



Gavin Newsom, Governor
NATURAL RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE CONSERVATION BOARD
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Final Meeting Agenda

WILDLIFE CONSERVATION BOARD

SPECIAL MEETING

December 8, 2020, 8:00 a.m.

*Consistent with Governor Newsom's Executive Order N-29-20, the public and Board members will participate in the meeting via Microsoft Teams Meeting or teleconference. Public comment will be accepted per the agenda.

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You can also join just by phone though you will not be able to see the PowerPoint.

*If you anticipate commenting during the Public Comment period or on a particular agenda item and would like to register your name ahead of time, please complete this [Speaker Card \(Word\)](#) and email to Mary.Ahern@wildlife.ca.gov prior to the day of the meeting.

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PERSONS WITH DISABILITES

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1. Roll Call

Wildlife Conservation Board Members

Charlton H. Bonham, Chair
Director, Department of Fish and Wildlife
Alina Bokde, Public Member
Keely Bosler, Member
Director, Department of Finance
Diane Colborn, Public Member
Mary Creasman, Public Member
Fran Pavley, Public Member
Eric Sklar, Member
President Fish and Game Commission

Joint Legislative Advisory Committee

Senator Andreas Borgeas
Senator Nancy Skinner
Senator Henry Stern
Assemblymember Laura Friedman
Assemblymember Al Muratsuchi – Alternate
Assemblymember Eduardo Garcia
Assemblymember Miguel Santiago – Alternate
Assemblymember Monique Limon
Assemblymember Marc Levine – Alternate

Executive Director

John P. Donnelly

2. Public Forum for Items not on this Agenda

This is an opportunity for the general public to share comments or concerns on topics that are not included in this agenda. The Board may not discuss or take action on any matter raised during this item, except to decide whether to place the matter on the agenda of a future meeting. (Sections 11125, 11125.7(a), Government Code)

Proposed Item

3. Rancho Jamul Land Exchange

STAFF RECOMMENDATION

Staff recommends that WCB adopt the written findings and approve this project as proposed; approve the exchange of properties between CDFW and GDCI Proctor Valley, L.P., a Delaware limited partnership, (GDCI) per the terms of the land exchange agreement; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and CDFW to proceed substantially as planned.

Project Title:	Rancho Jamul Land Exchange
Project Type:	Land Exchange
Amount Recommended:	\$0
County:	San Diego
Program:	Land Acquisition Program
Strategic Plan Goals:	A.1, A.3, A.4 Objectives: SI 1.2, 2.2
Disadvantaged Community:	Not within a disadvantaged community

LOCATION

The exchange properties (Properties), owned by CDFW and GDCI, are in an area known as Proctor Valley (Valley) in southwestern unincorporated San Diego County (County). The Properties are situated approximately 15 miles east of downtown San Diego, 1 mile northeast of the city of Chula Vista, and 1 mile southwest of the community of Jamul. California State Route 125, a County north-south freeway, provides access to the Properties by way of Proctor Valley Road, a County maintained public road.

The Properties are nestled in a rural foothill area and are adjacent to, nearby, or part of the 5,600± acre CDFW Rancho Jamul Ecological Reserve (Reserve). The Properties and the Reserve are identified in the County's San Diego Multiple Species Conservation Program, Subarea Plan (MSCP) which provides a unique framework that balances region-wide conservation efforts with streamlined building regulations and permit processes to support healthy community growth. The MSCP ensures compliance with both the Federal Endangered Species Act, California Endangered Species Act, and State Natural Communities Conservation Planning Act. The Reserve is an important component of the MSCP, supporting a multi-habitat preserve system that supports large areas of coastal sage scrub, annual grasslands, and riparian habitat that benefit sensitive species. In total, the MSCP is designed to protect and preserve 85 different species.

The Reserve is bounded by numerous public ownerships that connect to provide a large core area of conserved land, including the BLM's Otay Mountain Wilderness Area, the USFWS San Diego-Sweetwater National Wildlife Refuge, CDFW's Hollenbeck Canyon Wildlife Area, and various city and County ownerships.

PROJECT DESCRIPTION

This project was originally presented to the Board at the August 26, 2020 meeting. After deliberation, the Board decided to reconsider the project at a later Board meeting. The Board wanted to wait until USFWS approved the MSCP amendment and the exchange proposed for Board approval. USFWS issued its approval, as detailed below. Previously, CDFW approved the MSCP Subarea Plan Amendment on August 14, 2020.

The proposed Land Exchange Agreement is consistent with a Dispute Resolution Agreement (DRA) entered into by CDFW, USFWS, County, and GDCI. The parties entered into the DRA to resolve differences associated with proposed development of GDCI-owned lands in the Valley under the MSCP Subarea Plan. Specifically, the parties had a disagreement over the development status of certain lands owned by GDCI. In the DRA, the parties agreed to a modified land development plan that requires a land exchange between CDFW and GDCI and an amendment to the MSCP Subarea Plan.

In 2003, with the support of two USFWS nontraditional Section 6 grants and approved WCB matching funds, CDFW acquired 1,445± acres of land (CDFW lands) to support its obligation to the MSCP. The CDFW lands are now part of the Reserve with a 219± acre portion (CDFW Exchange Lands) now subject to the proposed exchange for 339± fee title acres currently owned by GDCI along with a 191± acre conservation easement on GDCI land (collectively, the Acquisition Properties). The Acquisition Properties are adjacent to, or in the vicinity, of the Reserve.

The Acquisition Properties proposed for exchange to CDFW will become part of the Reserve providing a net increase of 120± acres of land that would be owned in fee by CDFW, plus an additional 191± acres of land protected under the conservation easement held by CDFW. The conservation easement is strategically located to provide for a fully viable east-west regional wildlife corridor between other large tracts of conserved lands along with also providing the opportunity to properly monitor the property to prevent excessive public use from trails. In addition, the Acquisition Properties support a superior preserve design configuration creating a broader east-west track of connectivity land between Sweetwater Reservoir/San Miguel Mountain to the west, and eastward through other portions of the Reserve and CDFW's Hollenbeck Canyon Wildlife Area and also improves the north-south linkage between San Miguel Mountain and Otay Lakes. The contiguous connectivity created by the Acquisition Properties provides CDFW with a more uniform Reserve area to manage efficiently. With proper management, the Acquisition Properties' habitat is suitable to, and will benefit, the primary sensitive species considered as part of the exchange: the federally endangered Quino checkerspot butterfly along with the federally threatened coastal California gnatcatcher and western spadefoot toad.

In 2019, the County approved a "Current Land Plan" (Plan) that GDCI could implement to the extent it was consistent with the County's MSCP at that time. The Plan would allow for the development of 468 dwelling units, and supporting

recreational parks, a swim club, and open space on the Acquisition Properties. If the Plan were implemented, permanent fragmentation of potential habitat connectivity would occur with severe edge effects of development infringing on the outlying areas of the current Reserve structure and CDFW-owned lands. The exchange negotiated in the DRA and proposed here, would avoid the permanent fragmentation by allowing for development of the CDFW Exchange Lands after the exchange, creating a more compact development footprint and significantly reducing the linear edge effects between development and sensitive habitat of the original Plan. If the exchange does not occur, GDCI plans to implement the Plan which would result in 130± acres of the CDFW Exchange Lands becoming surrounded on three sides by new housing development along with a four-lane road on the fourth side. The biological integrity of the current Reserve structure, including sensitive species habitat and corridors, would also be expected to substantially decline over time.

CDFW, in coordination with WCB, requested that the USFWS authorize the land disposal/exchange of the 219± acres owned by CDFW for the 339± acres owned by GDCI. This request was necessary pursuant to Federal regulations (2 CFR §200.311) that requires USFWS approval to dispose/exchange lands acquired with Section 6 funding. As this approval is considered a federal action, USFWS was required to complete environmental compliance including under the National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) prior to authorizing the exchange. To meet NEPA requirements, the USFWS posted an Environmental Assessment on its website for 30 days and coordinated with Native American tribes. The public comment period was extended for an additional two weeks in response to a request from the City of San Diego. The USFWS finalized the *Environmental Assessment for the Disposal of Property in the Otay Ranch Preserve Lands within the Rancho Jamul Ecological Reserve acquired by the State of California, in Part, with Federal Funding and for the Multiple Species Conservation Program County of San Diego Subarea Plan Amendment for Otay Ranch Village 14 in the County of San Diego, California*, signed the Findings of No Significant Impact pursuant to NEPA, and approved the proposed land disposal/exchange on November 17, 2020. USFWS' approval concluded that there is biological equivalency between the 219± acres of CDFW lands and the 339± acres of GDCI lands being exchanged. The USFWS' approval did not consider the conservation easement as part of its approval process, as it was negotiated as part of the exchange by CDFW to ensure compatible land use adjacent to CDFW lands and to ensure CDFW receives lands of greater biological value as wildlife habitat than what it is disposing of. If the exchange is approved, the Section 6 requirements will be applied to the 339± acres acquired from GDCI. The exchange furthers the habitat conservation goals of the MSCP.

MANAGEMENT OBJECTIVES AND NEEDS

CDFW will be responsible for the long-term management of the Acquisition Properties as part of the Reserve. The Acquisition Properties will be managed in accordance with the existing Reserve management plan. The proposed exchange is supported by a Land Conversion Evaluation (LCE) prepared by CDFW which,

while identifying that the exchange does impact some sensitive species, ultimately concludes that the proposed exchange is biologically superior to that which would result from implementation of the Plan.

TERMS

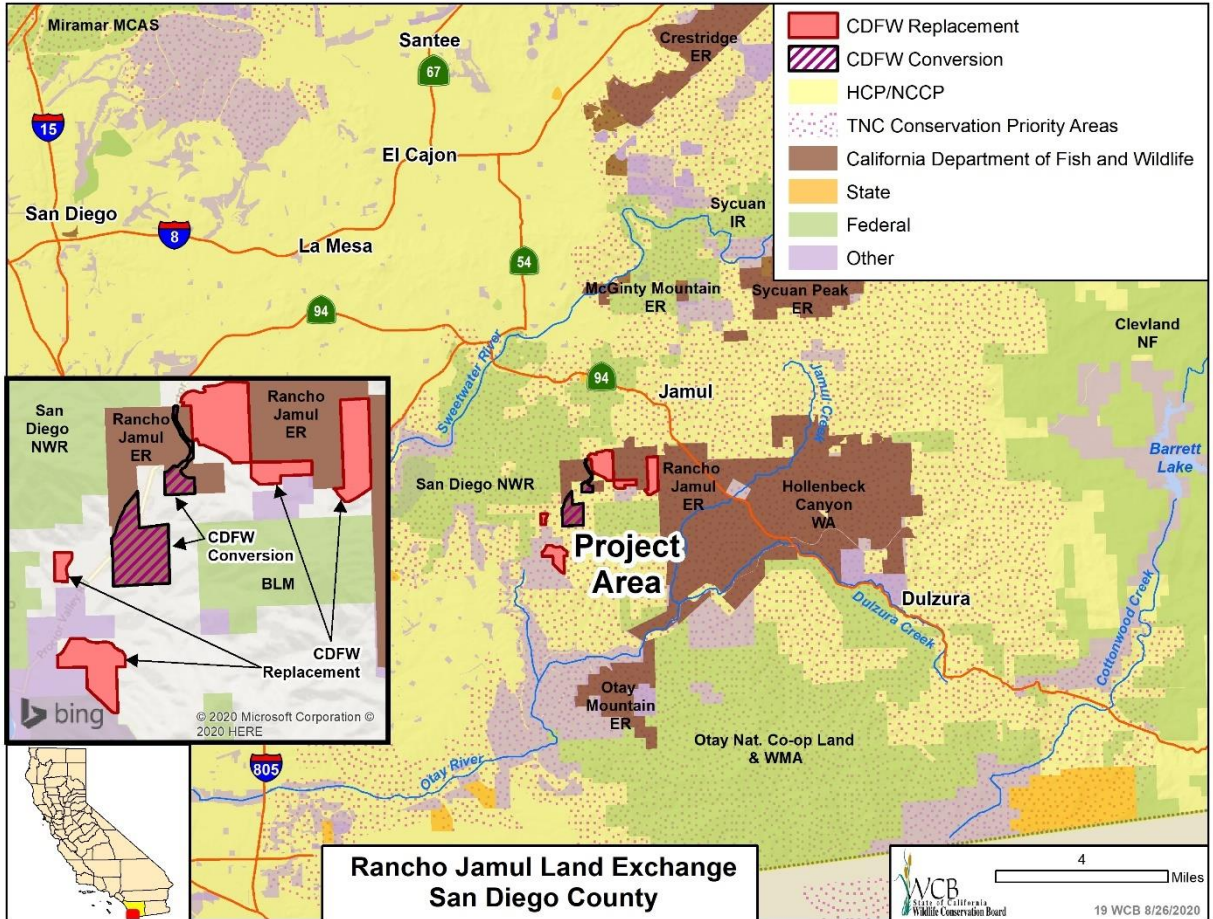
The Acquisition Properties were appraised as having a fair market value of \$56,485,000. The CDFW Exchange Lands were appraised as having a fair market value of \$31,000,000. Per the terms of the exchange agreement, no compensation will be exchanged between CDFW or GDCI for the difference in value of the CDFW Exchange Lands and the Acquisition Properties. The appraisals covering all the properties have been reviewed and approved by DGS. WCB must review and approve all title documents, appraisals, preliminary title reports, exchange documents, escrow instructions, and instruments of conveyance prior to the exchange.

WCB PROGRAM

The proposed exchange is being considered under WCB's Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Code Section 1300, et seq.), which authorizes WCB, under Fish and Game Code Section 1348(c)(2), to exchange real property or rights in real property held under the jurisdiction of CDFW. These activities were carried out in conjunction with CDFW, which prepared a LCE to provide justification for the exchange. The LCE must be approved by subdivisions within CDFW that includes the land acquisition coordinators in the Regional Office, Lands Program, Regional Manager, and Deputy Director for the Wildlife and Fisheries Division. The LCE is then submitted to the Director for final approval and submission to WCB for its consideration and final approval.

CEQA REVIEW AND ANALYSIS

As lead agency, the County prepared an Environmental Impact Report (EIR) for the project pursuant to the provisions of CEQA. Staff has considered the EIR and has prepared proposed written findings documenting WCB's compliance with CEQA. Subject to approval of this proposal by WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.



Adjourn

ATTACHMENT A – WCB DEFINITIONS AND ACRONYMS

DEFINITIONS

Disadvantaged Community – a community with a median household income less than 80 percent of the statewide average (PRC § 80002[e]).

Severely Disadvantaged Community - a community with a median household income less than 60 percent of the statewide average (PRC § 80002[n]).

ACRONYMS

Americans with Disabilities Act	ADA
Bureau of Land Management	BLM
California Department of Fish and Wildlife	CDFW
California Department of Finance	DOF
California Department of Forestry and Fire Protection	CAL FIRE
California Department of General Services	DGS
California Department of Transportation	Caltrans
California Department of Water Resources	DWR
California Endangered Species Act	CESA
California Environmental Quality Act	CEQA
California Fish and Game Commission	FGC
California Natural Resources Agency	CNRA
Conceptual Area Protection Plan	CAPP
Disadvantaged Community	DAC
Habitat Conservation Plan	HCP
National Environmental Policy Act	NEPA
National Marine Fisheries Service	NMFS
National Oceanic and Atmospheric Administration	NOAA
Natural Community Conservation Plan	NCCP
Notice of Exemption	NOE
Resource Conservation District	RCD
Resource Conservation Investment Strategy	RCIS
Severely Disadvantaged Community	SDAC
Sierra Nevada Conservancy	SNC
State Coastal Conservancy	SCC
Sustainable Groundwater Management Act	SGMA
Tahoe National Forest	TNF
U.S. Fish and Wildlife Service	USFWS
U.S. Forest Service	USFS
Wildlife Conservation Board	WCB

ATTACHMENT B – WCB STRATEGIC PLAN GOALS AND OBJECTIVES

GOAL A. ENVIRONMENTAL PROTECTION AND CONSERVATION

Acquire and invest in wildlife habitat and natural areas, and work towards long-term, landscape level conservation, habitat quality and connectivity, and the success of wildlife species and populations.

A.1 Fund projects and landscapes that provide resilience for native wildlife and plant species in the face of climate change.

A.2 Fund projects and landscape areas that conserve, protect, or enhance water resources for fish and wildlife.

A.3 Fund projects that support the implementation of Natural Community Conservation Plans, Habitat Conservation Plans and recovery of listed species.

A.4 Invest in priority conservation projects recommended under CDFW's land acquisition evaluation process or within other conservation plans supported by CDFW.

A.5 Improve transparency and efficiency of WCB and CDFW project evaluation and recommendations to approve or deny applications

A.6 Coordinate acquisition application processes to ensure that WCB project evaluation is unified across programs to the fullest possible extent.

GOAL B. ENVIRONMENTAL RESTORATION AND ENHANCEMENT

Work with partners to restore and enhance natural areas, create viable habitat on working lands, manage adaptively, and ensure long-term ecosystem health.

B.1 Invest in projects and landscape areas that help provide resilience in the face of climate change, enhance water resources for fish and wildlife and enhance habitats on working lands.

B.2 Strengthen the grant application process to further highlight the importance of the following factors in project design and selection: robustness and resilience to extreme weather events, ecosystem services (e.g. groundwater recharge, flood reduction, fire prevention, etc.), water quality and quantity, and compatible public use and access.

B.3 Improve transparency and efficiency of WCB and CDFW project evaluation and recommendations to approve or deny applications.

B.4 Expand project monitoring and evaluation of restoration activities to assess long-term project success, moving beyond compliance monitoring.

B.5 Provide opportunities for greater public involvement in restoration projects.

GOAL C. PUBLIC USE AND RECREATION

Leverage WCB investments in programs and projects by expanding opportunities for outdoor wildlife-oriented recreational activities that are compatible with conservation goals.

C.1 Support a wide range of recreational activities (e.g. hunting, fishing, birding, hiking, camping, photography, etc.) in conjunction with other land uses and without degrading environmental resources.

C.2 Document and describe the current public access project evaluation and selection processes and explore the option of establishing a competitive grant making cycle for the Public Access Program.

C.3 Standardize existing project monitoring protocols to facilitate consistent reporting and improved performance management.

C.4 Place greater emphasis on projects that accommodate compatible wildlife-oriented public uses, while supporting urban areas and disadvantaged communities.

GOAL E. Fiscal and Organizational Effectiveness

E.1 Maximize expenditure of remaining bond funds and identify opportunities to leverage existing funds as effectively as possible.

SI 1: CLIMATE CHANGE ADAPTATION, RESILIENCY, AND MITIGATION (PLAN GOALS A, B, AND C)

OBJECTIVE SI 1.1 Invest in at least three wildlife under-or over-crossings each year for the next three years (2019 - 2021), in locations deemed high priority by both transportation and fish and wildlife agencies.

OBJECTIVE SI 1.2 Invest in at least five projects that contribute to connectivity as highlighted in the California Terrestrial Connectivity Map, or linkages as mapped in regional assessments.

OBJECTIVE SI 1.3 Ensure 40 percent of all acquisition and restoration projects are in areas identified as habitat for vulnerable species or as highly resilient to climate change.

OBJECTIVE SI 1.4 Invest in at least five projects that provide long-term measurable carbon sequestration benefits.

OBJECTIVE SI 1.5 Collaboratively develop and publish criteria for addressing catastrophic natural resource events like extreme fire and prolonged drought, for inclusion as priorities in future solicitations.

OBJECTIVE SI 1.6 Collaboratively identify and fund five upper watershed improvement projects each year that have a primary or secondary purpose of providing resilience to climate change

SI 2: BIODIVERSITY ACTIONS (PLAN GOALS A AND B)

OBJECTIVE SI 2.1 Increase habitat for sensitive species to support biodiversity through statewide protection or restoration of oak woodlands, riparian habitat, rangeland, grazing land, and grassland habitat by funding at least 10 projects in each of these WCB programs with at least 25 percent of restoration projects on conserved lands.

OBJECTIVE SI 2.2 Each year, invest in at least three acquisitions and two restoration grants that advance habitat and natural community targets embodied in RCIS, NCCPs, or regional conservation plans.

OBJECTIVE SI 2.3 Implement at least 10 projects each year that enhance stream flow, increase water resiliency and meet priorities in the California Water Action Plan.

OBJECTIVE SI 2.4 Ensure 75 percent of all approved projects meet one or more conservation priorities expressed in the SWAP.

OBJECTIVE SI 2.5 Protect or restore at least 1,000 acres each of riparian, wetlands, and grassland habitats in priority areas as defined in the SWAP.

SI 3: PUBLIC ACCESS AND WILDLIFE-ORIENTED RECREATION (PLAN GOAL C)

OBJECTIVE SI 3.1 Invest in at least five projects providing public access for disadvantaged or severely disadvantaged communities.

OBJECTIVE SI 3.2 Invest in at least five projects providing boating/fishing/hunting access to disadvantaged communities and providing additional facilities for mobility-impaired visitors and/or access compliant with the Americans with Disabilities Act.

OBJECTIVE SI 3.3 Invest in at least 10 projects that provide hunting or fishing opportunities (at least five each).

OBJECTIVE SI 3.4 Invest in at least 10 projects that have a primary or secondary purpose of non-consumptive wildlife recreation, such as bird watching or hiking.

OBJECTIVE SI 3.5 Attend or conduct at least two meetings per year that provide outreach, workshops, and materials to increase visibility of the WCB Public Access Program. At least one should be in a disadvantaged community.

SI 4: ECOSYSTEM SERVICES (PLAN GOAL A, B AND D)

OBJECTIVE SI 4.1 Each year, invest in at least five acquisition or restoration projects that have a demonstrated and measurable upper watershed ecosystem services benefit.

OBJECTIVE SI 4.2 Each year, invest in at least three projects that have a primary purpose of conserving or restoring native pollinator habitat in locations that provide a measurable ecosystem services benefit.

OBJECTIVE SI 4.3 Invest in at least five projects that provide tangible ecosystem services benefits to local lower watershed (urban or rural) communities, and document that benefit.

SI 5: PARTNERSHIPS (PLAN GOALS A, B, C, AND D)

OBJECTIVE SI 5.1 Invest in at least three projects that support state or federal Safe Harbor programs.

OBJECTIVE SI 5.2 Conduct outreach, including meetings or field visits to five new partners per year.

OBJECTIVE SI 5.3 Implement at least three competitive grant solicitations over the next five years that have been coordinated among multiple organizations and are directed at a high priority habitat per WCB program priorities.

OBJECTIVE SI 5.4 Per the USFWS Urban Wildlife Conservation Program, establish a new partnership with one urban community each year to support nature and wildlife connections consistent with WCB programs.

SI 6: WCB ORGANIZATION AND TRANSPAREN-CY (PLAN GOALS D AND E)

OBJECTIVE SI 6.1 By the end of 2020, implement a system to make WCB meetings accessible online.

OBJECTIVE SI 6.2 By the end of 2020, make substantial progress in standardizing solicitation content, criteria, and process, and develop an online application portal for competitive grants.

OBJECTIVE SI 6.3 By the end of 2020, update the WCB website to include current goals, targets, metrics, and conservation priorities for each WCB Program.

OBJECTIVE SI 6.4 By the end of 2020, develop and make mapped data that illustrates WCB projects and their relationship to program conservation objectives available to the public.

OBJECTIVE SI 6.5 Each year, hold at least one conservation partner workshop in a different part of the state, to discuss competitive grant programs and receive feedback.

OBJECTIVE SI 6.6 Sponsor at least five conferences or workshops each year throughout the state and distribute outreach materials about WCB programs.

SI 7: NATURAL RESOURCE CONSERVATION LEADERSHIP (PLAN GOALS D AND E)

OBJECTIVE SI 7.1 Take the lead to coordinate among the state conservancies and other agencies, regarding habitat-based priorities for upcoming competitive grant solicitations.

OBJECTIVE SI 7.2 Participate in the development and implementation of the natural working lands elements of the State Safeguarding and Scoping Plans.

OBJECTIVE SI 7.3 With CDFW, complete a unified, simplified process to identify CDFW's acquisition investment priorities and obtain CDFW's review and endorsement of WCB projects

OBJECTIVE SI 7.4 Participate in statewide policy development efforts to improve fire resiliency and forest management through natural resource protection and restoration.

OBJECTIVE SI 7.5 Refine priority conservation areas for each WCB program (consistent with overall WCB goals), and report progress toward program-specific goals annually or biannually

SI 8: MONITORING AND PROGRAM EVALUATION (PLAN GOAL E)

OBJECTIVE SI 8.1 By 2021, define criteria for effectiveness monitoring by program, habitat or geography.

OBJECTIVE SI 8.2 Through continued implementation of the annual monitoring program, by 2024, cumulatively monitor 20 percent of completed projects, summarize the project compliance results, and post on the WCB website.

OBJECTIVE SI 8.3 By 2024, make the monitoring survey platform accessible on the WCB website for use by project partners.

OBJECTIVE SI 8.4 Include monitoring data in each WCB annual report and list projects by county and by SWAP habitat type.

OBJECTIVE SI 8.5 By 2022, update the WCB 60-year assessment—for WCB's 75th anniversary—to highlight program accomplishments, including the acreage of habitat type preserved and restored.