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Preserving natural habitats, watershed resources, and trails

June 15, 2010

Department of Fish & Game
Attn: Edmund Pert, Regional Manager
San Diego, CA

Dear Mr. Pert,

As we understand, the Desert Mountains Conservation Authority was required to undergo Due Diligence reviews to earn Authorization to Hold Mitigation Lands and Endowments. We request the Department of Fish & Game to review and reconsider such Authorization, if any, as DMCA does not appear to operate with customary standards of practice or comply with DFG policies.

DMCA meeting minutes and Letters of Comment offering mitigation show that the DMCA accepts and offers to accept lands and financial payments, as mitigation fulfillment, that lack: biological study of the land; Baseline Biological Study and Phase 1 Reports; creation of a Habitat Management Plan delineating site management, maintenance, biological/hydrological monitoring, etc.; PAR determination and full receipt of appropriate non-wasting endowment for in-perpetuity management; a process for independent peer review and public review; and more.

The apparent lack of these prudent and standard controls appears to:

- Promote use of Habitat Mitigation Funds for underfunded and unmanaged lands, passing externalities of developer projects to taxpayers and local communities;
- Promote use of Habitat Mitigation Funds for lands without conservation protections, offering no assurance of permanent conservation;
- Prevent appropriate mitigation by usurping DFG's authority to negotiate mitigation;
- Prevent appropriate mitigation by offering a low-cost alternative; and
- Promote and support development in imprudent areas rather than promoting the fulfillment of regional preservation planning goals.

This is a matter of deep concern to our community and regional conservation stakeholders. Please let me know whether DFG will pursue such review, and whether we will be apprised of progress or the outcome.

Sincerely,

Antelope Valley Conservancy

By Jennifer Matos, Ph.D., Chairperson