECT
INELIGIBLE**

Project Eligibility Evaluation and Ranking

Note: Do not fill out this section. This section is to be used by the project evaluation committee. The total scores for all the submitted projects will be converted to a rank value for each of the evaluation members.

Name of Property: _____

Name of Reviewer: _____

Project Evaluation Criteria	Point Range	Weight	Maximum Score Possible	Total Score
Lack of management on site may affect coverage of species.	0-5	5	25	
Site supports rare vegetation types, populations of narrow endemics or species at risk of extirpation (e.g., Tier 1 habitat, vernal pools, cactus wren).	0-5	4	20	
Critical linkage parcels or in regional wildlife corridor.	0-5	4	20	
Long term success of management activities is likely with clear measurable positive results which will reduce future land management costs. High Cost-Effectiveness	0-5	4	20	
Urgent action is needed to address a problem or else the site would degrade further.	0-5	4	20	
Dedicated staff (agency, jurisdiction, non-government organization) willing to assume long-term management.	0-5	3	15	
Project part of a larger strategic effort which covers a large area with multiple partners and multiple benefits? High Economy-of-Scale.	0-5	3	15	
Sufficient matching funds available to complete the project.	0-5	2	10	
Project promotes public awareness of sustainable land management through public outreach and participation.	0-5	2	10	
Total			155	

San Diego Association of Governments
ENVIRONMENTAL MITIGATION PROGRAM
WORKING GROUP

July 14, 2009

AGENDA ITEM NO.: **6**

Action Requested: INFORMATION / DISCUSSION

PROPOSED SCOPE OF WORK AND BUDGET
FOR OPEN SPACE ENFORCEMENT

File Number 3002700

Introduction

On September 26, 2008, from the recommendation of the Environmental Mitigation Program (EMP) Working Group, the SANDAG Board of Directors (Board) approved the allocation of \$2.9 million for land management and monitoring activities under the Regional Habitat Conservation Grants FY 2009, of which \$220,000 was allotted for the enforcement of open space lands in the San Diego region.

In considering the most efficient and effective use of the enforcement fund, on May 12, 2009, the EMP Working Group heard from a panel of enforcement experts on their experiences of enforcing illegal activities in open space areas and recommendations on how the fund can be best utilized. The panel comprised of: Lt. Rick Turvey and Darryl Murry from the Sheriff's Department Off-Road Enforcement Team (ORET); Sgt. Mike Ference from the California Department of Fish and Game (DFG) Enforcement Branch; and Chris Zirkle from the City of San Diego Open Space Division.

Since the May Working Group meeting, SANDAG staff has met with Lt. Turvey, Sgt. Ference, and Ranger Sue Pelley from the City of San Diego to continue discussion and develop a scope of work for both the off-road enforcement of open space violations and increasing public awareness of open space rules and regulations.

Discussion

Illegal use of off-road vehicles, trespassing, vandalism, and littering has detrimentally impacted the sensitive flora and fauna found in the region's open space lands. Passive enforcement efforts have not been an effective tool in managing and deterring these illegal activities. Despite signage installation and access control (barriers and fencing), open space violations continue to persist on both publicly owned lands and privately owned properties.

The current level of open space enforcement by municipalities across the region is low. The lack of jurisdictional resources to support aggressive patrol operations has limited the effectiveness of the laws and regulations in place for open space protection.

Below are SANDAG staff's recommendations on the utilization of the allotted \$220,000 for open space enforcement.

Off-Road Enforcement and Illegal Dumping - \$200,000

The long-term protection of sensitive habitats in open space areas relies on an active enforcement presence to deter prohibited activities and/or cite violations when they are occurring as well as educational programming and public outreach. Staff has determined that \$200,000 of the budget be used towards a pilot project to increase the law enforcement presence in region's open spaces.

Staff recommends funding the DFG Enforcement Branch and the Sheriff's ORET to increase patrol operations in targeted open space areas in the region. Each agency will receive \$100,000 to support personnel and equipment expenses to reduce and deter activities relating to:

- Off-road vehicular trespass
- Destruction of natural habitat
- Illegal hunting / fishing, unlawful trespass
- Illegal dumping
- Transient encampments

Uniformed officers from the DFG Enforcement Branch and the Sheriff's ORET will be the enforcing authority for this operation since the DFG and Sheriff's Department have jurisdiction to enforce state laws and local ordinances across multiple jurisdictions. Working collaboratively, DFG Enforcement Branch and Sheriff's ORET will participate in information gathering and sharing and joint operational plans that utilize each agency's unique jurisdictional capabilities to reduce illegal activities in targeted open spaces areas.

The success of this operation will be based upon quantified reductions in open space violations. Quarterly reports and statistical analyses of issued warnings/citations and staffing hours/patterns, as required deliverables from each of these agencies, will be the standard for measuring the success of this enforcement operation.

Public Education - \$20,000

Based upon input received from the May 12 meeting, SANDAG recognizes the importance of promoting public awareness to deter detrimental behaviors in the region's open spaces. Staff is recommending the use of \$20,000 for the City of San Diego to develop and implement a pilot program to increase public awareness through the interpretation and dissemination of open space information by City park rangers. To meet the open space enforcement objectives, the funds will be dedicated towards ranger-led activities relating to:

- Public outreach and polling users to determine public perception
- Educational / stewardship / volunteer activities and programs
- Signage, brochures, and information kiosks installation and maintenance

Public outreach will assist in the prevention, detection, and enforcement of prohibited activities on open space lands. Encouraging environmental stewardship and increasing public awareness and participation will ensure the effectiveness of the project. Educating the public on legally designated riding areas for mountain bikes, equestrian and hiking; promoting understanding of open space

issues, and empowering the public to take appropriate actions will aid in the protection of the sensitive biological resources (in the region) as well as facilitate the off-road enforcement efforts by the Sheriff's ORET and DFG game wardens.

Project deliverables will include a baseline analysis of public perception of open space, a copy of printed matter (i.e., handouts, brochures, fact sheets, etc.), and quarterly progress reports.

Next Steps

Staff will continue to work with the Sheriff's Department, DFG, and City of San Diego to finalize the scope of work. After all cost estimates are submitted and reviewed, staff will draft a Memorandum of Understanding between SANDAG and the Sheriff's Department, Department of Fish and Game, and City of San Diego for final approval by the EMP Working Group.

Key Staff Contact: Marina Som, (619) 699-7312, mso@sandag.org