

The Proposed Exchange of Rancho Jamul Ecological Reserve in Proctor Valley

- **This Land Exchange would swap out critically important habitat for imperiled species for lower value habitat, setting a disastrous precedent for the Wildlife Conservation Board and Department.**
 - In 2003, the California Department of Fish and Wildlife (Department) acquired land for “permanent protection” of important biological, scenic, cultural and historic resources, which became part of the Ecological Reserve.
 - At the heart of this proposal, the Department is asking the WCB to give up 219 acres in the heart of the Ecological Reserve. The center of Proctor Valley, where the Department proposes to abandon the Ecological Reserve, is a “crown jewel,” essential for golden eagles and landscape connectivity. Due to native understory and intact cryptobiotic soil crusts, Department lands have high value for the Quino checkerspot butterfly, which is nearing extinction, and is not “covered” by the San Diego Multiple Species Conservation Program (MSCP).
 - In exchange, the Department would accept habitat in northern Proctor Valley, adjacent to urbanization, that has been mis-mapped as coastal sage scrub but actually is grassy/weedy habitat of little value to the Quino and other sensitive species that require open ground. The Department *admits* it is of lower biological value.
 - An exchange of this nature is unprecedented in WCB history.
- **Virtually all of the lands to be received by the state are *already protected* from development.**
 - 147 acres of “Preserve” that the San Diego MSCP already protects from development as well as a 192-acre mitigation area for the development are *double-counted* as new conservation gains. *Counting already protected land as a “benefit” is an unacceptable precedent.*
 - Eliminating double counting, the exchange would actually result in a *net loss* of 27 acres of protected land. A subsequent MSCP amendment that is contingent on the exchange would convert another 47 acres of privately-owned preserve land to development, for a net preservation loss of *74 acres*.
- **The Land Exchange *violates* state law and guidelines that are intended to narrowly restrict the conversion of state “protected” property, setting disastrous precedents for public lands.**
 - The Land Exchange *does not satisfy* the plain language of Public Resource Code, because 1) the Reserve lands continue to “serve a needed conservation purpose” and 2) as the Department itself concedes, the Exchange lands *do not* have greater biological value than the lands to be given up.

- It would also ignore the Department’s own Land Conversion Guidelines. The Guidelines are clear that conservation lands containing important habitat for listed species should not be converted “unless the species has been extirpated from the site and there are no realistic expectations that it will recolonize or can be successfully reintroduced to the site in the future.” To the contrary, the Reserve lands are designated Critical Habitat for the Quino checkerspot butterfly and support an extant population. The Guidelines thus demand that the Reserve lands not be converted.
 - According to the Department, the development previously approved by the County in central Proctor Valley cannot legally be built as proposed. The Department’s assertion that the exchange is needed to lessen the impacts of that otherwise-illegal project is circular and rewards MSCP non-compliance.
 - The WCB is being asked to rely upon a San Diego County EIR that the Department repeatedly found deficient.
- **The Land Conversion Evaluation (LCE) has a *pre-determined outcome* as the Department is contractually obligated to advocate for the exchange—which creates a private windfall for the developer but puts surrounding communities at risk of entrapment during a wildfire.**
 - Through a “Dispute Resolution Agreement,” the Department became contractually obligated to justify the exchange in the LCE, creating a pre-determined outcome lacking credibility. The Department—though not WCB—is forced to ignore the erroneous vegetation mapping.
 - The land exchange would create a private financial windfall by giving away highly valuable State property acquired with taxpayer funds to a private developer, allowing for a more profitable, greater intensity development at the expense of lands of greatest biological value.
 - The development, if built, would place upscale housing in a location that has burned twice in the last 15 years. It cannot be safely evacuated, and it would block the fire evacuation of surrounding communities.
- **The WCB should reject the proposed Land Exchange.**
 - This expedient but unsound exchange would set dangerous precedents for WCB, for California’s public lands, and for the integrity of the Natural Community Conservation Planning program. There is no public purpose served by approving the proposed exchange—only a private benefit.
 - Approval by WCB would violate both the law and guidelines.
 - ***Legal exchange options exist.*** Conservation groups have proposed an exchange concept that complies with the law by improving, not degrading, central Proctor Valley and transferring development to already urbanized edges. The exchange proposed by the developer achieves the opposite outcome.