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Serving the Antelope-Fremont Valleys and Upper Santa Clara River Watersheds

June 22, 2011

Attn: Thuy Hua, Paul McCarthy, Shirley Imsand
County of Los Angeles Department of Regional Planning

Ladies and Gentlemen,

Thank you for this opportunity to comment on the implementation of compensatory mitigation by Los Angeles County in its authority as a lead agency. The accountability of mitigation implementation is critical to attaining goals and performance objectives established by planning, policymaking and project review processes. Mitigation stewardship is, fundamentally, the care of public property, public funds, and the public interest.

At the core of accountability are standards of organizational management (e.g., reporting and procedures, compliance with Generally Accepted Accounting Practices, structural checks and balances). Standards of practice relevant to habitat stewardship have also been established by law and by industry associations. State and federal laws direct and guide lead agencies in their implementation of mitigation management and stewardship. In California, government entities that approve delegation of mitigation lands and funds to a third-party entity are required to perform a due diligence inquiry, to ensure the accountability, legality, ethics, and professional abilities of the third-party entity's operations, structure, policies, records, etc.

Attached for your reference are the Land Trust Alliance Standards and Practices, developed by a national member-based association that has recently established a peer-review Accreditation program. Also attached are the California Department of Fish and Game (CDFG) Due Diligence Applications for governmental and nonprofit entities, through which stewardship entities can earn "Authorization to Hold Mitigation Lands and Conservation Easements."

Antelope Valley Conservancy—a California public benefit corporation that is CDFG Authorized and compliant with the LTA Standards and Practices—is concerned that the County approves stewardship of mitigation lands and funds by third-party entities that have neither undergone Due Diligence Review nor provide basic standards of practice of management and stewardship.

We ask you to promptly establish policies, procedures, and standards of practice for the County's oversight of mitigation and delegation of mitigation stewardship to third-party entities.

Respectfully Submitted,
Board of Directors, Antelope Valley Conservancy
by Wendy Reed, President