

MEETING DATE:

August 11, 2014

AGENDA ITEM:

(1) Selection of Three Nominations for the Governor's Appointment of One Voting Member to the Baldwin Hills Conservancy (BHC) Board of Directors (Board); and (2) Ranking of those Nominees in Priority Order.

ATTACHMENTS

Copies of all applications (with personal information redacted)

Pages
1-88

APPLICATION FOR COMMISSIONS, COMMITTEES, AND BOARDS

(Please type or print legibly— or use the PDF fill-in form available at www.culvercity.org)

**Please be advised this document is a public record and
information contained herein may be subject to public disclosure
as required by the California Public Records Act and any other
applicable law.**

General Information:

1. Identify the Commission(s), Committee(s), and Board(s) to which appointment is desired. Please list all appointments for which you are applying:

Baldwin Hills Conservancy Board of Directors

2. Name: Lloyd Dixon Telephone: [REDACTED]

Address: [REDACTED] Zip: [REDACTED]

Business: RAND Corporation Telephone: (310) 393-0411 x7480

Address: 1776 Main St. Santa Monica, CA Zip: 90407

E-mail address: [REDACTED]

3. Community Service (List commissions, committees, boards, and other organizations on which you have served or currently serve and offices held and in what city those positions were or are held.):

Baldwin Hills Conservancy Board

2012 to present: Chairperson of ad-Hoc Negotiations Committee

2011: Chairperson of the Board

2010: Vice-Chairperson of the Board

2008 to present: Board Member

Culver City High School Boosters Club

2012 to present: President

2010 to 2011: Membership coordinator

2008 to 2009: e-scrip coordinator

Culver City Unified School District Prop EE Citizens Oversight Committee

2010 to present

Blair Hills Association Co-President: 1994 to 1996

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CITY MANAGER'S OFFICE
CITY OF CULVER CITY

4. Employment (Include titles and duties of current and past employment):**RAND Corporation**

Director of the Center for Catastrophic Risk Management and Compensation: 2013 to present

Research Director of the Center for Terrorism Risk Management Policy: 2007-2009

Senior Economist: 1997 to present

Economist: 1992-1997

Associate Economist: 1989-1992

5. Education (Include professional or vocational licenses and certificates.):

B.S. General Engineering, Stanford University

B.A. Political Science, Stanford University

Ph.D. Economics, University of California, Berkeley

6. Additional Information

- a. Are you a Culver City resident? YES ☒ NO ☐
Number of years: 22
- b. Are you a Culver City business owner/operator? YES ☐ NO ☒
Number of years: _____
- c. Are you registered to vote in Culver City? YES ☒ NO ☐
- d. Have you ever been convicted, fined, imprisoned or placed on probation for a felony or a misdemeanor? YES ☐ NO ☒
- e. Have you ever worked for the City of Culver City? YES ☐ NO ☒
(If yes, list dates of employment and names of departments.)
- f. Are you related to any current City employees or appointed officials of the City of Culver City? (If yes, indicate name and relationship.) YES ☐ NO ☒
- g. Have there been, or are there now, any circumstances which might reflect adversely on the propriety of your serving as a member of any body to which you might be appointed? YES ☐ NO ☒
- h. How many meetings of the Commission(s), Committee(s), or Board(s), to which you are interested in being appointed have you attended in the last year? 13
- i. How much time, on a monthly basis, do you anticipate spending on preparation for attendance at meetings of the body to which you desire appointment? 20 hours

7. Please list the reasons why you are seeking appointment to a City body. (When possible, please be specific to the body's role.)

During my seven years on the Baldwin Hills Conservancy Board, I feel that I have made substantial contributions to the City and to the Conservancy. At a more mundane level, I have been a reliable attendee at Board meetings, helping to ensure a quorum for the Board's business. I have also been an active advocate for various projects that have enhanced the quality of life for the residents of Culver City and the area more broadly. For example, I was a strong supporter and advocate for the road and pedestrian improvements at the entrance to the Baldwin Hills Scenic Overlook on Jefferson. I have also been an advocate for efforts to acquire and improve the Linda Vista School site in Blair Hills in a way that benefits the region but is sensitive to the concerns of Blair Hills residents. Finally, I have encouraged the Conservancy's executive director to consider innovative ways to incentivize oil well consolidation and the restoration of native habitat and ecosystems.

I care deeply about the Conservancy's mission and goals and want to do what I can to further them.

Application for City Commissions, Committees, and Boards

Revised: 04/13

Page 5 of 8

8. What is there specifically in your background, training, education or interests that qualifies you for appointment?

I am a professional economist and policy analyst, and I am able to draw upon these skills to assess the issues facing the Board. I am also a pragmatist who tries to work with the different stakeholders in the Baldwin Hills to move forward in the public interest.

In addition, I have lived in Blair Hills for 22 years and am familiar with the issues (and opportunities) the Conservancy presents for Blair Hills and the City.

9. How would you help the body perform its established role, objectives, and/or goals, as established by the City Council?

I would continue to be one of the most reliable board members in terms of attendance at Board meetings as well as be active on the ad-hoc negotiations subcommittee (which considers issues related to land acquisition). I would continue to explore ways to increase the land to which the public has access. For example, I would continue to advocate for well consolidation and explore financial and other incentives that the Conservancy could provide for well consolidation.

Over my tenure on the Board, I have provided regular updates at City Council meetings on the projects either underway or under consideration by the Board, with special focus on the projects that most impact Culver City. I will continue to provide regular updates and solicit input and advice from the City Council and City staff. I think I have been an effective liaison between the City and the Conservancy and contributed to the increase in the trust and cooperation between the City and Conservancy that has occurred over the last seven years.

10. What special qualities and/or qualifications can you bring to the body(ies) to which you seek appointment(s)?

I have become very familiar with the opportunities and challenges facing the Conservancy during my time on the Board. This familiarity will allow me to be an effective board member moving forward.

I have also cultivated contacts and relationships with some of the surface rights owners and well as the mineral rights holders in the Baldwin Hills, and will be able to draw on these contacts moving forward. It takes time to develop these relationships, and I think it will benefit the City and the Conservancy for me to be able to continue to develop and take advantage of these relationships.

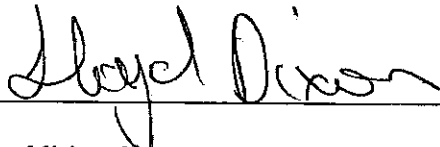
11. Is there anything else you'd like to add that does not fit neatly into the answers to the prior questions? (You may attach supplemental information, if desired.)

I would very much appreciate the opportunity to continue to serve on the Baldwin Hills Conservancy Board and thank you for considering this application.

REMINDER: All information on this application will become a public record and may be subject to public disclosure as required by the California Public Records Act and any other applicable law.

By checking this box ☒ or signing below, I hereby certify that the foregoing information is correct to the best of my knowledge

Signature: Lloyd Dixon



Date: 07/29/2014

You are invited to attach additional pages, enclose a copy of your resume and/or submit supplemental information which you feel may assist the appointing authority in its evaluation of your application.

Please submit your application and any attachments no later than the final filing date as announced in the Notice of Vacancy and Request for Applications to the City of Culver City:

By Mail or Hand delivery Office of the City Clerk
9770 Culver Boulevard
Culver City, CA 90232-0507

OR

By Fax: (310) 253.6010

OR

By Electronic Delivery: city.clerk@culvercity.org

If you have questions regarding the completion or filing of this application, please contact the City Clerk's Office by fax or email, as indicated above, or by phone at (310) 253-5851.

Wolfberg, Shelly

From: Clerk, City
Sent: August 04, 2014 10:57 AM
To: Wolfberg, Shelly
Subject: FW: APPLICATION FOR BALDWIN HILLS CONSERVANCY BOARD OF DIRECTORS
Attachments: Baldwin Hills Conservancy App.doc

FYI

From: karen earls [REDACTED]
Sent: Friday, August 01, 2014 4:53 PM
To: Clerk, City
Cc: Karen Flores
Subject: APPLICATION FOR BALDWIN HILLS CONSERVANCY BOARD OF DIRECTORS

Please see attached BHC Board Application. Thank you for your consideration.

Karen Earls Flores
ohmy@att.net
(310) 658-4730

**APPLICATION FOR
COMMISSIONS, COMMITTEES, AND BOARDS**

(Please type or print legibly– or use the PDF fill-in form available at www.culvercity.org)

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information contained herein may be subject to public disclosure
as required by the California Public Records Act and any other
applicable law.**

General Information:

1. Identify the Commission(s), Committee(s), and Board(s) to which appointment is desired. Please list all appointments for which you are applying:

Baldwin Hills Conservancy (BHC) Board of Directors

2. Name: Karen Earls Flores

Telephone: [REDACTED]

Address [REDACTED] Zip [REDACTED]

E-mail address: [REDACTED]

3. Community Service (List commissions, committees, boards, and other organizations on which you have served or currently serve and offices held and in what city those positions were or are held.):

YMCA Weingart Wellness & Acuatic Center, Los Angeles

- Current: Chairman of the Board

YMCA of Metropolitan Los Angeles Urban Council

- Member of the Board

CALIFORNIA STATE BAR

- Member of the Bar

BEVERLY HILLS BAR ASSOCIATION

- Member of the Bar

ATAS: ACADEMY OF TELEVISION ARTS & SCIENCES

- Member 2009 - 2014

Community Service (Cont.)

The National Association of Professional Women
Los Angeles, CA

- Member 2013

United States Congressional Internship
JULIAN C. DIXON, U.S. House of Representatives, CA 32nd District

- UCLA Student Intern

League of African American Women
JUANITA MILLENDER-MCDONALD,
U.S. House of Representatives, CA 37th District

- Member of the Board

Outstanding Young Women of America

- Member Elect

4. Employment (Include titles and duties of current and past employment):

(Retired March, 2014)

More than 20 years of in-house legal services including: Counsel, Senior Counsel & Vice President for:

- Fox Networks Group/Fox Cable Network - Vice President, Legal, Broadcast
Distribution: 2011 – 2014

- Fox Broadcasting Company - Vice President – Lead Attorney for the Broadcast
Distribution division: 2005 - 2011

Duty Summary:

- Expanded legal and business affairs responsibilities for distributing the Fox Broadcasting network in areas of retransmission and digital distribution, repurposing Fox programming on new multimedia platforms including broadband, VOD, mobile, telecommunication and other wireless delivery systems.

- Oversee all legal matters relating to licensing and distributing Fox Broadcasting Company to over 200 television affiliates across the nation, including:

- Lead negotiations on licensing, purchasing and acquisition deals for Network carriage by the top 10 Affiliate Ownership groups.
- Counsel and apprise Senior Executive Management (including, President & CEO Fox Networks Group, President Fox Engineering, Executive Vice President Network Distribution, Executive Vice President and General Counsel Fox Networks Group, News Corp. Senior Vice President & General Counsel FCC Legal Affairs and Senior Vice President Government Relations) on institutional

- and interrelated workings of affiliate documents, legal implications of local and federal regulatory measures, historical Network policies, strategy and operations related to optimizing and expanding distribution of the Network.
- Confer and advise Senior Executive Management on strategic planning for revenue generating opportunities, structuring and executing business offerings in compliance with Affiliate deals.
 - Provide comprehensive analysis and interpretation of complex legal documents and communications that effectuate network distribution proceedings.
 - Compose agreements for licensing transactions for the distribution of Fox Broadcasting media content nationwide. Advise on business parameters and legalities of elaborate transmission and distribution systems involving digital channels, multicasting, non-duplicative simulcasts, simultaneous rebroadcasts, uplink and down conversion of SD to HD/DT, digital bandwidth usage, multi-carriage systems and retransmission by broadcast stations, cable systems, satellite and other Multi-video Programming Distributors.
 - Negotiate & draft complex pilot, series and indemnification agreements for licensing and acquiring Fox programming.
 - Enforce Fox's legal rights and positions as described in the agreements via correspondence and telephone conferences with owners and general managers of the Fox affiliate stations, programming production companies, and various artist representatives, including attorneys, agents and managers.
 - Assist in-house Litigation Division in managing discovery as requested, coordinate with parent company, News Corp's senior legal division with respect to due diligence and collecting, organizing and managing various documents; confer with Fox outside counsel on litigation matters and corporate mergers and acquisitions.

- Resume is attached -

5. Education (Include professional or vocational licenses and certificates.):

University of California Los Angeles – BA, English 1985

Whittier Law School – Admitted to the State Bar of California 1992

6. Additional Information

- a. Are you a Culver City resident? YES ___ NO X
Number of years: _____
- b. Are you a Culver City business owner/operator? YES ___ NO X
Number of years: _____
- c. Are you registered to vote in Culver City? YES ___ NO X
- d. Have you ever been convicted, fined, imprisoned or placed on probation for a felony or a misdemeanor? YES ___ NO X

e. Have you ever worked for the City of Culver City? YES ___ NO X
(If yes, list dates of employment and names of departments.)

f. Are you related to any current City employees or appointed officials of the City of Culver City? (If yes, indicate name and relationship.) YES ___ NO X

g. Have there been, or are there now, any circumstances which might reflect adversely on the propriety of your serving as a member of any body to which you might be appointed? YES ___ NO X

h. How many meetings of the Commission(s), Committee(s), or Board(s), to which you are interested in being appointed have you attended in the last year? None

i. How much time, on a monthly basis, do you anticipate spending on preparation for attendance at meetings of the body to which you desire appointment? Minimum: 8-10 hours per month

7. Please list the reasons why you are seeking appointment to a City body. (When possible, please be specific to the body's role.)

Seeking to use my education, talents and resources to assist with guiding the Baldwin Hills Conservancy staff to execute and fulfill this Conservancy's goals to acquire open space and manage public lands within the Baldwin Hills area and to provide recreation, restoration and protection of wildlife habitat within the territory for the public's enjoyment and educational experience.

8. What is there specifically in your background, training, education or interests that qualifies you for appointment?

I have the education, professional experience and unique business and community service exposure to share with colleagues of the BHC Board

9. How would you help the body perform its established role, objectives, and/or goals, as established by the City Council?

I will engage in working with the BHC Board and provide input of new creative ideas, resources, and thought leadership to assist the BHC Board in achieving its goals and objectives.

10. What special qualities and/or qualifications can you bring to the body(ies) to which you seek appointment(s)?

Management, communication & negotiation skills, keen analytical, planning & strategic development expertise & dedicated team member

11. Is there anything else you'd like to add that does not fit neatly into the answers to the prior questions? (You may attach supplemental information, if desired.)

Having a child educated in the Culver City School District, owning Real Estate and having grown up in the Baldwin Hills corridor Community, I have a special interest in lending my talents and skills to help the BHC Board carry out its mission.

REMINDER: All information on this application will become a public record and may be subject to public disclosure as required by the California Public Records Act and any other applicable law.

By checking this box ☒ **XX** or signing below, I hereby certify that the foregoing information is correct to the best of my knowledge

Signature: **KAREN E. FLORES** Date: AUGUST 1, 2014

You are invited to attach additional pages, enclose a copy of your resume and/or submit supplemental information which you feel may assist the appointing authority in its evaluation of your application.

Please submit your application and any attachments no later than the final filing date as announced in the Notice of Vacancy and Request for Applications to the City of Culver City:

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Culver City, CA 90232-0507

OR

By Fax: (310) 253.6010

OR

By Electronic Delivery: city.clerk@culvercity.org

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(Resume is attached below)

RESUME

Karen Earls Flores

E-mail: [REDACTED]

OBJECTIVE

Create sustainable growth and value for an organization with the benefit of my extensive 20+ years of vast transactional legal and business experience in the Entertainment Industry.

PROFESSIONAL EXPERIENCE

Fox Networks Group/Fox Cable Network - Vice President, Legal, Broadcast Distribution
2011 – 2014 (Retired March, 2014)

Expanded legal and business affairs responsibilities for distributing the Fox Broadcasting network in areas of retransmission and digital distribution, including repurposing Fox programming on new multimedia platforms including broadband, VOD, mobile, telecommunication and other wireless delivery systems.

Fox Broadcasting Company - Vice President – Network Distribution Legal Division
2005 - 2011

Chief in-house attorney for the legal division of Fox Broadcast Distribution, overseeing all legal matters relating to licensing and distributing Fox Broadcasting Company to over 200 television affiliates across the nation. Essential functions include:

- Lead negotiations on licensing, purchasing and acquisition deals for Network carriage by the top 10 Affiliate Ownership groups.
- Counsel and apprise Senior Executive Management (including, President & CEO Fox Networks Group, President Fox Engineering, Executive Vice President Network Distribution, Executive Vice President and General Counsel Fox Networks Group, News Corp. Senior Vice President & General Counsel FCC Legal Affairs and Senior Vice President Government Relations) on institutional and interrelated workings of affiliate documents, legal implications of local and federal regulatory measures, historical Network policies, strategy and operations related to optimizing and expanding distribution of the Network.

- Confer and advise Senior Executive Management on strategic planning for revenue generating opportunities, structuring and executing business offerings in compliance with Affiliate deals.
- Provide comprehensive analysis and interpretation of complex legal documents and communications that effectuate network distribution proceedings.
- Compose agreements for licensing transactions for the distribution of Fox Broadcasting media content nationwide. Advise on business parameters and legalities of elaborate transmission and distribution systems involving digital channels, multicasting, non-duplicative simulcasts, simultaneous rebroadcasts, uplink and down conversion of SD to HD/DT, digital bandwidth usage, multi-carriage systems and retransmission by broadcast stations, cable systems, satellite and other Multi-video Programming Distributors.

Vice President – Fox Broadcasting Company Legal Affairs Division 1992 – 2005

Provided legal assistance to the various entertainment divisions of the Fox Broadcasting network by handling the day-to-day drafting and negotiating of various programming and affiliate relations agreements. Essential functions include:

- Assist Executive Vice President Fox Legal Affairs division with drafting and negotiating affiliation agreements for over 200+ Fox television station affiliates.
- Draft, negotiate, amend and analyzes complex pilot, series and indemnification agreements for licensing and acquiring Fox programming.
- Enforce Fox's legal rights and positions as described in the agreements via correspondence and telephone conferences with owners and general managers of the Fox affiliate stations, programming production companies, and various artist representatives, including attorneys, agents and managers.
- Assist in-house Litigation Division in managing discovery as requested, coordinate with parent company, News Corp's senior legal division with respect to due diligence and collecting, organizing and managing various documents; confer with Fox outside counsel on litigation matters and corporate mergers and acquisitions.

EDUCATION

University of California Los Angeles – BA, English 1985
Whittier Law School – Admitted to the State Bar of California 1992

PERSONAL

I enjoy architectural designing, biking with my family, scuba diving and I play at golf. Known characteristics: Very creative, excellent manager, strong communicator and profit oriented transactional attorney. I enjoy making things happen ~

Wolfberg, Shelly

From: Clerk, City
Sent: August 01, 2014 4:17 PM
To: Wolfberg, Shelly
Subject: FW: Baldwin Hills Conservancy Board Pawling application (pt.1 of 2)
Attachments: Pawling Conservancy App.pdf; Pawling Commission App Form.pdf

FYI

From: Kristen Pawling [mailto: [REDACTED]]
Sent: Friday, August 01, 2014 2:54 PM
To: Clerk, City
Subject: Baldwin Hills Conservancy Board Pawling application (pt.1 of 2)

Hello City Clerk's Office:

I've attached my application and supplemental materials for consideration. Please let me know if there are any questions. I'm attaching another file separately as it large. I have three documents to submit total.

Regards,

Kristen Pawling

**APPLICATION FOR
COMMISSIONS, COMMITTEES, AND BOARDS**

(Please type or print legibly— or use the PDF fill-in form available at www.culvercity.org)

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applicable law.**

General Information:

1. Identify the Commission(s), Committee(s), and Board(s) to which appointment is desired. Please list all appointments for which you are applying:
Baldwin Hills Conservancy Board of Directors Governor@s Appointee

2. Name: Kristen (Torres) Pawling Telephone: [REDACTED]
Address: [REDACTED] Zip: [REDACTED]
Business: Southern CA Assn. of Governments Telephone: 213-236-1907
Address: 818 W. 7th Street, Los Angeles, CA Zip: 90017
E-mail address: [REDACTED]

3. Community Service (List commissions, committees, boards, and other organizations on which you have served or currently serve and offices held and in what city those positions were or are held.):

Please see attached.

4. Employment (Include titles and duties of current and past employment):

Please see attachment.

5. Education (Include professional or vocational licenses and certificates.):

Please see attached.

6. Additional Information

a. Are you a Culver City resident? YES ☒ NO ☐
Number of years: 0

b. Are you a Culver City business owner/operator? YES ☐ NO ☒
Number of years:

c. Are you registered to vote in Culver City? YES ☐ NO ☒

d. Have you ever been convicted, fined, imprisoned or placed on probation for a felony or a misdemeanor? YES ☐ NO ☒

e. Have you ever worked for the City of Culver City? YES ☐ NO ☒
(If yes, list dates of employment and names of departments.)

f. Are you related to any current City employees or appointed officials of the City of Culver City? (If yes, indicate name and relationship.) YES ☐ NO ☒

g. Have there been, or are there now, any circumstances which might reflect adversely on the propriety of your serving as a member of any body to which you might be appointed? YES ☐ NO ☒

h. How many meetings of the Commission(s), Committee(s), or Board(s), to which you are interested in being appointed have you attended in the last year? 0

i. How much time, on a monthly basis, do you anticipate spending on preparation for attendance at meetings of the body to which you desire appointment? 3-5 hours

7. Please list the reasons why you are seeking appointment to a City body. (When possible, please be specific to the body's role.)

8. What is there specifically in your background, training, education or interests that qualifies you for appointment?

9. How would you help the body perform its established role, objectives, and/or goals, as established by the City Council?

10. What special qualities and/or qualifications can you bring to the body(ies) to which you seek appointment(s)?

11. Is there anything else you'd like to add that does not fit neatly into the answers to the prior questions? (You may attach supplemental information, if desired.)

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By checking this box ☒ or signing below, I hereby certify that the foregoing information is correct to the best of my knowledge

Kristen Pawling

Signature: _____ Date: 08/01/2014

You are invited to attach additional pages, enclose a copy of your resume and/or submit supplemental information which you feel may assist the appointing authority in its evaluation of your application.

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By Fax: (310) 253.6010

OR

By Electronic Delivery: city.clerk@culvercity.org

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**SUPPLEMENTARY QUESTIONNAIRE
FOR COMPLETION BY APPLICANTS TO THE
LANDLORD TENANT MEDIATION BOARD**

Name: N/A Telephone: _____

Email: _____

Please check the category(ies) for which you are applying:

Tenant Representative

☐

Tenant Alternative

☐

Landlord Representative

☐

Member At-Large

☐

Please ensure you meet the below qualifications for the membership category(ies) for which you are applying.

For the Landlord and Tenant positions, please provide a copy of your rental agreement to confirm your eligibility. The rental agreement is for verification purposed only and shall remain confidential.

From the City Council approved "Organization and Implementation Guidelines for the Culver City Landlord-Tenant Mediation Board:"

Tenant Representative/Tenant Alternate: shall be tenants of residential rental property within the City of Culver City, and neither the applicant nor the applicant's spouse or dependents shall have any financial interest in residential income-producing property either in Culver City or elsewhere.

Landlord Representative/Landlord Alternate: shall either own, manage or have a residential income property interest within the City of Culver City, and shall preferably be residents of the City of Culver City.

Members at-Large: shall neither be tenants nor shall they own or have an ownership interest in any residential income-producing property in Culver City. Furthermore, preferably, neither "member-at-large" applicants or their spouse or dependents shall have any direct business or financial relationship with either landlords, property managers or real estate professionals within the City of Culver City or elsewhere. "Member-at-large" applicants shall be residents of the City of Culver City.

**Please call the Housing Division at (310) 253-5780 if you have any questions
regarding eligibility for Landlord/Tenant Mediation Board positions.**

#3 Community Service

- Capital Fellows Alumni Association: Los Angeles Region Event Coordinator. 2013-Present.
 - Organize social events for alumni of the Sacramento Capital Fellows Alumni Association. Build support for Alumni Ambassador Program and Tom Hodson Memorial Scholarship donors.
- Communities Activities Commission: UCLA Graduate Student Association Representative. 2010-2012
 - Allocate and provide oversight for over \$1 million in grants to student-initiated service organizations.
- Student Activities Center Board of Governors: UCLA Graduate Resource Center Representative 2010-2012.
 - Monitor and oversee programming and funding aspects of the Student Activities Center historic building on the UCLA campus.
- UCLA Alumni Scholars Club Executive Board: Dr. Ralph J. Bunche Director. 2008-2009
 - Develop programming, service opportunities, and recruitment events for students awarded the competitive Bunche Scholarship for historically underrepresented students.
- UCLA Alumni Association: Freshman and Dr. Ralph J. Bunche Scholarship Interview Panelist.

Review applications and interview incoming UCLA students to recommend grant awards ranging from \$5-12,000.

4 Employment

Southern California Association of Governments, Los Angeles, California

Associate Regional Sustainability Planner (January 2014-Present)

- Lead Regional Comprehensive Open Space Planning project involving in-house and consultant team.
- Act as project manager for a portfolio of local government Sustainability Grant Programs, including natural habitat, urban greening, and active transportation.
- Interact with elected officials and local government staff especially as related to implementation of the Sustainable Community Strategy.
- Provide sustainability-related expertise into Sustainable Community Strategy development process.
- Collaborate with County Transportation Commission on sustainability components of RTP/SCS and joint work programs.

California Air Resources Board (ARB), Planning & Technical Support Division,

Sacramento & El Monte, California

Air Pollution Specialist (September 2012 to January 2014)

- Conduct policy and technical evaluation on emerging air quality issues and assignment requiring integration of the associated science, policy, and politics with particular emphasis on land use and local government issues.

- Present results in clear, concise and compelling written products.
- Analyze emerging statutory and regulatory requirements and guidance, determine priorities for ARB action, and work with other divisions and agencies to formulate ARB's response, with particular emphasis on transportation.
- Develop alternative approaches on significant policy issues to accommodate California's unique needs and make recommendations to ARB management.

Arellano Associates, Chino, California

Graduate Student Intern (June 2011 to December 2011)

- Managed participant needs for Gateway Cities Council of Governments Air Quality Action Plan's (AQAP) committees that provide input into AQAP reports and policies as part of the consultant Project Team for the Gateway Cities and LA Metro.
- Coordinated meeting logistics for the AQAP committees for ongoing stakeholder meetings.
- Drafted Protocol Manual for internal management of the air quality plan procedures.
- Drafted correspondence to AQAP groups and committees including briefing packages, meeting invitations, follow-up emails, and AQAP newsletter.
- Tracked stakeholder comments for Project Management Team and responded to comments/inquires, especially on I-710 goods movement-related documents.

California Air Resources Board (ARB), Office of Chairman Mary Nichols, Sacramento, California

California Executive Fellow (December 2009 to August 2010)

- Co-authored speeches and articles regarding the California Sustainable Communities Act (SB 375) and AB 32 for lectures, local and regional government events, utilities, and other stakeholder events delivered by Chair Nichols.
- Staffed Chair at high-profile meetings regarding regulation of utilities.
- Developed recommendations for ARB external and internal Communications Strategies.
- Assisted state-local-community collaborative on developing and implementing high-priority railyard air quality solutions through public outreach and public workshop management.
- Allocated \$9 million for Caltrans Community Based Transportation Planning and Environmental Justice Grants to local governments and transit agencies as a participant on an interagency committee.

Cerrell Associates, Inc., Los Angeles, California

Intern (June 2007 to December 2008)

- Undertook communications projects ranging from land use management, international special events, state and local campaign management, and local government relations with a focus in environmental issues.
- Conducted comprehensive public relations research and generated findings summaries for clients in Land Use, Government Relations, and Energy & Environment pillars.
- Monitored media for Southern California goods movement issues, especially the Clean Truck Program.

- Researched information for management's television appearances for political commentary.

City Attorney's Office, Riverside, California

Administration Intern (June 2007 to September 2007)

- Reviewed Environmental Impact Reports on new land use projects associated with the Riverside Renaissance revitalization program to revise language into accessible terms.
- Conducted legislative research and analyzed relevant civil cases focusing on water management.
- Participated in the legal implementation of new environmental policies stemming from community calls for an improved environment.
- Assisted in research for developing plans for waste management, fleet conversion, emergency water management and other historical land use issues.

Habitat for Humanity Inland Valley, Temecula, California

Executive Director's Intern (June 2006 to September 2006)

- Participated in local and national home building field events and TV tapings.
- Attended local executive board and regional board meetings.
- Communicated with prospective homeowners and other stakeholders on behalf of Executive Director.
- Organized volunteers for community events such as home makeovers and fundraisers.
- Marketed events through website, emails, phone calls and generation of print literature.

#5 Education

University of California, Los Angeles

- Master of Urban & Regional Planning
- Transportation Policy and Planning & Environmental Analysis and Policy Concentrations
- Authored "From Statute to Street: Implementing the California Complete Streets Act in Los Angeles" for the Green LA Coalition, which examines the City's Transportation Element and provides recommendations for the Element update.
- Leaders in Sustainability Graduate Certificate

University of California, Los Angeles

- Bachelor of Arts in Geography/Environmental Studies
- Urban & Regional Studies Minor
- Cum Laude Latin Honors

#7 Seeking Appointment

As a member of the community seeking to become more involved locally, I seek appointment to the Baldwin Hills Conservancy Board of Directors because I believe the Baldwin Hills are an incredible natural, social, and recreational public asset. Over the last few years, I have noticed significant efforts to

expand the accessibility of the Baldwin Hills to the public and would like to be part of the continuing efforts to both expand access and protect the irreplaceable natural services of the Baldwin Hills. I have skills that would be valuable to the Conservancy, and I aim to contribute to my community. My training in both transportation and natural resource planning give me a unique skill set to bring to discussions about how to balance the two goals.

#8 Training

Both my academic and professional backgrounds qualify me for appointment to the Conservancy. Academically, my geography/environmental studies degree from UCLA included a substantial look at the natural and built environment of historic Los Angeles. For example, I realize that La Cienega Boulevard is named in that way because the area used to be what were called swamps in centuries past, but what we now know were incredibly biodiverse wetland habitat. I understand the hydrologic connection of the Baldwin Hills to the Ballona Creek and now preserved Ballona Creek Wetlands. In my training as an urban and regional planner, I am also fully aware of the importance of providing residents with access to open space, natural areas, and recreation areas because such places improve health and quality of life. My planning training also gave me a background in successful natural habitat preservation techniques from across the country. I have attached a report on the successful San Diego area natural habitat management program that I co-authored as an example. Professionally, I currently manage the process of developing a comprehensive open space plan for the entire Southern California region. Thus, I increasingly understand the "big picture" issues, contexts, and constraints facing natural resource management entities. But, I am respectfully submitting my application for the Conservancy in order to gain a more local, "on the ground" perspective on the issue.

#9 Goals

The Conservancy has a number of tools at its disposal to help it in achieving the goals of acquiring and managing public lands within the Baldwin Hills area and to provide educational, recreational, open-space, wildlife habitat restoration and protection opportunities. In my previous community service experiences, I have worked together with fellow Board members to resolve differences, creatively address issues, engage with other stakeholders, provide fiscal oversight, and evaluate grant applications. All of those skills will be essential to serving in this capacity. As a professional public servant, and, specifically in my training as an Executive Fellow through the Governor's Office, I learned with top state officials the importance of pragmatism, transparency, and well-founded facts when making public decisions. I bring all of that background to the table.

#10 Special Qualities

I live within a five-minute bike ride to the base of the Baldwin Hills Scenic Overlook and am always heartened to see the diversity of users whenever I recreate there. My husband often visits the space as an inspirational place to compose music. I have friends who were recently engaged in the Baldwin Hills. These are all examples of how the Baldwin Hills hold a meaningful place in my heart. I am a critical thinker and seek to find the public interest in the complex world of public management. I understand that finding the public interest is usually not straightforward and tradeoffs are necessary in a world with limited resources. Thus I bring both personal and professional interest into my approach to the Conservancy.

#11 Additional Information

Please note that I am not currently registered to vote as a resident of Culver City because I moved to Culver City and got married recently; thus, my marriage certificate has yet to be issued. I am waiting to re-register to vote with my Culver City address and my new last name once I receive my marriage certificate from the County of Los Angeles—anticipated within the next month. I have been registered to vote since age 18 and consistently take advantage of my right to vote.



Photo Credit: J. Franklin in the American Journal of Botany
<http://www.aambot.org/content/98/3/559/F2expansion.html>

San Diego's Multiple Species Conservation Program: A Model for Regional Collaboration

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UP 261 Land Use Planning

June 9, 2011

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GLOSSARY of ACRONYMS

BIA	Building Industry Association
CDFG	California Department of Fish & Game
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CSS	Coastal Sage Scrub
EHL	Endangered Habitats League
ESA	United States Endangered Species Act
FWS	United States Fish & Wildlife Service
HCP	Habitat Conservation Plan
MSCP	Multiple Species Conservation Program
NCCP	Natural Communities Conservation Plan
NRDC	Natural Resource Defense Council
SANDAG	San Diego Association of Governments

INTRODUCTION

This report analyzes the San Diego's Multiple Species Conservation Program (MSCP), an innovation in regional land use planning. The program establishes wildlife preserves across the entire southwest region of San Diego County, attempting to protect 85 sensitive species. The MSCP represents a compromise between the interests of federal, state and local governments, as well as developers and environmentalists, to create a multijurisdictional framework for growth management and conservation.

In order to set the context for the MSCP, we will first detail the events leading up to the conception of the plan. Next we will outline the process of developing the MSCP, including the incentives that brought various stakeholders to the table. Following this analysis we will discuss the plan's implementation by local governments, and will evaluate the plan's successes, as well as recommendations for refining the innovation for future replicability.



Figure 1. San Diego Aerial Photo [Photo Credit Bruce Perry, CSULB, Dept. of Geological Sciences]

BACKGROUND: IMPETUS FOR THE MSCP

Prime Real Estate for Humans and Rare Species

Between 1980 and 1990, San Diego County had one of the highest growth rates in the country, expanding by 3% per year with a total increase of 600,000 people (Final MSCP Plan 1998; Layzer 2002). This growth generated tremendous pressure for housing construction, especially near the coast where developed land could fetch \$200,000 to \$3 million per acre (Layzer 2002).

Unfortunately, San Diego County was also prime real estate for plants and animals; its varied topography and range of climates fostered a richness of species unrivaled by few other places in the United States (Dobson et al. 1997). The high number of unique species coupled with rapid urbanization made San Diego County a hot spot for biodiversity loss, with more endangered and threatened plants and animals than anywhere else in the contiguous United States (Dobson et al. 1997). In 1990, 39 of San Diego's plant and animal species had already secured spots on the list of rare, threatened, and endangered species under the federal Endangered Species Act (ESA), while another 122 were under consideration for listing (Layzer 2002). The California Gnatcatcher, a tiny, nonmigratory songbird, was one of these candidates (Cone 1993).

Jonathan Atwood, a biology doctoral student at UCLA, "discovered" the California gnatcatcher in the early 1980s (Mann & Plummer 1995).

Atwood determined that this southern California species, once thought to be indistinct from the Blacktailed gnatcatcher, was a unique species and was rare, with fewer than 2,000 breeding pairs in existence (Mann & Plummer 1995). In 1990 he worked with the Natural Resource Defense Council (NRDC) to collect data on the bird's habitat and determined that "nearly all areas where California gnatcatchers are currently distributed are expected to be destroyed within 20 years as a result of intensive urban development" (Mann & Plummer 1995).

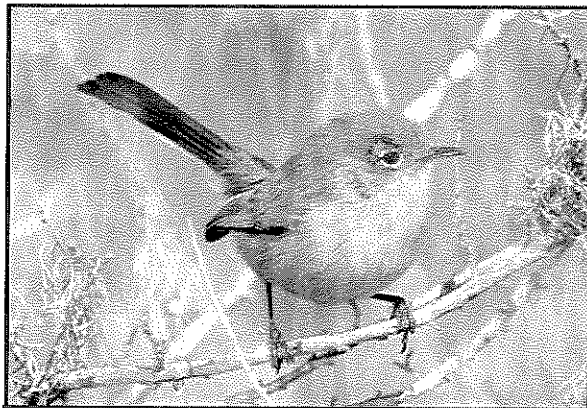


Figure 2. The California Gnatcatcher: The gnatcatcher is only 4 ½ inches long and weighs less than an ounce. Despite its size, this bird demands a much larger home than a human: each mating pair defends a breeding territory of 2 to 20 acres of undeveloped chaparral (Cone 1993). [Picture from http://kiwifoto.com/images/galleryphotos/california_gnatcatcher/california_gnatcatcher_3004.jpg]

In December of 1990, Atwood and the NRDC, with supporting letters from numerous major bird organizations, petitioned the California gnatcatcher for listing under both the state and federal Endangered Species Acts (Layzer 2002).

The Endangered Species Act

An Overview

Considered the most draconian and straightforward piece of federal environmental legislation, the Endangered Species Act was passed in 1973 (Farber et al. 2010). Under the ESA, any interested person can petition the Fish and Wildlife Service (FWS) to list a species and the Secretary of the Interior must make a determination within 12 months (Farber et al. 2010).

The Secretary's decision cannot take into consideration economic or political implications but must be based solely on "the best scientific and commercial data available" [§1533(b)]. Species are listed as either endangered ("any species which is in danger of extinction throughout all or a significant portion of its range") or threatened ("any species which is likely to become an endangered species within the foreseeable future") [§§1532(6),(20)]. At the time of listing the Secretary must specify critical habitat, the areas of habitat that "are essential for the conservation of the species" [§ 1532(5)(A)].

Once a species is listed as threatened or endangered, Section 9 of the ESA prohibits the "take" of listed species by any public or private party. The statute defines "take" as to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" [§1532(19)]. FWS regulations further define "harm" as "significant habitat modification or degradation where it actually kills or injures wildlife" [50 C.F.R. §17.3(c)]. This



Key Player:

Jonathan Atwood

In 1979 Atwood decided to dedicate his dissertation to the gnatcatcher because he did not want to travel far from UCLA to conduct his research. After receiving his doctorate, Atwood moved to the east coast to work for a research institution, but returned to UCLA to attend an ornithologist conference in 1990 (Mann & Plummer 1995). At the conference, some of his former classmates who now consulted for southern California developers confided in Atwood that real estate construction was quickly destroying his gnatcatchers' habitat and urged him to petition the gnatcatcher for listing (fearing they would lose their jobs if they did so). Atwood obliged (Mann & Plummer 1995). [Picture from <http://www.antiochne.edu/directory/headshots/AtwoodJon.jpg>]

means that developers cannot build on private land and local and state governments cannot carry out public works projects if their actions will harm listed species. While Section 9 only explicitly refers to endangered species, the FWS treats threatened species with the full force of §9 unless stated otherwise (Farber et al. 2010).

Assailed from All Sides

Both developers and environmentalists find fault with the ESA. For developers, the statute can create regulatory uncertainty and costly delays that make planning and financing construction difficult (Layzer 2002). Environmentalists on the other hand criticize the ESA as reactive and piecemeal. Not until an ecosystem has become so far degraded that species begin to go extinct does the government intervene, making species recovery expensive and unlikely (Farber et al. 2010). In addition, environmentalists complain that the act is merely prohibitive and does not incentivize individuals to take proactive measures to protect species before they become endangered (Farber et al. 2010). Furthermore, environmentalists point out that because landowners only face restrictions if the FWS is aware of listed species on their property, they have the perverse incentive to develop their land quickly in order to eliminate endangered species and prevent more from taking up residence (known in FWS jargon as “shoot, shovel, and shut up”) (Farber et al. 2010). Finally environmentalists lament the FWS’s particularly ineffectual enforcement of the ESA on private lands (half of all listed species reside exclusively on non-federal land) (Farber et al. 2010; Layzer 2002). One reason for lax enforcement on private lands is the fact that the FWS is understaffed and underbudgeted (Layzer 2002). Also the Service has found it difficult to prove in court that an individual member of a species was killed or injured in the



Example: Riverside's Kangaroo Rat

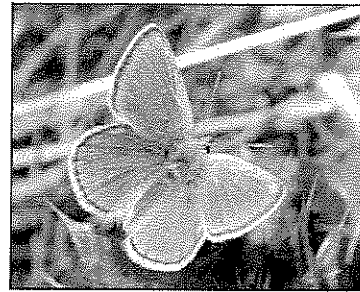
After the listing of the Kangaroo Rat in Riverside County in the late 1980s, farmers began spraying their fields with rodenticide and refusing to leave them fallow in order to keep the endangered species off their land (Layzer 2002). [Picture from <http://www.bio.davidson.edu/people/midorcas/animalphysiology/websites/2005/stoudemire/KANGAROORATUSFISH.jpg>]

development of a site (Layzer 2002). Additionally, strong political backlash against the ESA in the 1980s and 90s put pressure on the FWS to ignore landowner violations in order to appease those trying to repeal or dilute the act (Layzer 2002).

The Emergence of Habitat Conservation Plans (HCPs)

The Endangered Species Act creates a binary world in which development on rare species' habitat is either completely halted or allowed to continue unabated (Forber et al. 2010). This win-lose scenario leaves no room for compromise between environmentalists and developers. Congress amended the act in 1982 to address this shortcoming (Layzer 2002). Under Section 10 of the amended act, an individual can apply for an Incidental Take Permit (Rolfe 2001). This permit allows the person to destroy a portion of a listed species' critical habitat if he or she first prepares a Habitat Conservation Plan (HCP) (Forbes et al. 2010). The HCP must specify the potential impacts of the action, detail what steps the applicant will take to minimize and mitigate those impacts, and provide assurance that adequate funding is available for mitigation measures (Forbes et al. 2010). HCPs are contracts that can last anywhere from 5 years (for the construction of an individual home) to 100 years (for logging leases) (Forbes et al. 2010). The overwhelming majority of HCPs are prepared by individual landowners for a single species on less than 500 acres of land, yet some cover hundreds of thousands of acres across multiple jurisdictions (Thomas 2000; Forbes et al. 2010).

Habitat Conservation Plans were not popular until the Clinton Administration added the "No Surprises Policy" in 1994 (Greer 2004). This policy guarantees that a



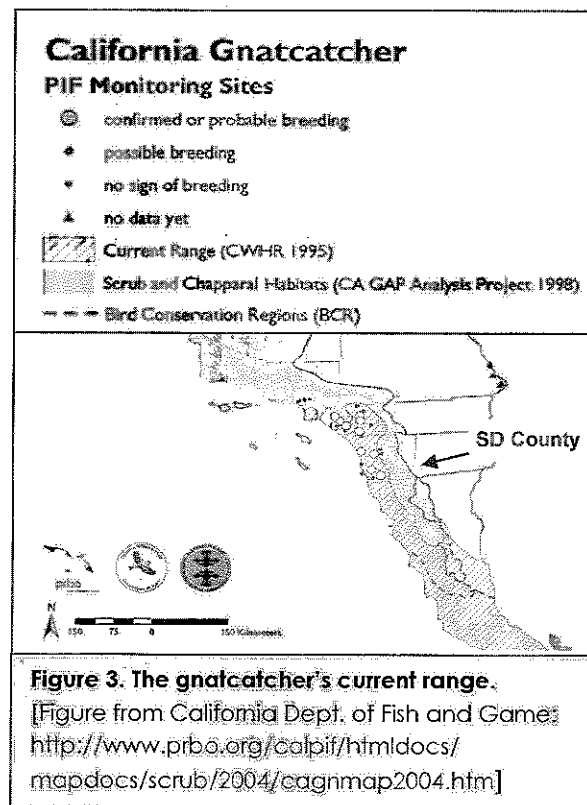
The Inspiration Behind the HCP

Lindell Marsh, a real estate lawyer, brokered the first HCP in 1980. He worked for a developer who owned land in the San Bruno hills south of San Francisco that contained habitat for three rare butterfly species. Marsh negotiated an agreement with the FWS where the landowner would set aside a preserve in return for the ability to develop parts of the land. Knowing they did not have the statutory authority to make the deal, Marsh and the FWS lobbied Congress to amend the ESA to permit these sorts of agreements and the Habitat Conservation Plan was written into law. [Picture from <http://baynature.org/endangerbus/mission-blue/> captionimage_mainarticle]

landowner who has negotiated a HCP will not be “surprised” with additional liability; instead, the government will bear the risk of misinformation or change (Forbes et al. 2010). For example, if a plan proved inadequate for protecting a species, the landowner would not be obligated to provide additional acreage or financial compensation and instead the government would pay for the necessary adjustments to the plan (Rolfe 2001). Between the introduction of HCPs in 1982 and the enactment of the No Surprises Policy in 1994, the FWS brokered only 20 HCPs, whereas 174 plans were approved between 1994 and 1996 (Aengst et al. 1997).

A Tiny Bird Poses an Enormous Threat

The state of California developed its own innovative version of an HCP as a result of the impending listing of the California gnatcatcher. This bird makes its home in coastal sage scrub (CSS), a habitat found within approximately 30 miles of the Pacific Ocean between Los Angeles and Northern Baja (Rodgers 1991; Mann & Plummer 1995). With a historic range of over 2.5 million acres, the CSS habitat has dwindled and fragmented with real estate development, now covering only about 250,000 acres, half of which is in San Diego County (Rodgers 1991). The gnatcatcher prefers that part of the CSS habitat that is undeveloped, relatively flat, and below 700 feet in elevation – the same land preferred by developers (Coddon 1991).



Approximately 80% of CSS habitat was privately owned in 1990, much of it slated for major housing developments (Layzer 2002). If the state or federal government decided to list the gnatcatcher, development would be temporarily blocked on thousands of acres of pricey real estate (See Table 1) (Layzer 2002). A listing would also halt public infrastructure projects, such as the planned extension of highway 56 (Cone 1991).

Name of Development	Name of Developer	Location	Total Acreage	Approximate Acres of Coastal Sage Scrub
Rancho San Diego	Home Capital Corp.	Southeast county	3,000	800
Hidden Valley Estates	Southwest Diversified	Near Jamul	1,460	336
Salt Creek Ranch	The Baldwin Co.	South Bay	1,200	360
Otay Ranch	The Baldwin Co.	Near Chula Vista	23,000	11,500

Table 1. This table lists four examples of large developments in San Diego slated to be built in the 1990s that would be affected by the listing of the gnatcatcher.

San Diego was particularly weary of the impending gnatcatcher decision because of recent and ongoing high profile battles over endangered species listings. Most notably, the recent listing of the Northern Spotted Owl in the Pacific Northwest had become a tense fight between environmentalists and loggers with lawsuits halting an entire industry and emotional rhetoric reducing the issue to one of jobs vs. owls (Coddon 1991). San Diego's fears became reality when members of the building industry began to use similar scare-tactics: threatening lawsuits, hiring their own biological consultants to refute the petition, and calling the gnatcatcher "Your Worst Nightmare" in a Building Industry Association (BIA) handbill (Rodgers 1991). The BIA and other members of the industry argued that "no-growth extremists" were behind the listing and that it violated property rights (Layzer 2002). They also warned that the listing would cost the region up to 200,000 jobs and result in billions of dollars of lost revenue (Coddon 1991). In addition, they pitted the gnatcatcher against affordable housing (Coddon 1991). For instance, Mark Ellis Tipton of the National Homebuilders Association told the San Diego Union-Tribune, "I see people in CA living in garages and cardboard boxes and abandoned cars. Now who's more important? These people and their children, or ecological preserves?" (quoted in Coddon 1991).

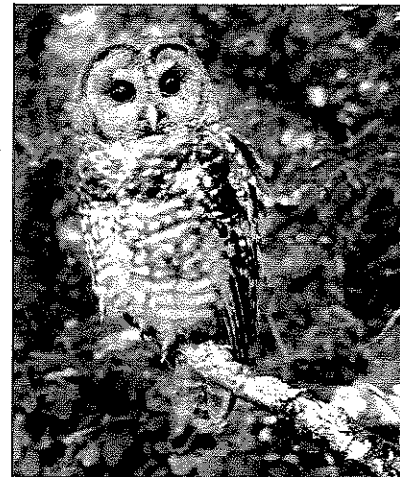
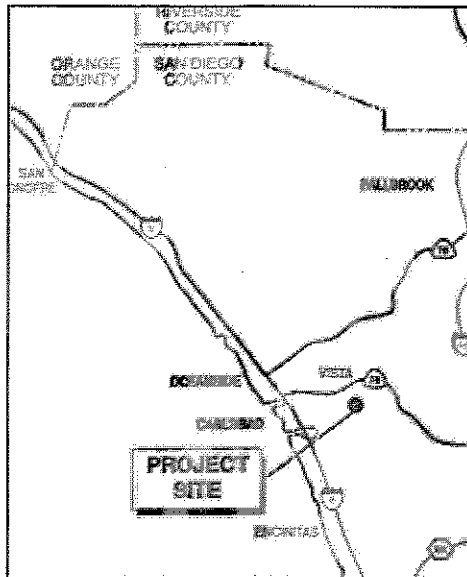


Figure 4. The Northern Spotted Owl. [Picture from http://blog.oregonlive.com/environment_impact/2009/04/owl.JPG]

The Irvine Company, a large development company that owned 19,000 acres of coastal sage scrub (a third of its holdings), took a more moderate approach (Mann & Plummer 1995; Frammolino 1991). They realized that the entire CSS habitat was becoming rare; even if they could stave off the gnatcatcher listing, they would have to eventually fight battles over the listing of dozens of other

CSS-obligate species (Rodgers 1991). In addition, they realized that once a species became listed as endangered, hundreds of developers would be approaching the Fish and Wildlife Service at once to broker individual HCPs (Mann & Plummer 1995). Fearing this bureaucratic nightmare, the Irvine Company's vice president Monica Florian approached the Resource Agency of California, asking them to co-coordinate a series of HCPs that would cover the entire CSS habitat and all of its species, an idea that environmentalists had been championing for years (Mann & Plummer 1995). In order to lobby for their plan, The Irvine Company formed a group called the Alliance for Habitat Conservation with other large development firms that owned the majority of the San Diego CSS habitat (including Fieldstone, Baldwin, Home Capital, Newland, and Pardee) (Rodgers 1991).



Example: Fieldstone's Decision to Join the Alliance for Habitat Conservation

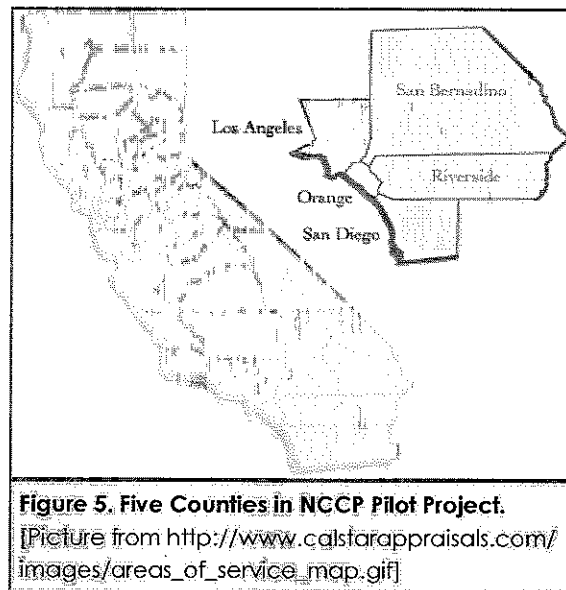
Fieldstone Corporation, a development firm, bought 2,300 acres of prime real estate in San Diego County for \$180 million in 1988, only to later realize that 100 gnatcatchers lived on the property. Fieldstone's plan was to build 3,000 high income houses over 15 years in the hopes of netting about \$1 billion dollars. Fearing delays from the impending gnatcatcher listing, Fieldstone decided to enter into a Habitat Conservation Plan that cost them \$12 million dollars and blocked development on about 500 acres of their land. Despite these sacrifices the Fish and Wildlife Service was not satisfied;

in their studies of the property they had found 36 other species that were candidates for listing on Fieldstone's site. At one point during negotiations with the FWS the Fieldstone representative asked, "Come on, now, what do you guys really want from me? Ideally?" and one biologist replied, "All of your land." At this point Fieldstone realized they would have to negotiate agreements for each and every rare species on their land, and then they still would not be covered if other rare species moved onto the site (Mann & Plummer 1995). [Picture from <http://www.carlsbadca.gov/services/environmental/hmp/docs/Documents/preserves-mgmt-plans/rancholacosta-pmp-2005-2010.pdf>]

California's Natural Communities Conservation Plan (NCCP): The State's Version of an HCP

Thanks to the lobbying efforts of the developers' alliance, newly elected Governor Pete Wilson's Administration, in consultation with the Clinton Administration, developed a state level version of an HCP called the Natural Communities Conservation Plan (NCCP) (Rolfe 2001). Signed into law in October of 1991, the NCCP outlined an ecosystems-based approach to conservation: if developers agreed to work with public agencies to contribute land to large, intact blocks of habitat, they would be able to continue development in less biologically significant areas (Layzer 2002). By creating a system of open spaces linked by wildlife corridors, the NCCP hoped to strengthen ecosystems, reducing the need to list species in the first place (Rodgers 1991). Unlike federal HCPs which largely dealt with one landowner and one listed species, the state NCCPs were regional, were voluntary, and were designed to target multiple species, both listed and unlisted (Layzer 2002).

The State Resources Agency selected the CSS habitat of southern California as the NCCP's pilot project (Layzer 2002). The CSS habitat is fragmented across 6,000 square miles in 5 counties including Los Angeles, Orange, Riverside, San Bernardino, and San Diego (Greer 2004). The State Resources Agency appointed a "Scientific Review Panel" of five prominent biologists and geographers to determine how much of the habitat should be saved (Layzer 2002). Because of the wide range of the habitat, the Scientific Review Panel divided the NCCP into subregional plans including the Multiple Species Conservation Plan (MSCP) in southwest San Diego County (Mann & Plummer 1995).



Early Failure of NCCP Pilot Program

In August 1991, two months before the California legislature signed the NCCP Act into law, the California Department of Fish and Game (CDFG), the wildlife agency in charge of administering the state ESA, voted not to list the gnatcatcher against the advice of its own staff (Cone 1991).

Undersecretary of Resources Michael Mantell, on behalf of Governor Wilson, had urged the panel to deny listing (Layzer 2002). A state listing would have halted construction on 3,000 acres of CSS slated for development in the next two years (Cone 1991). Governor Wilson, feeling pressure from the Irvine Company and other developers who were threatening to drop out of negotiations, argued that a listing would be detrimental to the NCCP process (Layzer 2002).

Reviewing the same biological data, the FWS proposed listing the gnatcatcher as endangered under the federal ESA less than week after the state denied listing (Coddon 1991). Unlike the state ESA, proposed listing under the federal ESA did not afford the species immediate protection; instead it triggered an 18 month process of public comments (Layzer 2002).

Secretary of the Interior Bruce Babbitt was sympathetic to the NCCP process and after the public comment period he delayed his listing decision further. However in 1993, the Wilson Administration reversed its stance and threw its support behind a federal listing of the gnatcatcher (Layzer 2002). The Wilson administration realized the necessity of the listing after witnessing local governments fail to voluntarily protect habitat. Instead of becoming more cautious with the knowledge that the gnatcatcher may be endangered, cities and counties seemed to become more eager to speedily approve projects before an ESA listing could restrict their authority (Rodgers 1991). Between 1989 and 1993, local governments allowed developers to build on 2,400 acres of CSS in San Diego County and they approved future construction projects on thousands of more acres (Layzer 2002).

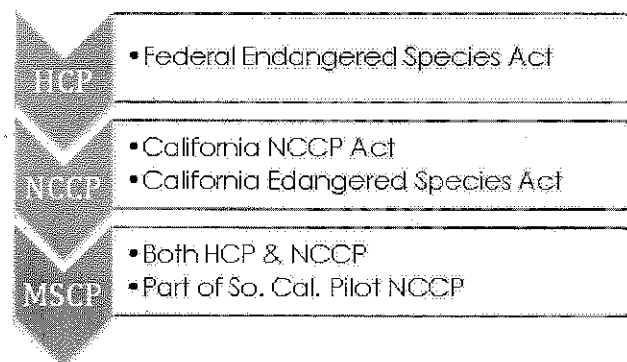
In addition, developers failed to voluntarily participate in the NCCP; only 39 landowners enlisted in the program by 1993 (Layzer 2002). The Irvine Company's incentive for proposing the NCCP had been to prevent the gnatcatcher and other species from being listed; however, until the gnatcatcher was listed, developers who avoided the NCCP had a better deal than those involved. Without a listing they were free to develop; enrolling their property or providing information about species on their land could only lead to greater restrictions (Mann & Plummer 1995). This dilemma exemplifies the failures of traditional prohibitive environmental policy, which provides no incentives for proactive behavior.

The FWS, headed by Secretary of the Interior Bruce Babbitt, worked with the Wilson Administration to devise a way to list the gnatcatcher that would strengthen the NCCP instead of

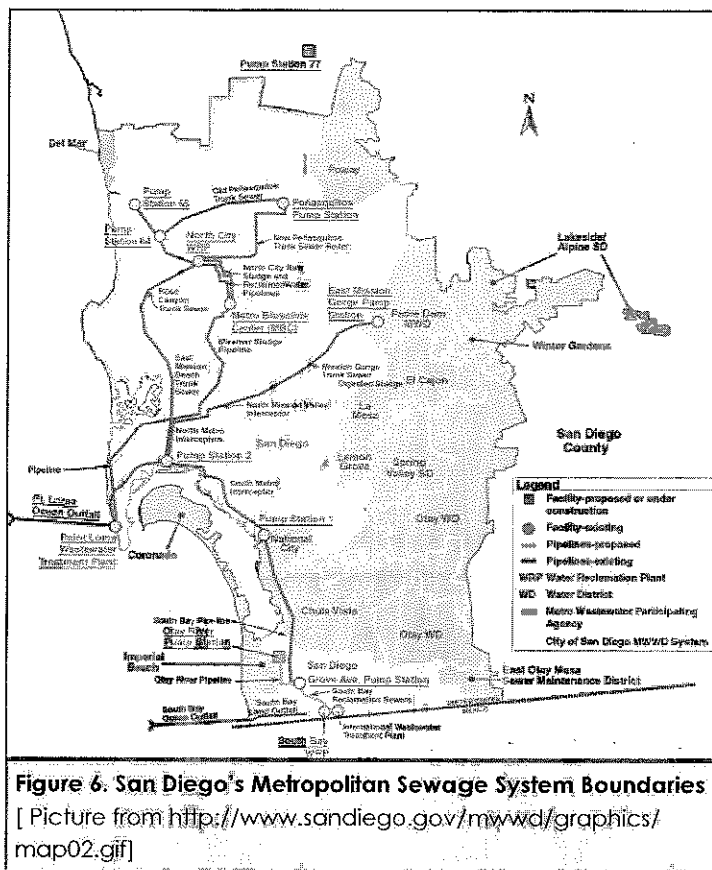
making it irrelevant. In March of 1993, the FWS listed the gnatcatcher as threatened and enacted a Special Rule (Layzer 2002). They chose to list the bird as threatened instead of endangered to allow for more legal flexibility (the ESA's prohibition on take is only statutorily required for endangered species) (Layzer 2002). The Special Rule permitted take of the gnatcatcher associated with an approved plan prepared under the NCCP and reviewed by the FWS [50 *Fed. Reg.* 17 (30 March 1993)]. Now each subarea plan within the NCCP would qualify as an HCP (following FWS review and approval). This was a strong new incentive for developer participation in San Diego's MSCP subregional plan.

The Multiple Species Conservation Program (MSCP): San Diego's Piece of the NCCP Pilot

As mentioned earlier, the MSCP is southwest San Diego's piece of the NCCP. Technically, the MSCP is both a Habitat Conservation Plan under the federal Endangered Species Act and a subregion of the Natural Community Conservation Plan under the California



NCCP Act and the state Endangered Species Act (Final MSCP Plan 1998). It encompasses 582,000 acres in southwest San Diego County, crossing twelve political jurisdictions: nine cities, the unincorporated county land, a water district and a special district (Final MSCP Plan 1998). See Appendix A for a map of the jurisdictions within the MSCP. The MSCP's boundaries reflect the boundaries of San Diego's Metropolitan Sewage System. The federal government had sued the City of San Diego's Clean Water Department for failing to adequately treat sewage, and the court-ordered upgrade and expansion of the sewage system required significant construction in CSS habitat (Layzer 2002). David Schelsinger, director of the department, decided to pursue an HCP to mitigate the effects of the planned improvements (Rodgers 1991). The Clean Water Department was already in the process of planning this HCP when the NCCP pilot project began so it made sense to use it as a starting point (Pollak 2001).



The City of San Diego (the City) and the County of San Diego (the County) are the two largest jurisdictions involved and have the most acreage at stake in the process. The next largest city is Chula Vista, but according to County Supervisor Ron Roberts, Chula Vista and the other smaller jurisdictions played much less of a role in the development of the MSCP than the City and County (Ron Roberts, County of San Diego, personal communication, May 12, 2011) . Because of its size and because it was responsible for the original Clean Water Department HCP, the City became the lead agency of the MSCP.

PLANNING THE MSCP

The Role of Regional Collaboration with Private and Public Actors

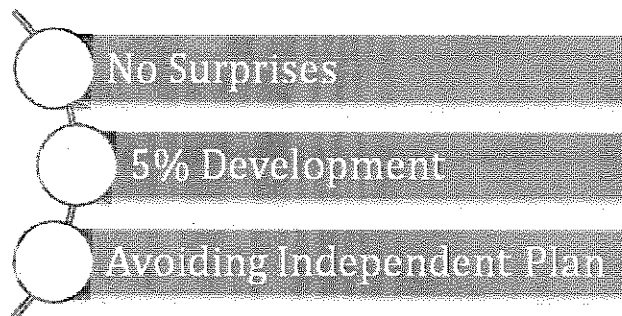
Perhaps the most significant lesson that planners can take from this regional land use innovation is the collaborative formation of the Multiple Species Conservation Plan. The success of the collaborative development of the MSCP relied upon moderate political views, mutual trust and political champions. Two formal groups were created to lead this planning effort: the seventeen member MSCP Policy Committee made up of public officials from the local jurisdictions, and the twenty-nine member MSCP Working Group composed of environmental groups, developers, and the staffs of the local, regional, state and federal agencies. This section focuses on the participants and efforts of the Working Group, notable for its “inclusive, public deliberations” (Lee 2007, p. 70).

Stakeholder Groups and their Incentives

There were three stakeholder groups in the MSCP planning process: developers, environmentalists, and governmental agencies. Traditionally, face-to-face conversations between environmentalists and developers regarding habitat conservation have not resulted in workable plans, thus the MSCP required a process with unique incentives to bring the players together to build compromise. The incentives for participation varied by group, but each stakeholder group had substantial interest in engaging in this long-term MSCP process and ultimately, in seeing it approved.

Developers

Developers had three key carrots for participation. First, the authorizing legislation for the MSCP provided a “no surprises” policy, similar to the Clinton Administration’s regulation, where developers were not to be held responsible for future costs that were not anticipated in



the plan and that instead public agencies would incur such costs. This policy provided developers with longer-term certainty about their obligations. Secondly, developers who participated were allowed to develop five percent of their holdings while the Working Group formulated the MSCP. In contrast, those who did not participate had to completely halt development during this time. Thirdly, developers who did not participate in the MSCP process had to negotiate their own individual habitat plans for approval with the CDFG and the FWS (Layzer 2002). The burden of writing their own plans was certainly an incentive to participate in the MSCP process.



Key Player:
Monica Florian

Irvine's Vice President Monica Florian has been characterized as a policy entrepreneur for advocating for an ecosystems-based approach to conservation planning. Her influence was integral to the passage of the NCCP Act and the formation of

the MSCP. [Picture from http://www.deltavisionfoundation.org/images/Monica_Florian.jpg]

Organizationally, the interests of developers were grouped together through the Alliance for Habitat Conservation. As previously mentioned, the Alliance, spearheaded by the Irvine Company, was one of the voices calling for the creation of

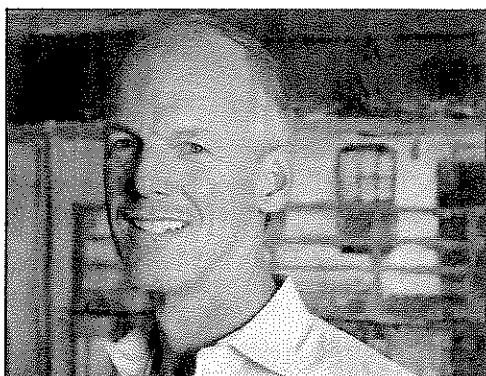


Figure 7. James Whalen, Vice-Chair, MSCP Working Group. [Photo Credit: Rob Davis, San Diego Tribune]

the MSCP back in 1989. The Alliance formally had two seats on the Working Group, including the Vice-Chair position. In 2007, the Working Group's vice-chair, reflecting on the outcome of the MSCP for developers, said he "couldn't have imagined anything better than this [MSCP]." The Working Group ultimately agreed upon a fifty-year time frame for the NCCP subregional plans — meaning the developers had succeeded in securing long-term regulatory certainty.

Environmentalists

The environmental organizations formed another group, the Endangered Habitat League (EHL), to represent their collective voice. The environmental group's incentive stemmed from the opportunity to be proactively involved in the development process and from their

interest in moving away from the species-based planning approach. The Working Group allowed local environmental groups to be a part of the process much earlier; normally their only means of participation would be giving public comment in a traditional public meeting when it is often too late to truly address concerns (Lee 2007).

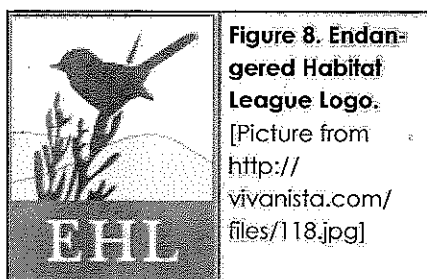
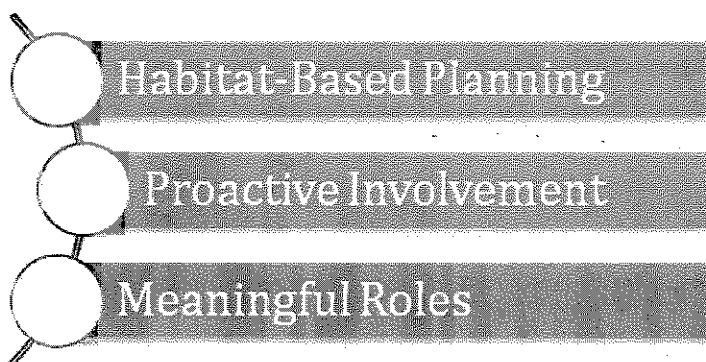


Figure 8. Endangered Habitat League Logo. [Picture from <http://vivanista.com/files/118.jpg>]

Environmental groups who were not directly a part of the Working Group were still influencing the process. For example, EHL was deliberately devoid of the national environmental groups because the large national groups generally wanted this process to remain within local purview, though funding from the larger umbrella organizations still

occurred. Lee's interview with environmental groups who contributed from outside the formal MSCP process said that they believed that they could act as leverage to the moderate

environmental groups inside the process. Thus, even though some perspectives may have been directly absent, those perspectives appear to have indirectly influenced the MSCP Working Group. For both the left and the right, a self-selection bias occurred that promoted collaboration since groups on the extreme sides chose to stay out of this collaborative process that they found unattractive (Lee 2007).

Political Champions.

Political leaders with name recognition acted as the glue that held this long-term collaboration together. Research by the City of San Diego on the MSCP process listed the strong political leadership as crucial to the success of the plan (Greer 2004). Locally, San Diego’s Mayor Susan Golding and County Supervisor Pam Slater, moderate Republicans, are cited as the two key proponents of the MSCP. They guided the process by providing policy direction to their staffs and by maintaining forward progress. After Mayor Golding’s term ended, the subsequent mayor was also a champion of the MSCP and saw to its implementation, which ensured the long-term success of the plan. Nationally, Clinton’s Secretary of the Interior, Bruce Babbitt, was coined the plan’s vocal cheerleader (Layzer 2002). Babbitt was a model of moderation when despite the urging of environmentalists, he listed the controversial gnatcatcher as threatened instead of endangered, allowing the MSCP development process to proceed. He consistently heralded the plan as a national model and was personally involved with the negotiations. County Supervisor Roberts cited Babbitt’s down-to-business attitude as a prod for moving past potential conflicts stemming



Figure 9. County Supervisor Pam Slater. [Picture from: <http://sdrostra.com/wp-content/uploads/2011/01/supervisor-Slater-Price.jpg>]



Figure 10. Mayor Susan Golding. [Picture from: http://www.lambdaarchives.us/timelines/portraits/susan_golding.jpg]



Figure 11. Secretary of the Interior Bruce Babbitt. [Picture from: http://www.aifestival.org/sites/default/files/pictures/people/Bruce_Babbitt.jpeg]

from partisan politics (Ron Roberts, Personal Communication, May 12, 2011). Overall, these leaders helped give clout to the process and very much spurred the collaborative nature of these negotiations.

Collaboration

Lee's research interviewing Working Group members also revealed the collaborative nature of the MSCP planning process. A local native plants group leader said she eventually could find common ground with ranchers whom she frequently opposes. A Working Group member from EHL said that the organization really began to see how diverse objectives could ultimately lead to mutual trust and a mutually beneficial result (Lee 2007). MSCP participants reported the process's particular effectiveness in promoting networking with groups outside their usual circles:

"The one major benefit of doing the habitat plan is it brought a lot of different groups together and people networked a whole lot better. . . . Most people feel a whole lot better if they've met the person before, even if it's just in passing. If they've seen the face, it's less hard to think about picking up the phone, so they communicate better." (Lee 2007, p. 79).

By allowing these diverse parties to network with one another, the MSCP process may create a more long-term connection between the development and environmental communities in San Diego.

Length of the Process

The entire development of the MSCP took about seven years, including about four years of negotiation for the Working Group (Layzer 2002). The Working Group started its meetings in 1991 and the final Implementing Agreements with the City and County of San Diego were both settled by 1998. Some participants cite the sheer length of the process as a crucial element for success. The understanding that this process was for the long haul garnered cooperation between the people who made up the MSCP Working Group. One working group member was quoted as saying, "just being in the trenches with a number of people for years" was crucial for hammering out agreements (Lee 2007, p. 77). Presumably, the years that the group spent together helped to forge understanding between the diverse players who may not have otherwise spent much time together in a good faith environment.

Science's Role in Establishing a Baseline

A scientific consultant, Ogden Consulting, worked with regional and municipal staffs to assess the status of the habitats in order to establish a baseline for the plan. Ogden created a census of the habitats and species in order to provide the Working Group with the facts to decide on how to go about delivering the requirements of the NCCP/HCP. This scientific process involved collecting data from aerial photos, satellite images, field surveys, and existing maps and previous environmental impact reports. Biologists used this information to create a model for evaluating the quality of the region's habitat based on its vegetation, sensitive species, soil types, connectivity, and other features. Planners then used GIS to create habitat maps, as well as maps reflecting current and planned land uses, ownership and economic value. By overlaying the land-use maps on the biological resource maps, they were able to conduct a "gap analysis" to identify areas in the region that were most at risk of development (See Appendix B) (Layzer 2002; Final MSCP Plan 1998). This gap analysis helped prioritize the habitats of eighty-five sensitive species based on scientific and economic analysis, providing the Working Group with a visual representation of the current habitats. The goal was to prioritize habitats that were species-rich, as well as land that was easy to acquire.

Alternatives

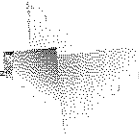
This scientific analysis resulted in three alternatives. The first was a developer endorsed plan that called for the preservation of 85,000 acres, focusing on the habitat of the gnatcatcher. The second plan from the environmental community set aside 179,000 acres, encompassing many more habitats. The third plan, which was ultimately selected, allocated 172,000 acres for preservation and allowed for 25% of the habitats to be developed. These plans, along with the No Project alternative, were used for the state Environmental Impact Report and federal Environmental Impact Statement public input processes (Final MSCP Plan 1998).

Public Outreach

The last step in the MSCP process required the City and County to sign Implementing Agreements. In preparation, the City initiated a public outreach strategy with public hearings and mailers. Also, Bank of America put its weight behind the project, claiming that a sprawling San Diego would harm the quality of life and slow the region's economic recovery. These first attempts at outreach

confused the public, so the Working Group put together another attempt, handled jointly by the Nature Conservancy and one of California's largest public relations firms. This round branded the MSCP as the Naturelands Project and attempted to speak to the values of all San Diegans. Research found that quality of life was the top concern of all residents regardless of their stance on environmental issues, thus the Naturelands Project was pitched as a quality of life initiative. The Nature Conservancy even brought on celebrities to elevate the plan's recognition. This effort paid off with a standing room only hearing during the City of San Diego's meeting for approval. The Council approved the MSCP unanimously and the plan received endorsement from the San Diego Building Industry Association, the League of Conservation Voters, the Sierra Club and the San Diego Chamber of Commerce (Layzer 2002).

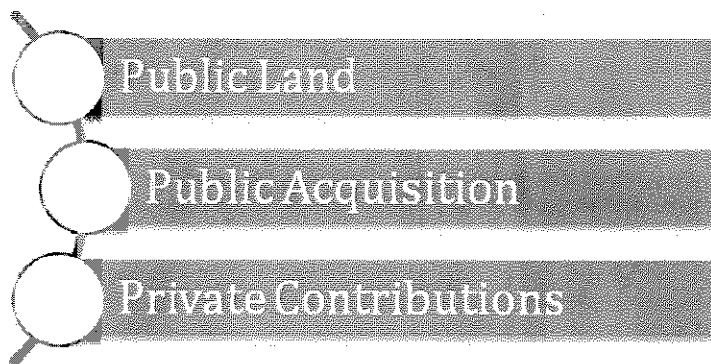
IMPLEMENTATION



MSCP and Strategies for a Collaborative Framework

The Working Group designed the MSCP as a framework for regional conservation, outlining potential strategies for preservation of land without mandating specific actions to be taken within each local jurisdiction. The plan divides land within the MSCP area into three segments prioritized by biological analysis of species, vegetation, and habitat sensitivity. Two of these segments are 'hard line' areas in which land must be set aside for preservation. In these hard line areas, local jurisdictions and the Federal and State wildlife agencies negotiate with private landowners, who agree to preserve land within the hard line boundaries in exchange for take authorizations elsewhere. The third segment defined in the MSCP does not include hard line preserve areas, but rather creates incentives for private development in less important habitat areas in return for mitigation in the areas defined as biologically significant (For an example of a subarea plan map: See Appendix C) (Oberbauer 2001).

The MSCP includes numerous potential methods for land conservation, and a combination of strategies may be used to preserve targeted conservation areas. A large proportion of the preserve is to be assembled through conservation of publicly owned land. The federal and state governments are responsible for contributing a total of 36,510 acres, and local jurisdictions and special districts will together contribute 45,240 acres of land under their ownership (Final MSCP



Plan 1998). Of this target acreage, some is already designated as open space, and the rest will have to be newly committed for habitat protection purposes. Each of these levels of government will retain responsibility for the management and maintenance of preserved land.

The second strategy for assembling the land preserve is public sector acquisition of privately owned land. Over the first thirty years after the passing of the MSCP, the federal and state governments are to match the acquisition of local jurisdictions, in total contributing 27,000 acres to the MSCP preserve (Pollak 2001). This acquisition occurs through a number of mechanisms, including purchase at market-determined land values from private sellers, land exchange, grants and matching funds, and tax credits or other purchasing agreements (for example, the Base Closure and Realignment Act can be used to purchase land for public ownership, which can then be committed to preservation under the MSCP).

Finally, private contributions are to add a target of 63,170 acres to the MSCP preserve (Final MSCP Plan 1998). Private contributions are elicited in a variety of ways, including through mitigation requirements and other regulations on development. The specific mechanisms used to add privately owned land to the MSCP preserve are decided upon by local jurisdictions and accomplished through local land use policies.

The three preservation mechanisms outlined above are to result in a total of approximately 171,920 acres to be conserved through the MSCP (Final MSCP Plan 1998). Just over 60% of the preserve is to be a result of public contributions (including both preservation of existing public land and public purchase), with the remainder to be assembled via private sector contributions.

Local Land-Use Decisions and Consistency with MSCP

Implementation relies on the development of subarea plans by jurisdiction, allowing local governments to retain control over land use decisions (See Appendix D for information on the

status of the subarea plans). However, local land use decisions must be based on that jurisdiction's subarea plan for conservation, which in turn must be consistent with the MSCP. The subarea plans also specify how the recipient of a take permit will conserve habitat and contribute to the MSCP preserve using existing land-use planning and project approval processes. Additionally, the plans include conservation targets, mitigation standards, and measures to track development and ensure it is consistent with habitat preservation.

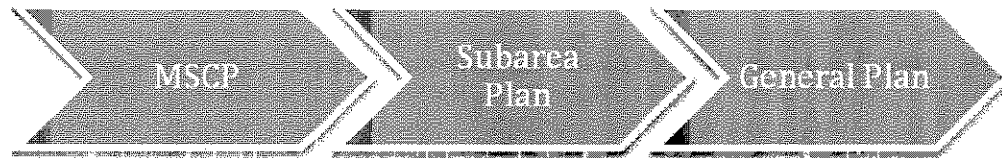
After a jurisdiction develops its subarea plan, the plan must be reviewed by the FWS and the CDFG. If the subarea plan is found to be consistent with the MSCP (that is, it outlines feasible conservation strategies to create its target acreage contribution to the larger preserve defined by the MSCP), then the state and federal agencies approve the subarea plan. This approval process also includes the signing of an implementing agreement between the local jurisdiction, the CDFG, and the FWS, specifying the responsibilities of each party (Layzer 2002).

The agreement between the local jurisdiction and the state and federal governments also attempts to establish cooperative efforts to find regional funding sources and coordinate the activities of all jurisdictions. The MSCP defines clear roles for participation by the CDFG and the FWS. Firstly, upon approval of a local jurisdiction's subarea plan, the CDFG and the FWS may issue take permits to a local government. Whereas without the MSCP the CDFG and the FWS would issue these take permits to individual landowners or developers, the MSCP requires them to grant these permits directly to the local government (Final MSCP Plan 1998). This not only allows the local government increased control over the land use and development process, but streamlines the process for landowners and developers who can apply for just one permit through the local government, rather than waiting for permits to build from both the CDFG and the FWS in addition to the local jurisdiction. The CDFG and FWS are also responsible for meeting annually with take permit holders to monitor their actions, and for meeting regularly with local jurisdictions to provide technical assistance with land conservation and maintenance, and assisting with the development of regional funding sources and public outreach programs (Layzer 2002).

Local Governments and On-the-Ground Implementation

Local jurisdictions are responsible for the implementation of the MSCP by incorporating the directives of the subarea plans into all local land use planning decisions. All local jurisdictions'

general plans must be consistent with the state and federally approved MSCP subarea plan (Layzer 2002). This means that land use planning elements, circulation elements, open space elements, and housing elements must all take into consideration the land that the subarea plan designates as appropriate for development or for preservation. This requirement is meant to ensure that all local policies are decided with consideration for the subarea plan, and thus all individual development



projects in all local jurisdictions are consistent with the MSCP as a whole.

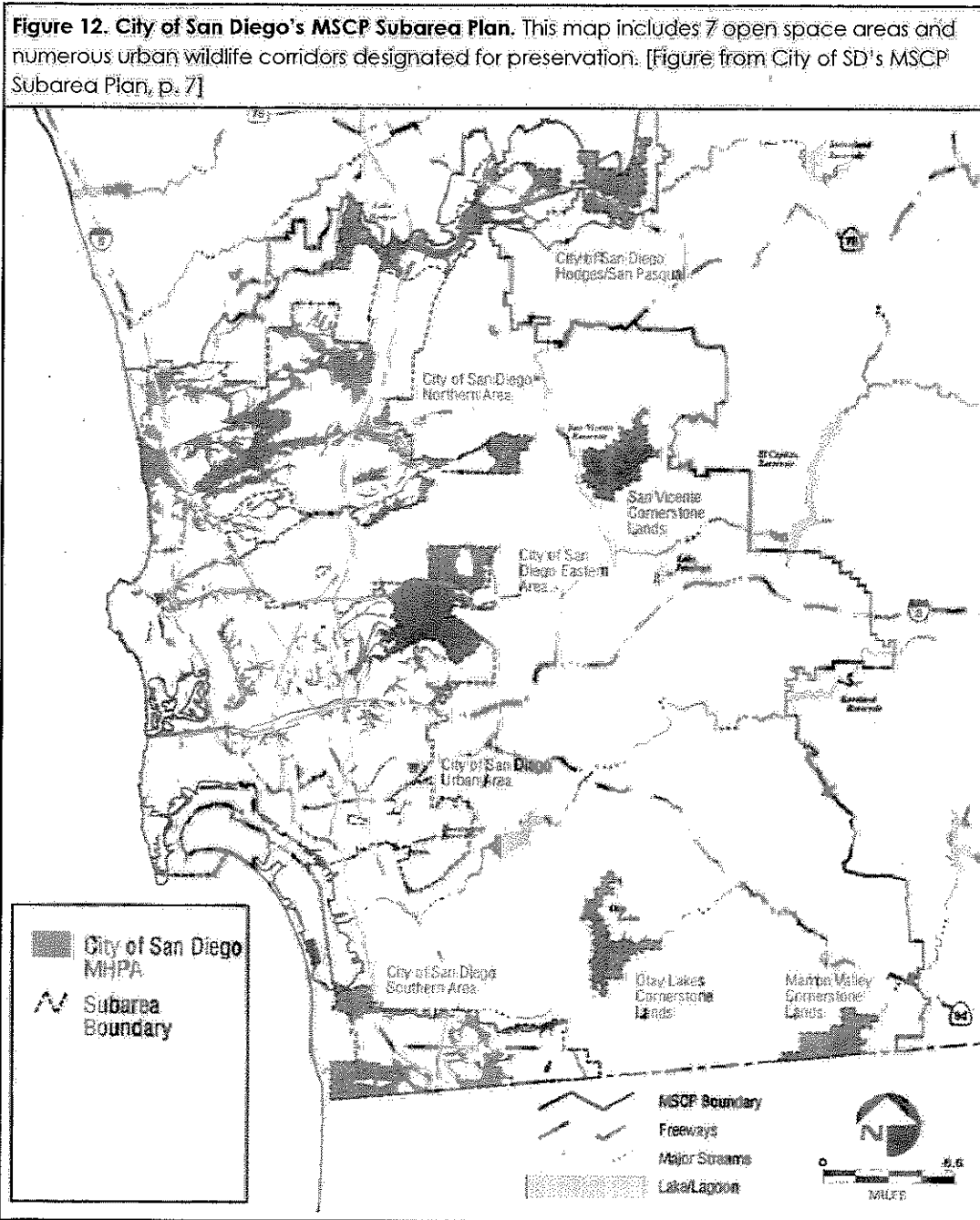
Implementation of the MSCP through locally determined subarea plans makes cooperation more attractive to local governments, who maintain autonomy over land use decisions. This means that, although each local jurisdiction must identify strategies for conserving the land preserves outlined in the MSCP, local flexibility results in different methods of implementation across the jurisdictions (Ebbin 1997). Local jurisdictions can decide upon methods for conservation depending on the species and habitats within their preserve land, as well as the local political and development climate.

City of San Diego's Subarea Plan

An analysis of a single jurisdiction's subarea plan, the City of San Diego, allows a more detailed understanding of the local implementation process. The City uses only a hard line preserve to define its subarea. The subarea plan identifies nearly 57,000 acres to be preserved on both public and private land. Of the publicly owned lands within the preserve area, 94% will be conserved and maintained as native habitat by the City (City of San Diego MSCP Subarea Plan 1997).

Requirements on private land within the preserve are slightly less restrictive, allowing up to 25% development per lot without any mitigation requirements. The remaining 75% that is conserved as open space should be dedicated to the City in fee. However, if the landowner decides against this dedication, the owner must record a covenant of easement with the City, which restricts the use of this portion of the parcel, and includes strategies for the long-term management of habitats on the property (Pollak 2001).

The City's subarea plan defines seven natural open space areas to be preserved. Each of these seven areas has specific conservation requirements based on the species, vegetation, and habitats within the area. The subarea plan also identifies threatened nature corridors still existing in already urbanized places. The plan restricts future development in these corridors in order to create connectivity between the seven open space areas to facilitate wildlife movement (City of San Diego MSCP Subarea Plan 1997).



The City of San Diego does allow some use of lands preserved within the MSCP subarea plan. The uses are considered “conditionally compatible” (City of San Diego MSCP Subarea Plan 1997, p.43) and are allowed on preserve areas as long as the impact on habitats is minimal or can be mitigated. These allowable uses include passive recreation, limited water facilities and essential public facilities, brush management, and some agriculture. Utility lines and roads are allowed within the preserved areas only if they are identified in the General Plan and Community Plan’s Circulation Elements (meaning they are consistent with the subarea plan and thus the MSCP), and if they are considered publicly necessary facilities or emergency access roads. Limited private residential development is also permitted, as long as it meets the requirement that at least 75% of the lot is maintained as open space.

The combination of preservation of public land, strategic public acquisition of private land, and restrictions on private development are meant to work together to create the City of San Diego’s preserve. Because the City’s subarea plan for habitat conservation is consistent with the larger preserve defined by the MSCP, these local land use strategies act as part of a regional collaboration to create a broad network of habitat preserves.

Local Perspectives and Incentives to Participate

Just as developers and environmentalists had a number of incentives to participate, so too is the MSCP in the interest of local jurisdictions. Incentives for local participation revolve around the ability to direct land use policy in a way that appeases multiple constituent groups and streamlines development. Firstly, the passing of the MSCP helped San Diego area jurisdictions to avoid the complete stalling of development experienced elsewhere. Development is a primary mechanism by which a city receives revenue and exacts local benefits, and so avoiding the halting of development would likely be a significant incentive for participation. Further, after signing on to the MSCP, local governments gain authority over the process of issuing take permits to developers and landowners within their jurisdictions (Final MSCP Plan 1998). This increases their decision-making power, and allows governments to prioritize and streamline their preferred local projects. Participation in the MSCP not only allows local governments increased authority over development, but also appeases environmentalist constituents and can thus be politically beneficial.

Authority for Implementation Lies in Collaborative Agreements

A product of its regional nature, there is no one party responsible for the oversight or implementation of the MSCP. As an example, the physical MSCP document has no author listed nor is there a listed publisher. Instead of creating any new institutions, authority lies in regional multi-level governmental agreements, and implementation occurs collaboratively through individual jurisdictions as described above. However the MSCP did create two new collaborative coordinating committees. The first of these is the Habitat Management Technical Committee (Final MSCP Plan 1998) intended as a forum for jurisdictions to coordinate technical problems and innovations regarding the maintenance of conserved lands. Participants in this committee include the staff of local jurisdictions involved in the MSCP, as well as representatives of other entities responsible for preserve management, who have technical or scientific expertise in maintenance of conserved lands. Their responsibilities include coordinating the maintenance of conserved lands across the region, maintaining updated information regarding the management plans throughout the MSCP, providing technical preservation assistance to jurisdictions in creating maintenance plans, and providing information on new management methods. The committee is also responsible for coordinating the development of a digital database for land maintenance issues throughout the region, and distributing the latest reports on MSCP preserve management. The CDFG and FWS work with this committee to best protect preserved habitats and species.

The second collaborative committee created through the MSCP is the Implementation Coordinating Committee (Final MSCP Plan 1998) made up of the CDFG and FWS, and representatives from environmental conservation organizations, from the large landowning community, and from representative of the small landowning community. The purpose of this committee is to coordinate the implementation of the MSCP among local jurisdictions and other stakeholders and participants, and the meetings of this committee are required to be open to the public, with publicized advance notice (Pollak 2001). The committee deliberately designs meeting agendas to allow for issues regarding MSCP implementation to be brought up by individuals and stakeholders throughout the region. This committee is tasked with coordinating implementation of subarea plans, maintaining a database of all MSCP land that has been conserved, connecting implementing authorities with the expertise of the Habitat Management Technical Committee, and discussing regional funding issues.

Accountability and Enforcement

While the MSCP does not create any new institutions with authority to unilaterally sustain the agreements in the MSCP, there are a number of mechanisms, both procedural and legal, to assure accountability in upholding the MSCP. Clearly, the MSCP's implementation depends on local jurisdictions carrying out the activities of the MSCP, and there are a variety of mechanisms that attempt to ensure that they do so.

Though the MSCP does not include strict enforcement mechanisms, it is a legally binding document, and thus the implementing agreements signed between local jurisdictions and the state and federal agencies hold significant clout in encouraging action (Pollak 2001). According to the California State Office of the Legislative Council, NCCP's are subject to the principles of basic contract law (Harrington 2000), which holds involved parties accountable to the action agreed to in the contract, with the threat of a court order or injunction in the case of a failure to act. However, it is unclear whether state and federal agencies may use the MSCP's implementing agreements to actually require a local government to change land use policies, based on local governments' inability contract their right to police power (Pollak 2001).

General understanding remains that, were a local jurisdiction to fail to act in accordance with their implementing agreement, the state and federal wildlife agencies may resume permitting on a project-by-project basis and require developers to submit to Endangered Species Act provisions (Ebbin 1997). This threat of repealing or invalidating take authorizations is a key mechanism by which the state and federal wildlife agencies may enforce the agreements of the MSCP. The MSCP specifies the CDFG and FWS' authority to temporarily suspend or altogether revoke take authorizations from either an individual landowner or developer, or from a local jurisdiction due to noncompliance with the implementing agreements (Final MSCP Plan 1998).

As a state mechanism, the MSCP does not provide standing for citizens to sue, according to the Office of the Legislative Council (Harrington 2000). However, citizens do indirectly have the ability to sue through the citizens' suit provision through the federal Endangered Species Act (Pollak 2001).

Financing the Plan

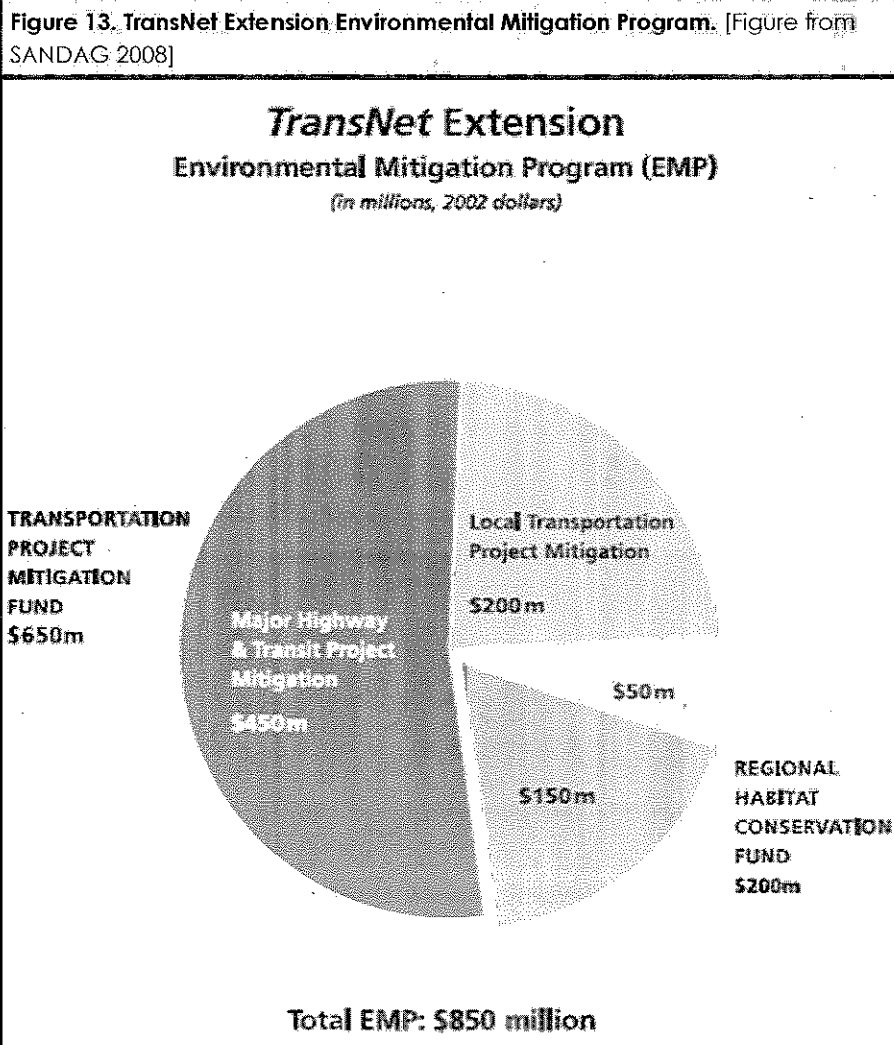
The MSCP program plan outlines a number of options to finance the purchase, monitoring, and maintenance of habitat. It identifies sources of funding for the federal and state acquisition of land. In 1998, the MSCP received \$2.7 million from the Land and Water Conservation Fund and \$2.75 million from ESA funds, and in 1999, the FWS provided \$5.6 million for land acquisition in Southern California (Layzer 2002). In 2000, voters passed Proposition 12, the Safe Neighborhoods, Clean Water, Clean Air, and Coastal Protection Bond Act, which includes \$100 million that can be used for acquisition, and \$50 million that the Parks Department can use to acquire lands for the state park system (Layzer 2002).

Local jurisdictions were supposed to establish a dedicated regional funding source within three years of the wildlife agencies' approval of the first subarea plan, the City of San Diego (Final MSCP Plan 1998). Based on a hypothetical 30-year benefit assessment, the working group estimated the total cost to local jurisdictions, residents, and businesses to range from \$339 million to \$411 million in 1996 dollars (Final MSCP Plan 1998). Most costs would go towards acquisition, with an estimated \$262 million to \$360 million for about 27,000 acres, or \$9,700 to \$13,300 per acre, assuming that most acquisition would occur earlier during the funding period (Final MSCP Plan 1998). Part of the funds would be set aside in a permanent endowment to provide ongoing management, monitoring, and maintenance costs in perpetuity.

The potential regional funding sources that the working group considered in the MSCP plan were special assessments by a park and open space district, a habitat maintenance assessment, a Mello-Roos community facilities district special tax, an increase in property tax, or an increase in sales tax. The sales tax offers the most flexibility in the use of the funds, though it is subject to two-thirds voter approval of the entire county. However, because residents, businesses, and visitors pay the sales tax, relative to other payers, residents would pay less under sales tax financing compared with the other forms of funding (Final MSCP Plan 1998).

The opposition from development interests regarding increased exactions, fees or taxes on development or business has made securing regional funding difficult (Pollak 2001). Additionally, because of the different adoption dates of the subarea plans, the jurisdictions took longer than the intended three years to secure a funding source (Greer 2004). Jurisdictions that had adopted plans operated under normal budget appropriations, in accordance with interim funding agreements

outlined in the MSCP plan (Greer 2004). In 2004, 67 percent of San Diego County voters approved to extend a one-half cent transportation sales tax, known as TransNet, for forty years from 2008 to 2048 (SANDAG 2008). The San Diego Association of Governments (SANDAG) expects the extension to generate \$14 billion in revenue, and includes \$850 million for an environmental mitigation program, of which \$650 million will mitigate regional and local transportation projects, and \$200 million will go towards regional acquisition, management, and monitoring, as seen in Figure 13 (SANDAG 2008). SANDAG distributes the money throughout the county, including the MSCP, and to plans for other parts of the county that were in the process of development.



SANDAG estimated in 2001 that the local share of the cost of acquiring and managing habitat lands throughout the county would total \$1.26 billion. While the \$850 million environmental mitigation program from TransNet has been an important regional funding source, funding continues to be an issue. Creators of the plan had not fully anticipated the maintenance costs (Ron Roberts, County of San Diego, personal communication, May 12, 2011).

RESULTS

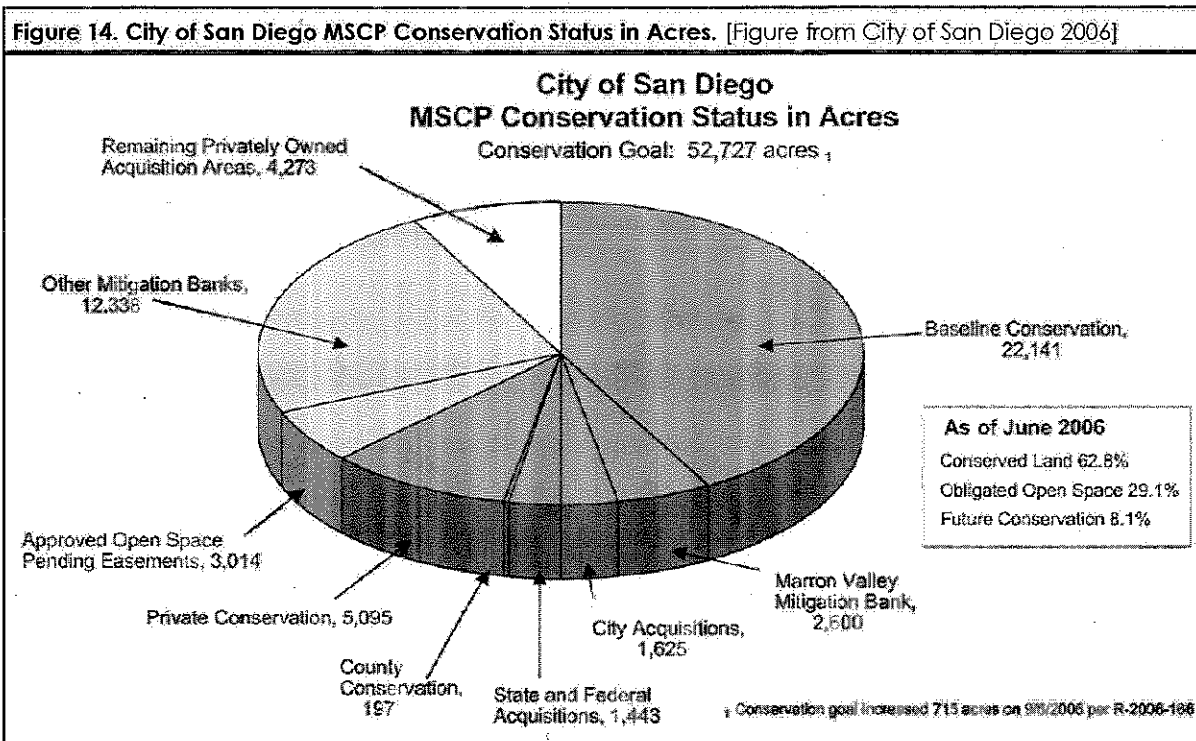
The goals of the MSCP are “to conserve biodiversity in the MSCP Area and to achieve certainty in the land development process for both private sector and public sector land development projects” (FWS, CDFG, and City of San Diego 2007, p.1). The MSCP also outlines other biological and equity goals:

- “Maintaining ecosystem functions and persistence of extant populations of covered species is the biological goal of the MSCP” (Final MSCP Plan 1998, p. 1-5)
- “Conserving native vegetation communities and associated species, rather than focusing preservation efforts on one species at a time” (Final MSCP Plan 1998, p.1-1)
- “Preserve as much of the core biological resource areas and linkages as possible” (Final MSCP Plan 1998, p.3-1)
- “Make the preserve affordable and share the costs equitably among all beneficiaries.” (Final MSCP Plan 1998, p.3-1)

This section examines how successful the MSCP has been in achieving these goals and identifies other successful MSCP outcomes and processes. Where possible, we present data on the entire MSCP area; otherwise, we report on the City of San Diego and/or San Diego County’s MSCP subarea. Additionally, this section analyzes the equity implications of the plan, criticisms of the plan, and potential improvements.

In terms of fulfilling land conservation goals, the MSCP has been very successful in meeting targets (Keith Greer, personal communication, May 13, 2011). As of December 31, 2008, the City of San Diego has conserved 33,214 acres, or 63 percent of its goal to conserve 52,727 acres within 50

years (City of San Diego 2009). If land conserved through other mitigation banks or approved open space pending easements are included, the City has achieved 92% of the conservation goal as of June 2006 (City of San Diego 2006). Figure 14 shows the variety of conservation strategies the City has employed. As of December 31, 2010, the County has preserved 69,700 acres, 71 percent of the goal of 98,370 acres (County of San Diego 2011). Most of the habitat gain is within the MSCP preserve area, whereas most of the habitat loss is outside the preserve (See Appendix E).



While the MSCP has been successful in conserving land, the success in protecting species is less clear. This is because the relationship between allowing impacts to habitat and protecting species is not clear. For example, since the MSCP was adopted, there have been two major wildfires in the preserve that destroyed the habitats of two covered species, the California gnatcatcher and the Hermes copper butterfly. Whereas both the gnatcatcher habitat and population have recovered, the Hermes copper habitat has recovered, but the population has not (Keith Greer, personal communication, May 13, 2011). SANDAG, the US Geological Survey, and other organizations are working together to determine measures of success (Keith Greer, personal communication, May 13, 2011).

Successes

Although evaluating the success of the MSCP by its stated goals may lead to mixed reviews, by comparing the outcomes and processes to the contentious environment beforehand and potential stalemate as in the Pacific Northwest, we can identify successes in both outcomes and processes.

Successful Processes

Encourages Broad Participation. The MSCP began with an industry-dominated citizen advisory committee, which quickly realized it would need to include environmentalists to have procedural legitimacy (Layzer 2002). The participation of a broad array of groups also could lead to federal and state support. The conservation chair of a local native plants group said, “When opposed people lobby together, politicians really like it” (Lee 2007, p.83). Several participants also welcomed the formalized process that gave them legitimate roles beyond public comment at a meeting (Lee 2007).

Allows Flexibility in Implementation. Local jurisdictions’ ability to write their own subarea plans allows them to maintain local land use control (Greer 2004). Separate subarea plans also allowed for phased implementation and “kept the process moving” (Greer 2004, p.232).

Frames Conservation as Quality of Life Issue. Proponents of the plan hoped the collaboration would redefine the issue as “species *and* jobs rather than species *versus* jobs” (Layzer 2002, p. 324). Ultimately, reframing the issue as one of quality of life generated public enthusiasm for the plan.

Successful Outcomes

Engenders Proactive Planning. The MSCP has resulted in a more comprehensive conservation strategy than what had been employed in the past through project-by-project mitigation. It created a plan that resulted in interconnected preserves and protected multiple species and habitats instead of the previous project-specific approach which amounted to fragmented and small preserves.

Elevates the Status of Conservation to “Green Infrastructure.” The MSCP has elevated the status of conservation to other types of infrastructure. It has allowed planners to think of conservation as “green infrastructure,” and coordinate connectivity among jurisdictions, just as they would coordinate connectivity of roads or other types of infrastructure (Keith Greer, personal

communication, May 13, 2011). Another planner at SANDAG echoes, “You don’t just go out and build a road or a sewer line. It’s part of a network. You have a plan and you build in an efficient way. It [the MSCP] allows us to protect the environment in a systematic way” (Pollak 2001, p. 61). Additionally, the MSCP prompted various jurisdictions to start talking to each other about open space and habitat conservation (Keith Greer, personal communication, May 13, 2011).

Complements Other Land Use Planning Processes. The effect of the MSCP on pursuing other land use goals may have been positive. In their General Plan updates, both the City and County of San Diego have adopted similar smart growth goals that create infill development and mixed use near areas where there is already a high level of activity and transit options, which encourages the achievement of MSCP subarea goals (Greer 2004). The City and County have also incorporated the MSCP into their open space elements.

Creates Regulatory Certainty for Developers. The MSCP arguably creates greater certainty for developers in calculating the density and intensity of what can be developed (Keith Greer, personal communication, May 13, 2011). It also simplifies permit processing by making a uniform process across the region. AB 795 also exempts NCCP projects from CEQA review and mitigation if the projects conform to the approved plan (1996).

Equity Successes

The MSCP displays a number of equitable practices. The involvement of diverse interests can be viewed as a more equitable process than top-down decision-making dominated by private interests. By facilitating some development, it avoided potential stalemate, and allowed a strategy that pursued both economic development and environmental interests. Additionally, the plan preserved more open space and allowed passive recreation on some of the preserves, even in poorer areas of southern San Diego County.

Small landowners may see the MSCP as either positive or negative. For small landowners whose land was critical habitat, they could develop on only 25% of the land. However, the land also became more valuable as a site for mitigation by other developers, so landowners would profit if they chose to sell their land as mitigation to developers (Keith Greer, personal communication, May 13, 2011).

Replicability

Jurisdictions, developers, or environmental groups may look to some of the aforementioned successes to craft plans like the MSCP. However, there were three unique characteristics that we believe made San Diego a success. First, California wildlife agencies have greater expertise compared with other parts of the nation, which is necessary for long-range planning (Parker 1997-98). As one reporter wrote “it works best when a lot is known about the ecosystem and species to be preserved” (Armstrong n.d., p. 4). Second, there was strong political leadership at all levels of government. Former Mayor of San Diego Susan Golding and County Supervisor Pam Slater were instrumental in keeping the process moving, and there was continuity when the next mayor Dick Murphy, made the MSCP one of his top goals (Greer 2004). Additionally, Bruce Babbitt’s support and close collaboration was key. Finally, the high stakes involved – both high real estate values and the potential loss of millions of dollars and thousands of jobs made the time and effort to create a plan worth it (Armstrong n.d.).

The other parts of San Diego County are in the process of developing conservation plans (See Appendix F). SANDAG has taken a large role in developing the North County plan and has taken a greater role in coordination among the different plans. Other areas of the state have also developed conservation plans, as seen in the growing number over time (See Appendix G).

Criticisms

Parts of the MSCP plan have proven too vague in their description of allowable impacts to habitats. For example, the implementing agreement specifies that for vernal pool habitats, the “impacts will be avoided to the maximum extent practicable” and the MSCP plan called for protecting 88% of the vernal pool habitat, and mitigating impacts by allowing “no net loss” of function (FWS, CDFG, and City of San Diego 2007, p.30; Final MSCP Plan 1998, Table 3-5, p.3-38). In 1998, when a developer planned a development called the Cousins Market Center on a site with vernal pools, the City Council and the U.S. Army Corps of Engineers approved the project, which destroyed 65 of the site’s 66 rare vernal pools (Pollak 2001). Fourteen environmental groups responded by suing the City of San Diego, Army Corps of Engineers, and the Fish and Wildlife Service (Pollak 2001). As one scientist said of the Cousins Market incident, “you are basically handing the enforcement of the Endangered Species Act over to the San Diego City Council, and they have no track record for

conservation, in particular for vernal pools” (Pollak 2001, pp. 29-30). The suit lasted for 10 years until the City gave up its right to issue take permits for vernal pool habitats, and now the City is currently developing a vernal pool management plan (Keith Greer, personal communication, May 13, 2011).

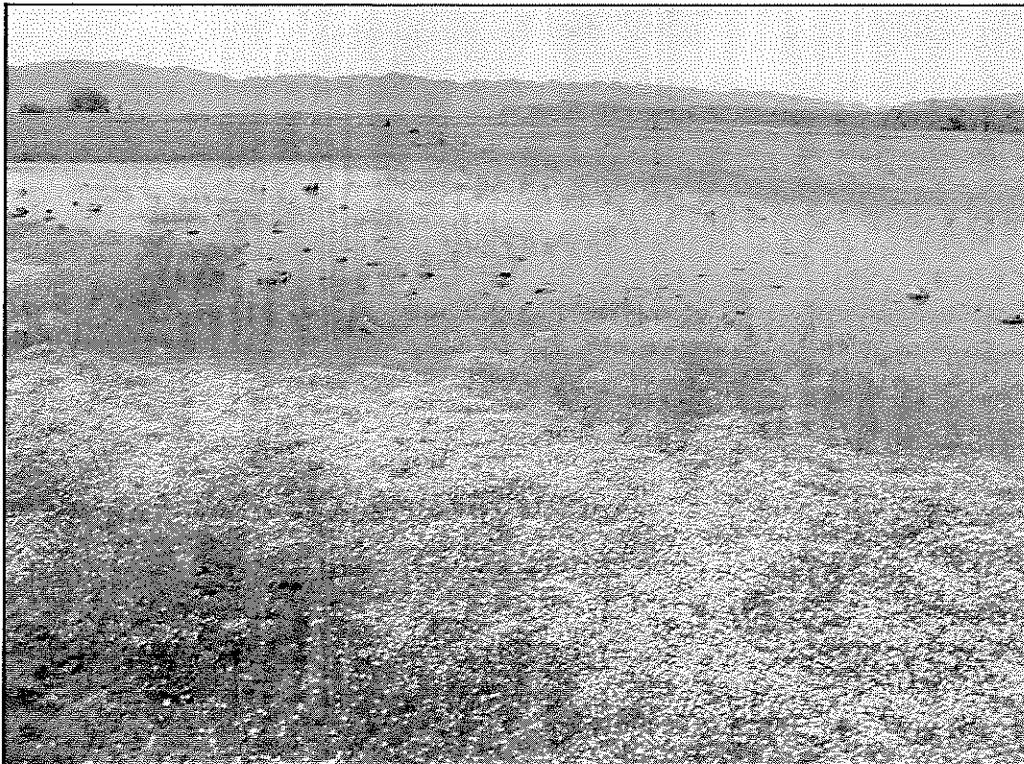


Figure 14. Vernal Pool Habitat. [Figure from http://www.blm.gov/or/resources/recreation/tablerock/images/vernal_pool_lg.jpg]

Because of incidents like the Cousins Market Center, the MSCP has not provided the expected level of regulatory certainty to the development process. As a county planning commissioner and director of the Endangered Habitats League, Michael Beck, observed that the plan gave local elected boards tremendous discretion (Layzer 2002). Additionally, when environmentalists found projects that were inconsistent with the MSCP, they challenged such projects. Thus, the MSCP did not completely eliminate project-by-project review.

Adding to the uncertainty of development, environmental groups have challenged the ESA “No Surprises” rule for over a decade, which the federal district court most recently upheld in 2007 (Ferrell 2007). This will likely provide more certainty and incentive for landowners to invest in the HCP process. However, in 2008, the California Supreme Court rejected the “No Surprises” clause

of the California Endangered Species Act, which may cause developers and landowners in California to lose certainty in the development process (Ferrell 2008). Although it is unclear how this ruling affects existing HCP/NCCPs like the MSCP, the decision may deter potential HCP applicants from obtaining a federal permit through the costly and time-intensive HCP/NCCP process, and instead seek minimal take coverage through separate federal and state processes (Lake and Landreth 2008).

Critics also question whether true regional planning is possible. One critic notes, “The only way an agreement can be reached . . . is if the language is so vague that it can be interpreted the way each side wants to interpret it” (Davis 2003 in Lee 2007, p.84). Environmentalists and developers may have only been able to agree upon the MSCP because it was vague, only to find out later that the other party had a different understanding. Although the MSCP has shortcomings, this is largely because it is an innovation in planning. Because this is a first attempt, we should not discount its usefulness as a regional land use model.

Areas for Improvement

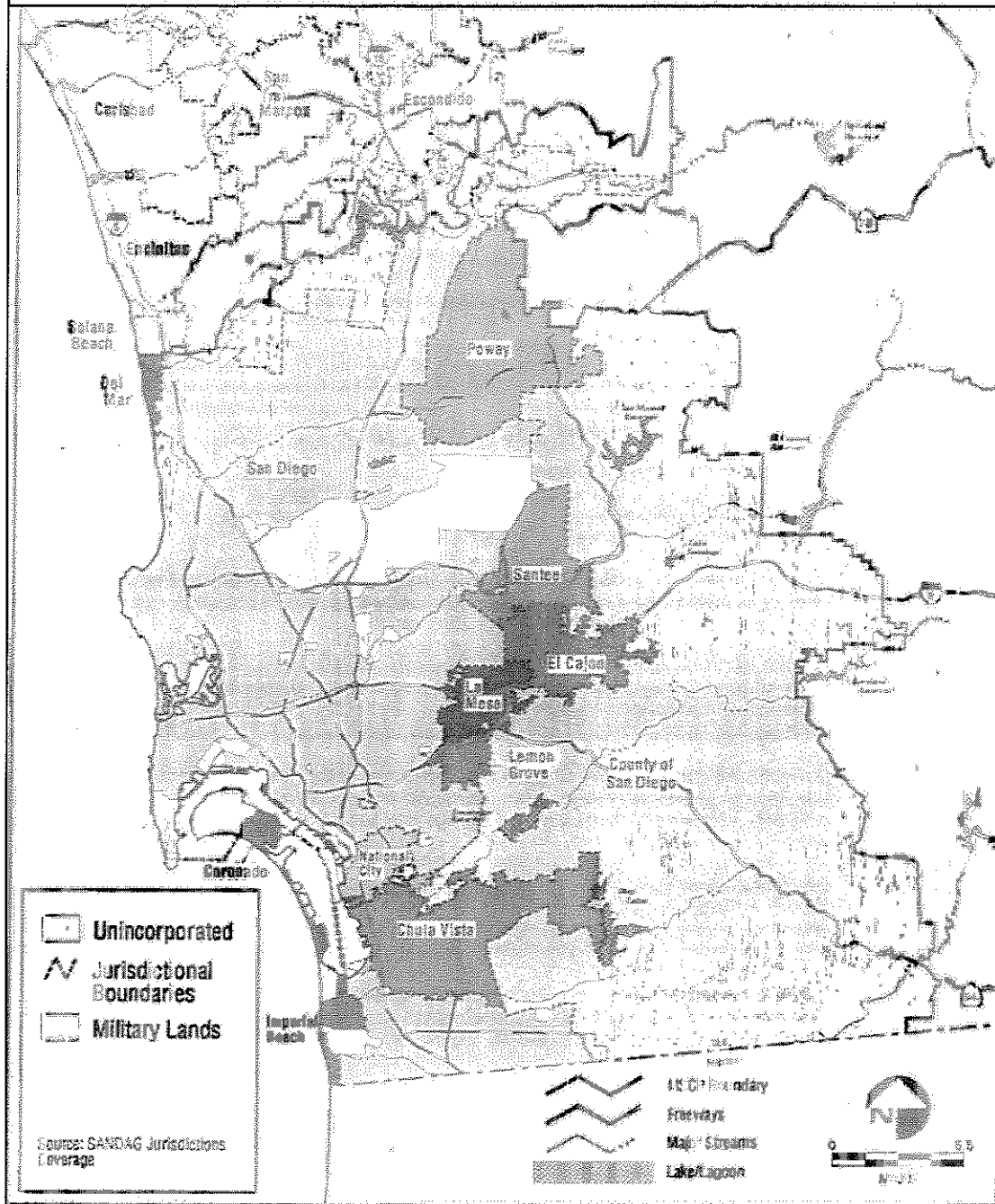
Based on these criticisms, there are a number of improvements that could be made to such a process. Both in the development of the MSCP plan and in the ongoing monitoring, more scientific expertise and review could strengthen the plan and its implementation. The Scientific Review Panel had not been asked to review NCCP plans, but a couple of members expressed concerns that the plans were too fragmented (Pollak 2001, p.26). In later years, the California legislature addressed this concern by requiring more scientific review (Pollak 2001). Additionally, in our search, we found it difficult to locate comprehensive data on the whole MSCP area. The different subareas report on their own progress, but no agency conducts centralized analysis of the whole plan. This fragmented approach inhibits effective monitoring (Greer 2004).

Another area of improvement is to craft plans with language that is clear and specific. This has been a learning experience, as the agencies have modified or developed separate management plans to clarify original agreements.

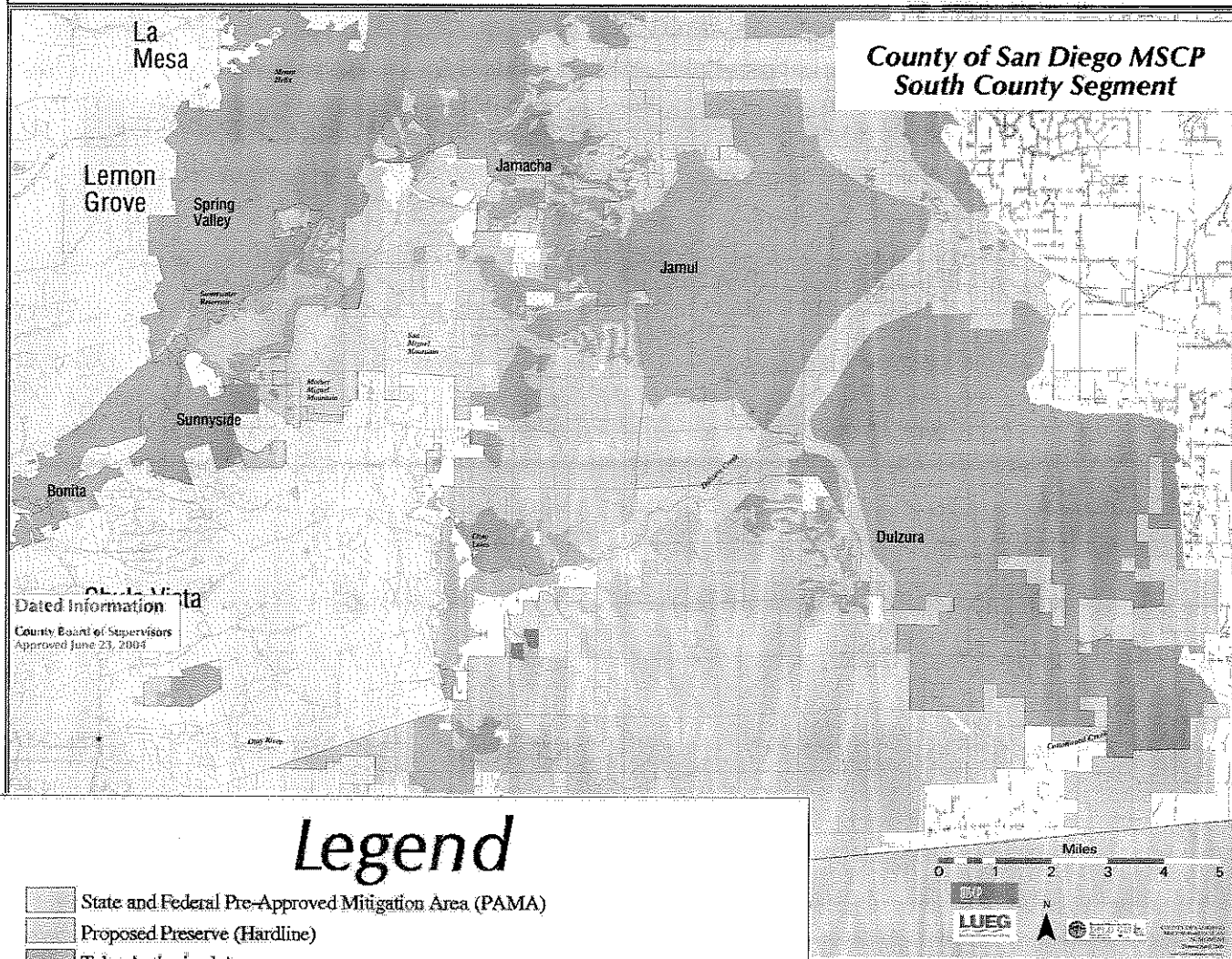
Conclusion

In the context of strong development pressure and largely conservative politics in San Diego, the MSCP is a success for its habitat conservation, collaborative processes, and multi-jurisdictional coordination. By reframing conservation as “green infrastructure,” the MSCP makes habitat conservation a primary factor in land use decisions, instead of an afterthought. By explicitly linking regional conservation with local development strategies, a wide spectrum of interests were incentivized to collaborate. The result of collaboration was a new framework that protects species while still allowing for development. The success of land conservation through the MSCP has prompted the development of other regional habitat conservation plans across the state. Despite the usual barriers regional plans face, this case study shows that comprehensive planning can attract a number of players, across industries and jurisdictions, to cooperate for the benefit of the entire region.

Appendix A. Jurisdictions Within the MSCP Area. The jurisdictions include: Cities of San Diego, Poway, Chula Vista, Santee, El Cajon, La Mesa, Lemon Grove, Imperial Beach, National City, Coronado, and Del Mar; a portion of SD's unincorporated area; and the Otay Water District. [Figure from Final MSCP Plan 1998]



Appendix C. County of San Diego, South County SubArea. Hardline preserve areas are green. [Figure from <http://www.sangis.org/maplibrary/>]



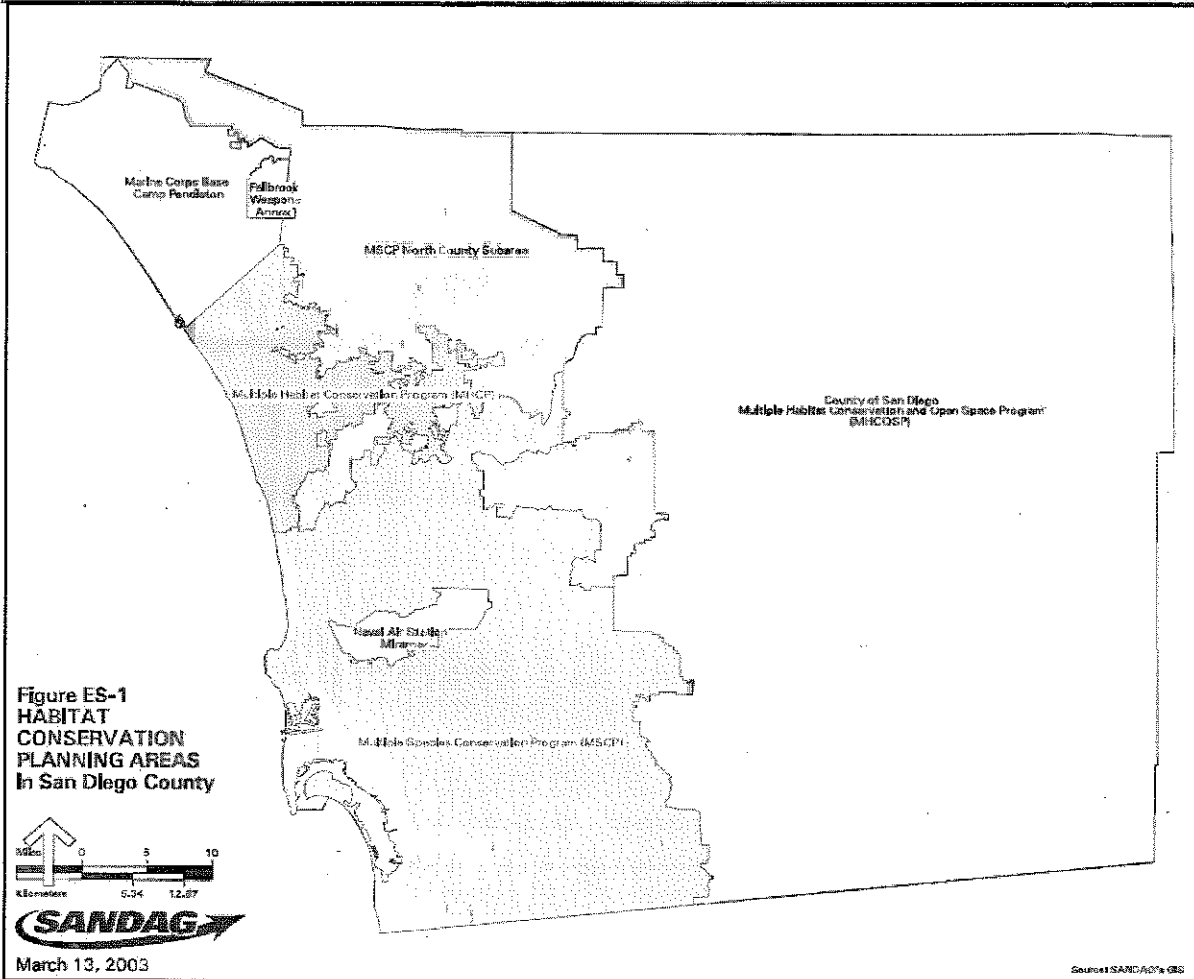
Appendix D. List of participating jurisdictions and their subarea plan status. [Information from <http://www.dfg.ca.gov/habcon/nccp/status/>.]

Jurisdiction	Subarea Plan Status
City of Chula Vista	Completed 2005
City of Coronado	In Progress
City of Del Mar	In Progress
City of El Cajon	In Progress
City of La Mesa	Completed 1999
City of Poway	Completed 1996
City of San Diego	Completed 1997
County of San Diego	Completed 1997
Quino Checkerspot Butterfly Amendment to South County Area	In Progress
Otay Water District	In Progress

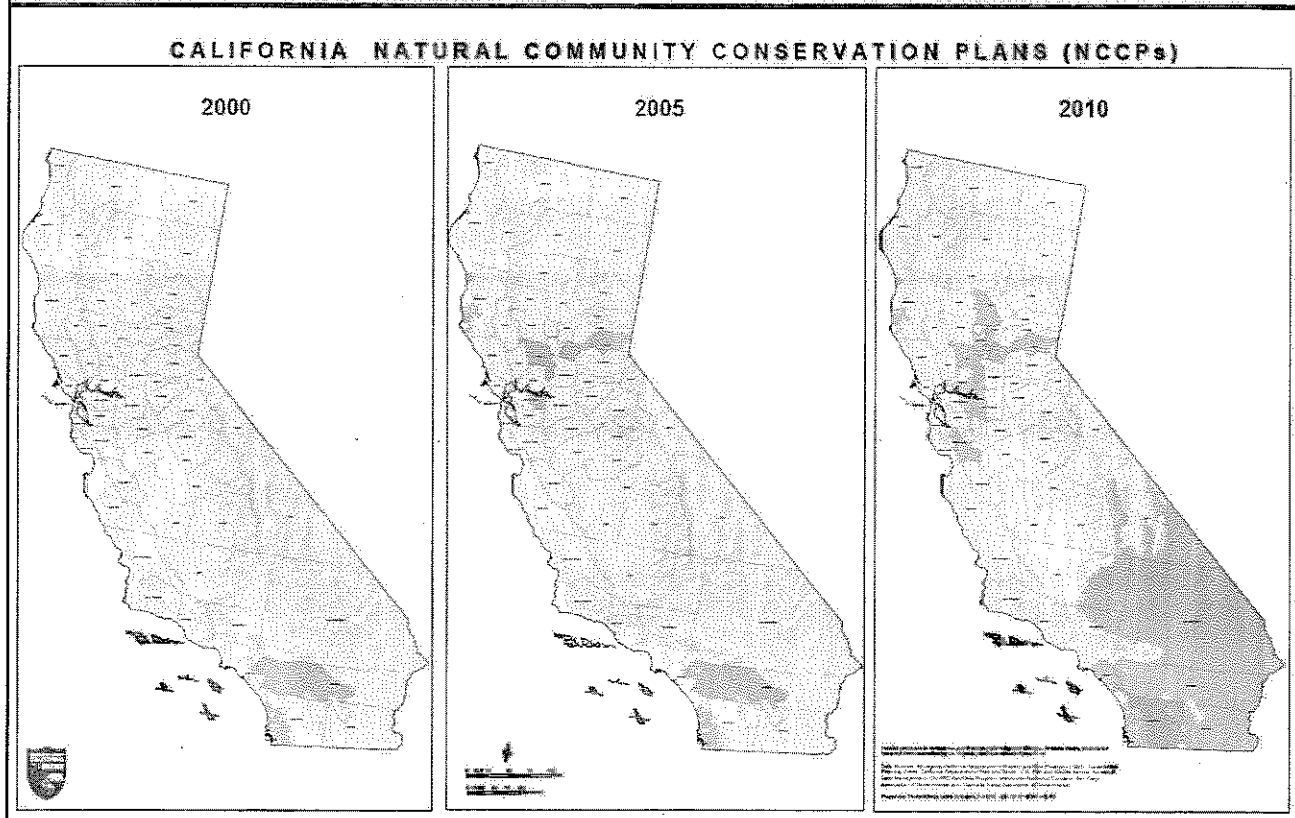
County. Most of the habitat gain (in green) is within the MSCP preserve area (gray stripes), whereas most of the habitat loss (in red) is outside the preserve. [Figure from County of San Diego, 2011]

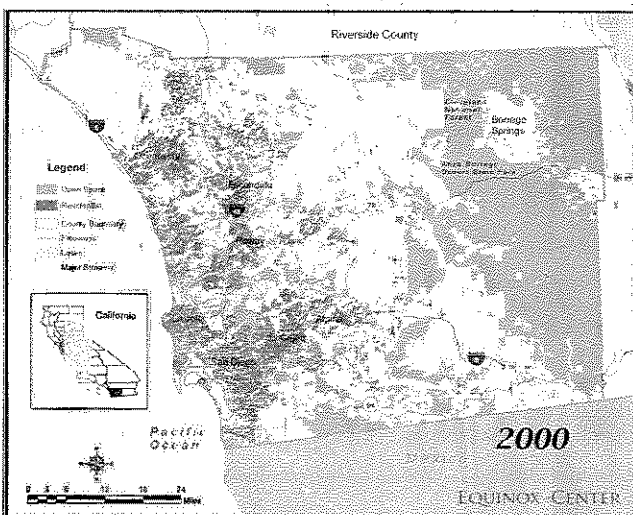
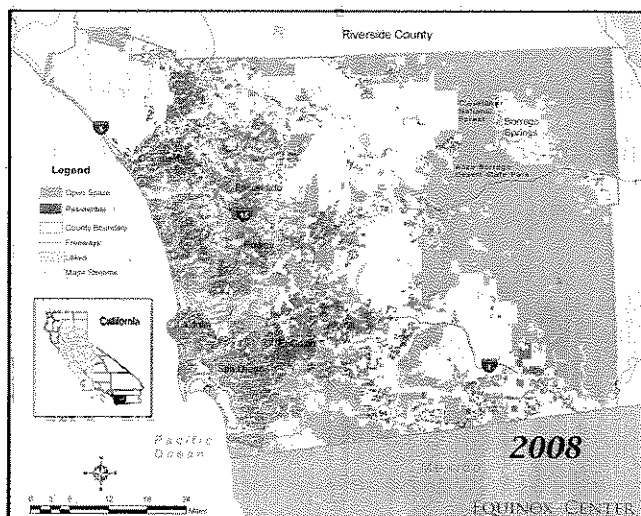
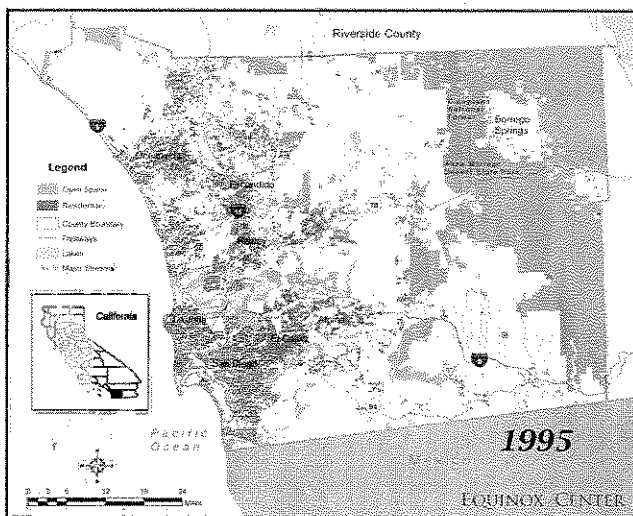
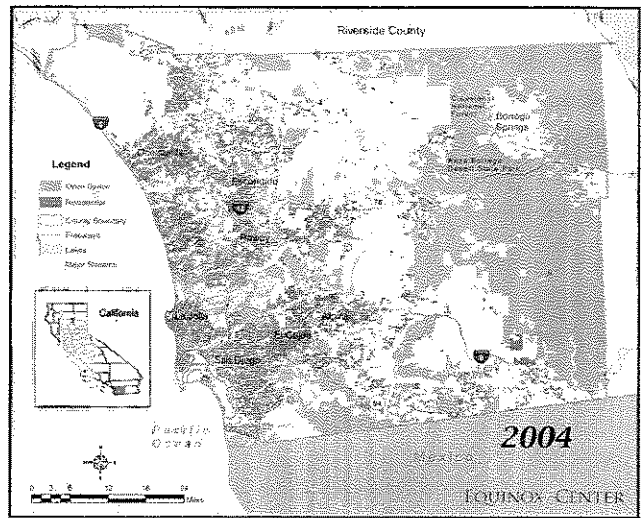
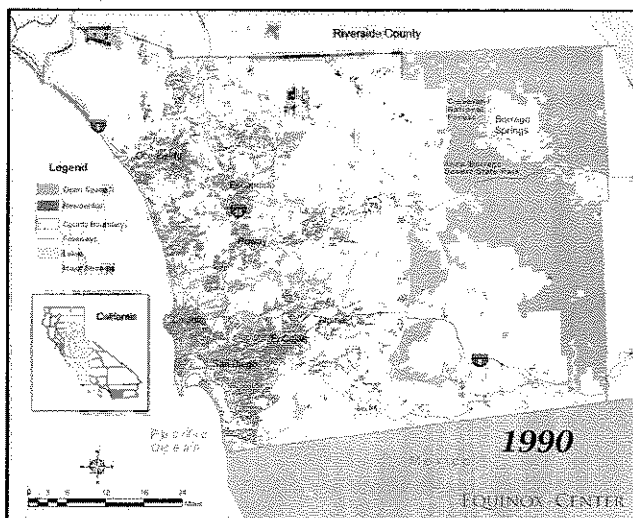


Appendix F. Habitat Conservation Planning Areas in San Diego County. [Picture from SANDAG, Final MHCP Executive Summary, p.4]



Appendix G. California Natural Community Conservation Plans (NCCPs). [Figure from [Information from <http://www.dfg.ca.gov/habcon/nccp/status/>]





Appendix H. Residential development and open space acquisition in San Diego County 1990-2008. Residential development is in red and open space is in green.
 [Figure from <http://www.equinoxcenter.org/assets/files/Residential-&-Open-Space-Land-Use-Animated-GIF-1990-2008.gif>]

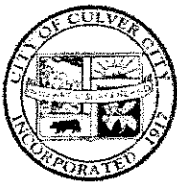
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CITY OF CULVER CITY

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CITY MANAGER'S OFFICE
CITY OF CULVER CITY

Martin R. Cole, MPA
Assistant City Manager/City Clerk

**COMMISSIONS, COMMITTEES, AND BOARDS
APPLICATION INFORMATION**

Thank you for your interest in volunteering your time and expertise to the Culver City community. The information contained on this application is for use by the City in reviewing candidates to fill vacancies on City Commissions, Committees, and Boards. During consideration of applicants, the City may consider the information contained in this application, any required supplemental questionnaire, and any other publicly available information. An appointment to any Commission, Committee, or Board is at the discretion of the appointing authority.

Ethics and Avoidance of Conflicts of Interest

As a reflection of the residents of the community, Culver City prides itself on the high ethical standards adhered to by its municipal government. As a prospective applicant, we want you to be informed about potential limitations that state and local law impose on individuals who serve the community, especially where they may have a financial conflict of interest. Please consider this information before submitting an application and accepting an appointment. Further information and training regarding these limitations, as well as other legal and procedural requirements when serving on these bodies (i.e. Brown Act, ethics laws, etc.), will be provided in the event you are appointed to one of the City's commissions, committees, or boards.

State law has established regulations intended to ensure that a public official does not use his or her position for personal, financial benefit.

- The California Political Reform Act prohibits a public official (including any of the City's commission, committee, or board members) from participating in any decision or deliberation that might affect the official's own financial interests. In such a situation, the official must publicly disclose the potential conflict of interest, recuse himself or herself from the item being discussed, and leave the meeting room while the matter is considered.
- Government Code Section 1090 imposes an even stricter prohibition. It prohibits a local body from "making" a contract with one of its own members (even if the member has recused him or herself), which includes all aspects of contract formation, including such actions as influencing the contract's scope or the selection of a contractor.

A community member volunteering to sit on a City commission, committee, or board should be aware of these restrictions and take them into consideration before applying for or accepting appointment to any of these bodies.

**APPLICATION FOR
COMMISSIONS, COMMITTEES, AND BOARDS**

(Please type or print legibly– or use the PDF fill-in form available at www.culvercity.org)

**Please be advised this document is a public record and
information contained herein may be subject to public disclosure
as required by the California Public Records Act and any other
applicable law.**

General Information:

1. Identify the Commission(s), Committee(s), and Board(s) to which appointment is desired. Please list all appointments for which you are applying:

BALDWIN HILLS CONSERVANCY BOARD OF DIRECTORS, TWO-YEAR TERM

2. Name: MARY ANN WEBSTER Telephone: [REDACTED]

Address [REDACTED] Zip [REDACTED]

Business: _____ Telephone: _____

Address _____ Zip _____

E-mail address: [REDACTED]

3. Community Service (List commissions, committees, boards, and other organizations on which you have served or currently serve and offices held and in what city those positions were or are held.):

- A. SIERRA CLUB, WEST LOS ANGELES GROUP; CONSERVATION CHAIR
- B. SIERRA CLUB, SANTA MONICA MOUNTAINS TF; CHAIR
- C. CULVER CITY SENIOR CENTER; MEMBER; TEACHER
- D. FRIENDS OF BALLONA, MEMBER
- E. BALLONA CREEK REN.; MEMBER, VOLUNTEER
- F. CULVER CITY, FRIENDS OF LIBRARY; MEMBER, VOLUNTEER
- G. SURFRIDER FOUNDATION; MEMBER

4. Employment (Include titles and duties of current and past employment):

RETIRED ADJUNCT PROFESSOR OF ENGLISH: LOS ANGELES TRADE TECH. COLLEGE
RETIRED HIGH SCHOOL COUNSELOR AND ADVISOR: JEFFERSON HIGH SCHOOL, LOS ANGELES

5. Education (Include professional or vocational licenses and certificates.):

B.A., UCLA, MAJOR: ENGLISH
MA, UCLA, MAJOR ENGLISH
COUNSELING CREDENTIAL, CA STATE DOMINGUEZ HILLS.

6. Additional Information

a. Are you a Culver City resident? YES ☒ NO ☐
Number of years: _____

b. Are you a Culver City business owner/operator? YES ☐ NO ☒
Number of years: _____

c. Are you registered to vote in Culver City? YES ☒ NO ☐

d. Have you ever been convicted, fined, imprisoned or placed on probation for a felony or a misdemeanor? YES ☐ NO ☒

e. Have you ever worked for the City of Culver City? YES ☐ NO ☒
(If yes, list dates of employment and names of departments.)

f. Are you related to any current City employees or appointed officials of the City of Culver City? (If yes, indicate name and relationship.) YES ☒ NO ☐

JANE LEONARD, TRANS. SR. ANALYST, CULVER CITY, DAUGHTER-IN-LAW

g. Have there been, or are there now, any circumstances which might reflect adversely on the propriety of your serving as a member of any body to which you might be appointed? YES ☐ NO ☒

h. How many meetings of the Commission(s), Committee(s), or Board(s), to which you are interested in being appointed have you attended in the last year? 2

i. How much time, on a monthly basis, do you anticipate spending on preparation for attendance at meetings of the body to which you desire appointment? 40

7. Please list the reasons why you are seeking appointment to a City body. (When possible, please be specific to the body's role.)

ENVIRONMENTAL PROTECTION OF PUBLIC LANDS AND NATURAL RESOURCES
RECREATIONAL AND EDUCATION OPPORTUNITIES FOR ALL OUR CITIZENS
ACQUISITION, MANAGEMENT AND EXPANSION OF PUBLIC LANDS IN THE BALDWIN HILLS

8. What is there specifically in your background, training, education or interests that qualifies you for appointment?

MY VOLUNTEER FOCUS FOR THE PAST 30 YEARS HAS BEEN TO INCREASE PUBLIC OWNERSHIP, MANAGEMENT AND PRESERVATION OF OPEN SPACE IN THE LOS ANGELES AREA. AS CHAIR OF THE SANTA MONICA MOUNTAINS TASK FORCE, OUR MISSION WAS TO NETWORK WITH CALIFORNIA STATE PARKS, NATIONAL PARK SERVICE AND THE SANTA MONICA MOUNTAINS CONSERVANCY TO INCREASE PUBLIC OWNERSHIP IN THE REGION AND TO PROTECT AND RESERVE THE NATURAL, HISTORICAL AND CULTURAL RESOURCES IN THESE AREAS. OUR MISSION WAS (AND IS), ALSO TO PROVIDE RECREATIONAL AND EDUCATIONAL OPPORTUNITIES FOR ALL. OUR TASK FORCE HAS WORKED WITH PUBLIC AGENCIES, POLITICAL OFFICIALS AND OTHER ORGANIZATIONS, TO ENSURE THESE GOALS HAVE THE HIGHEST PRIORITY.

9. How would you help the body perform its established role, objectives, and/or goals, as established by the City Council?

THE WORKING RELATIONSHIP OUR TASK FORCE MAINTAINED WITH PUBLIC AGENCIES WAS (AND IS) BASED ON ESTABLISHING OBJECTIVES, GOALS AND ROLES FOR ALL TO FOLLOW. ALL LAND ISSUES ARE POLITICAL, AND THE DIVERSE CONCERNS AND MANDATES OF THE CITY COUNCIL, NEED TO BE THE BASIS FOR ALL OBJECTIVES THAT INCLUDE LAND ACQUISITION, LAND MANAGEMENT, RESOURCE PROTECTION AND AMPLE RECREATIONAL OPPORTUNITIES FOR THE DIVERSE CITIZENS WHO WILL BENEFIT FROM THESE GOALS.

10. What special qualities and/or qualifications can you bring to the body(ies) to which you seek appointment(s)?

I WAS AN ACTIVE PARTICIPANT AND PLANNER IN THE ACQUISITION OF THE BALDWIN HILLS OVERLOOK. I JOINED FORCES WITH A CORE OF CITIZENS, AND OTHER GROUPS, INCLUDING THE BLAIR HILLS OWNERS ASSOCIATION.. WE ATTENDED CULVER CITY COUNCIL MEETINGS, WORKED WITH POLITICAL REPS. AND LOCAL CITIZENS TO ENSURE THAT THIS OPEN SPACE WOULD BECOME PUBLIC LAND. THROUGH A MITIGATION FUND, I HELPED FUND AN ATTORNEY AND GEOLOGICAL EXPERT. IT WAS A TOUGH CAMPAIGN AND FINALLY GOV. GRAY DAVIS SIGNED THE ORDER TO ALLOCATE OVER \$40 MILLION DOLLARS FOR THE PURCHASE OF THIS LAND. THE RESULT IS A PARK THAT SERVES A DIVERSE GROUP OF PEOPLE FROM CULVER CITY, THE BALDWIN HILLS...AND BEYOND. THIS LAND IS NOW A VALUED RECREATIONAL AND EDUCATIONAL RESOURCE, AND ITS RESOURCES ARE PROTECTED IN PERPETUITY.

11. Is there anything else you'd like to add that does not fit neatly into the answers to the prior questions? (You may attach supplemental information, if desired.)

FROM THE GROUND UP, I HAVE BEEN A PARTICIPANT IN BUILDING HIKING TRAILS IN KENNETH HAHN RECREATIONAL AREA AND THE BALDWIN HILLS OVERLOOK, AS WELL. IN KEN HAHN, OUR SIERRA CLUB TASK FORCE MEMBERS, ALONG WITH OTHER VOLUNTEERS AND THE LOS ANGELES CONSERVATION CORPS, DESIGNED AND BUILT 5-6 MILES OF NEW TRAILS. OUR GROUP ALSO BUILT TRAILS ON THE BALDWIN HILLS OVERLOOK LANDS. WE CONTINUE TO DO MAINTENANCE, WHEN NEEDED. TRAILS ENCOURAGE THE PUBLIC TO VISIT AND EXPLORE.

REMINDER: All information on this application will become a public record and may be subject to public disclosure as required by the California Public Records Act and any other applicable law.

By checking this box ☒ or signing below, I hereby certify that the foregoing information is correct to the best of my knowledge

Signature: Mary Ann Webster Date: 8/1/14

You are invited to attach additional pages, enclose a copy of your resume and/or submit supplemental information which you feel may assist the appointing authority in its evaluation of your application.

Please submit your application and any attachments no later than the final filing date as announced in the Notice of Vacancy and Request for Applications to the City of Culver City:

By Mail or Hand delivery Office of the City Clerk
9770 Culver Boulevard
Culver City, CA 90232-0507

OR

By Fax: (310) 253,6010

OR

By Electronic Delivery: city.clerk@culvercity.org

If you have questions regarding the completion or filing of this application, please contact the City Clerk's Office by fax or email, as indicated above, or by phone at (310) 253-5851.

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APPLICATION FOR
COMMISSIONS, COMMITTEES, AND BOARDS

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(Please type or print legibly-- or use the PDF fill-in form available at www.culvercity.org)

CITY OF CULVER CITY

Please be advised this document is a public record and information contained herein may be subject to public disclosure as required by the California Public Records Act and any other applicable law.

General Information:

1. Identify the Commission(s), Committee(s), and Board(s) to which appointment is desired. Please list all appointments for which you are applying:

Baldwin Hills Conservancy

2. Name: Michelle Weiner Telephone: [REDACTED]

Address [REDACTED] Zip [REDACTED]

Business: Telephone:

Address Zip

E-mail address: [REDACTED]

3. Community Service (List commissions, committees, boards, and other organizations on which you have served or currently serve and offices held and in what city those positions were or are held.):

Transition Culver City, Director - 2010- current

Assembly District 47, Education Commission - Member, 2005-2008

Founding member of Culver City Martin Luther King Celebration Planning Committee - 2004 - 2008

Culver City Green Space Advisory Committee, Member, 2011-2012

Assembly District 54, Environmental Cabinet - Member, 2011-2012; Chair, 2012-2013

Ballona Wetlands, Audobon - Docent, 2011-2012

Play Mountain Place, Board of Trustees, Officer/Executive Committee - 2000 - current

Sierra Club, Angeles Chapter, Fracking, Oil an Gas Committee - Member, 2013 - current

4. Employment (Include titles and duties of current and past employment):

Play Mountain Place, Elementary Instructor, Mentor Teacher 1991-2004

- planned and delivered curriculum for students ages 6-13
- led team teaching group and team meetings; planned and facilitated parent meetings
- provided coaching for new and continuing teachers
- visited Kenneth Hahn State Park regularly with students; provided curriculum based on local flora, fauna, geology and history.

Play Mountain Place, Girls Group Facilitator - 2010- current

- facilitate weekly meetings/lessons for girls, ages 10-11

5. Education (Include professional or vocational licenses and certificates.):

High School: Pacific Palisades High School, 1968

Undergraduate Education: UCLA, Cal Poly San Luis Obispo and Cal State Northridge

Bachelor of Arts, Psychology, Cal State Northridge, 1982

Teacher Certification Program, UCLA, 1982-1984

California Clear Credential, multi-subject, pre-school-adult, 1984

Mediation Certificate, Centinela Valley Juvenile Diversion Project, 2000

Mediation Certificate, Santa Monica Center for Dispute Resolution, 2005

Master of Arts, Special Education, Educational Therapy, 2007

Mediation Certificate, Los Angeles City Attorney Dispute Resolution Program, 2008

Permaculture Design course, Earthflow Design Works, 2009-2010

6. Additional Information

a. Are you a Culver City resident? YES ☒ NO ☐
Number of years: 28

b. Are you a Culver City business owner/operator? YES ☐ NO ☒
Number of years: _____

c. Are you registered to vote in Culver City? YES ☒ NO ☐

d. Have you ever been convicted, fined, imprisoned or placed on probation for a felony or a misdemeanor? YES ☐ NO ☒

e. Have you ever worked for the City of Culver City? YES ☐ NO ☒
(If yes, list dates of employment and names of departments.)

f. Are you related to any current City employees or appointed officials of the City of Culver City? (If yes, indicate name and relationship.) YES ☐ NO ☒

g. Have there been, or are there now, any circumstances which might reflect adversely on the propriety of your serving as a member of any body to which you might be appointed? YES ☐ NO ☒

h. How many meetings of the Commission(s), Committee(s), or Board(s), to which you are interested in being appointed have you attended in the last year? 0

i. How much time, on a monthly basis, do you anticipate spending on preparation for attendance at meetings of the body to which you desire appointment? 16 hours

7. Please list the reasons why you are seeking appointment to a City body. (When possible, please be specific to the body's role.)

To promote best uses of our open spaces surrounding/adjacent to and including Culver City, specifically the Baldwin Hills and connecting parkland.

To increase available parkland in our very densely populated area. To extend recreational opportunities for our local communities.

To preserve and make accessible the vistas unique to the Baldwin Hills.

To expand, preserve and restore natural habitats, protecting diverse plant, insect, reptile, amphibian and bird populations; and to extend educational opportunities related to these important biomes.

To productively use the skills I have honed for the purpose of giving to and serving my community.

8. What is there specifically in your background, training, education or interests that qualifies you for appointment?

As a native Angelino I have a long-time connection to the Baldwin Hills. I'm an avid cyclist, and am daily connected to the hills via the Ballona bike path. I attend park programs and restoration projects regularly.

Extensive communication skills training provides me with a skill set that is well-suited to the work of the Conservancy, including group facilitation, conflict resolution, leadership training, and instruction in effective group functioning.

As an officer of the Play Mountain Place Board of Trustees, I have extensive experience with the fiscal and legal responsibilities of a non-profit board. I have chaired many committees during my tenure on the board and currently chair the development committee, personnel practices committee, and serve as the board secretary.

As director of Transition Culver City, I have planned and facilitated programs on many issues pertaining to conservation, regional water issues and oil field issues. I was invited to participate on the Culver City Green Space Committee where I learned that space for passive recreational activities is in short supply.

As a former Ballona Wetlands docent with the Audobon Society, I have shared my knowledge and love for native plant and animal species and as an elementary school outdoor educator at Play Mountain Place, my students and I frequently enjoyed exploring the hills of Kenneth Hahn State Park. Our activities there included fort-building, fossil hunting and hiking the trails to the tallest peaks where we looked out and dreamed together about what might be possible in an expanded park.

9. How would you help the body perform its established role, objectives, and/or goals, as established by the City Council?

As an educator, organizer and facilitator, my forte is/would be using any and all forums to inform others about the Baldwin Hills Master Plan and to clarify the elements of it, to the best of my ability.

Projects and events under the auspices of the Baldwin Hills Conservancy that engage our young people are of vital importance, and of particular interest. I skillfully use social media to promote sustainability events for youth and adults.

I have participated in the Parks to Playa community process and understand the overall vision and the relationship of Ballona Creek and surrounding areas with the Parks to Playa plan. I have participated in the Stoneview Nature Center and Park public workshop and understand the sensitive issues regarding parking and traffic and impacts on the Blair Hills neighborhood. I would use my skills as a facilitator/mediator to engage in productive dialogue about sensitive topics.

I have a proven track record of regular meeting attendance and engaged participation in each of my community commitments.

I have extensive experience reading and interpreting budgets, reports and with board functions in general.

10. What special qualities and/or qualifications can you bring to the body(ies) to which you seek appointment(s)?

I have years of experience participating in strategic planning processes, examining, adjusting and adhering to budgets for a non-profit board and I have experience designing and leading projects, developing time lines and designing and using project evaluations.

I'm interested in conservation and sustainability in general, and specifically in reference to the Baldwin Hills and Ballona Watershed, not only because I want to help create a better future, but also because I love the present. I care deeply about the environment, about people and about my community.

My approach to change is holistic, meaning I focus on the whole spectrum and range of issues before me....I'm not a specialist. I am a problem-solver. Regarding group dynamics, I am skilled at producing results in an atmosphere of positive engagement, and this makes me an excellent team member and leader.

11. Is there anything else you'd like to add that does not fit neatly into the answers to the prior questions? (You may attach supplemental information, if desired.)

Primarily, I am concerned with the deficit of open space in our area. As I began visiting the Scenic Overlook Park in its earliest days, it quickly became obvious that our surrounding communities are starved for space to walk, hike, exercise and enjoy family time. I have participated in Parks to Playa public workshops and a Stoneview Nature Center public workshop because I am vitally interested in the stewardship of these projects and want them to meet with success. I attend some CAP meetings because what happens on the Inglewood Oilfield effects our whole area. Please refer to my resume (attached).

REMINDER: All information on this application will become a public record and may be subject to public disclosure as required by the California Public Records Act and any other applicable law.

By checking this box ☒ or signing below, I hereby certify that the foregoing information is correct to the best of my knowledge

Michelle Weiner
Signature: Michelle Weiner Date: 07/30/2014

You are invited to attach additional pages, enclose a copy of your resume and/or submit supplemental information which you feel may assist the appointing authority in its evaluation of your application.

Please submit your application and any attachments no later than the final filing date as announced in the Notice of Vacancy and Request for Applications to the City of Culver City:

By Mail or Hand delivery Office of the City Clerk
9770 Culver Boulevard
Culver City, CA 90232-0507

OR

By Fax: (310) 253.6010

OR

By Electronic Delivery: city.clerk@culvercity.org

If you have questions regarding the completion or filing of this application, please contact the City Clerk's Office by fax or email, as indicated above, or by phone at (310) 253-5851.

Michelle Weiner
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Education, Training, Certification--

Bachelor of Arts, Psychology, California State University, Northridge, 1982
Multiple Subjects Teaching Certification Program, UCLA, 1985
California Teaching Credential, pre-K through adult education, current
Master of Arts, Special Education, Educational Therapy, California State University, Northridge, 2007

Weekly Seminar, Institute for Humanistic Education and Parenting, 1990-1993
Mediation certification, Centinela Valley Juvenile Diversion Project, 2000
Mediation certification, Santa Monica Center for Dispute Resolution, 2005
Mediation certificate, Los Angeles City Attorney Dispute Resolution Program, 2008
Permaculture Design course, Earthflow Design Works, 2009-2010
Audobon Ballona Wetlands Docent Training, 2012, 2013

Educational consulting topics --

Communication skills for teachers and administrators
Parenting skills
Diversity education
Classroom accommodations and modifications for special learning needs
Mediation and group facilitation

Provided consultation/led seminars --

Play Mountain Place, Los Angeles, California
Mama Gathering Conference, Los Angeles, California
Alliance for Transforming Lives of Children Conference, Santa Cruz, California
Together, Culver City, California
International Democratic Education Conference, Albany, New York
International Democratic Education Conference, Bhubaneswar, India
The School, Chennai, India
Village Free School, Portland, Oregon
Manhattan Beach Nursery School, Manhattan Beach, California
St. Gregory the Great School, Whittier, California

Organization membership and participation——

Board of Directors of Play Mountain Place, 1999-present:
---Board Secretary, 2008--present
---Co-chair, Preserve a Legacy Capital Campaign, 2007-2010
---Chair, Personnel Practices Committee, 2008-present
---Chair, 60th Reunion Committee, 2009--present
---Chair, Development Committee, 2010-present
Advisory Board of Directors of Together, community diversity education, 2003-2007

Commission on Education, AD 47, member, 2005-2008
Association of Educational Therapists, member, 2005-2007
Culver City Dr. Martin Luther King Jr. Event Planning Committee, member, 2005-2010
Culver City Green Space Advisory Committee, member, 2011-2012
Environment Cabinet, AD 54, member, 2011-2012; chair, 2012-2013
Transition Culver City leadership team, 2009-2012; director, 2012-present
Sierra Club Angeles Chapter, Fracking Oil and Gas Committee, member, 2013-present

Additional community participation --

Audobon Ballona Wetlands, docent
Kenneth Hahn State Park, Scenic Overlook Park, restoration volunteer
Ballona Creek clean-ups, volunteer
Los Angeles County Bicycle Coalition and Culver City Bicycle Coalition, member/volunteer
La Ballona Elementary School Garden, teach lessons, assist K-5 children with garden care

References-----

Judith Accardi, PhD, Director, Play Mountain Place, [REDACTED]

Jim Lamm, Founder, Ballona Creek Renaissance, [REDACTED]

Rebecca Rona-Tuttle, Founder, Together; Martin Luther King Jr. Planning Committee member,
[REDACTED] 318 [REDACTED]

Ann Rosato, MSW, President, Play Mountain Place Board of Trustees, [REDACTED]
[REDACTED]

Andy Shrader, Deputy of Environmental Affairs and Sustainability, LA Council office of Paul Koretz,
[REDACTED]