



May 21, 2019

Via Electronic Mail (ronald.unger@wildlife.ca.gov)

California Department of Fish and Wildlife
Attn.: Ron Unger, Environmental Program Mgr.
Habitat Conservation Planning Branch
Landscape Conservation Planning Program
1416 9th Street, 12th Floor
Sacramento, CA 95814

Re: Antelope Valley Regional Conservation Investment Strategy (“AVRCIS”)

Dear Mr. Unger,

Tejon Ranch Company, on behalf of itself and its subsidiary/affiliated entities Tejon Ranchcorp and Centennial Founders, LLC (collectively, the “Tejon Ranch”), sends this letter to insist that the California Department of Fish & Wildlife (“DFW”) take no further action on the AVRCIS until such time as those involved in its preparation unequivocally and entirely remove lands owned by Tejon Ranch not just from the AVRCIS study area (as has already been done in the most recent draft of the AVRCIS), **but also from all purported scientific modeling and/or mitigation prioritization descriptions or visualizations contained in the AVRCIS.**

As will be explained below, removing Tejon Ranch’s lands from the study area, while retaining mapping and descriptions in the AVRCIS that continue to overlay purported scientific modeling and/or mitigation prioritization descriptions or visualizations on Tejon Ranch lands (as well as surrounding areas) confounds not just the purpose of the RCIS statute, but also effects demonstrable harm and damage to Tejon Ranch, other property owners, and public agencies that are outside of the study area. Retaining Tejon Ranch lands in such visualizations and descriptions also is contrary to the written commitments that the AVRCIS preparers have given us, and on which we have relied, as we continue to pursue our entitlements and development of the Centennial project in Los Angeles County. DFW should not countenance such conduct.

Sending this correspondence is not taken lightly by Tejon Ranch. Indeed, we have undertaken significant effort with those preparing the AVRCIS to avoid sending this correspondence. We very much value and appreciate the longstanding relationship that Tejon Ranch shares with the DFW. This correspondence is sent in that spirit of partnership because, unfortunately, Tejon Ranch feels that its concerns as a stakeholder in the AVRCIS process have not been heard by those preparing the document that is being presented to DFW for consideration.

1. The AVRCIS is Unnecessary on Tejon Ranch Lands and Contradicts Contractual Requirements

It bears noting that when Tejon Ranch voluntarily agreed to conserve 90% of its 270,000 acre landholdings pursuant to the Tejon Ranch Conservation and Land Use Agreement (the “Ranchwide

P.O. Box 1000 | 4436 Lebec Road
Tejon Ranch, CA 93243
661 248 3000 O | 661 248 3100 F
www.tejonranch.com

Tejon Ranch Co. (NYSE:TRC) – a diversified real estate development and agribusiness company.

Agreement”), it did so with the support of DFW. At the time, DFW joined other state agencies to acknowledge and support Tejon Ranch’s actions. (See Attachment 1.) The Ranchwide Agreement itself involved countless hours of on-site biological study, analysis and consensus between Tejon Ranch and five well-respected environmental organizations.¹ The result of this extensive study was the development of a conservation plan that protected areas of Tejon Ranch with some of the highest conservation priorities, while identifying the remaining 10% as areas where development would be more appropriate.

The Ranchwide Agreement obligates Tejon Ranch to preserve and conserve approximately 240,000 acres of its property through the phased dedication of conservation easements to the independent Tejon Ranch Conservancy; to date over 100,000 acres have been put under conservation easements in furtherance of the Ranchwide Agreement. Locating these easements was the subject to significant analysis and negotiation between Tejon Ranch and the resource groups during preparation of the Ranchwide Agreement. Additionally, and specific to Tejon Ranch’s request for exclusion from *both* the AVRCIS study area and from any mapping of mitigation priorities undertaken by the AVRCIS, the Ranchwide Agreement states that the “commercial operation of a mitigation bank, or the sale or other transfer of mitigation ‘credits’” within conservation easements is prohibited. (See Ranchwide Agreement, Exh. M, § 2(a)(11).)

As a result of the Ranchwide Agreement, there is no land on Tejon Ranch to achieve the AVRCIS’s primary purpose – nor does it therefore make sense to include purported scientific modeling and/or mitigation prioritization descriptions or visualizations that extend beyond the AVRCIS boundary. Simply put, the Ranchwide Agreement (i) already establishes a binding and comprehensive framework on Tejon Ranch for mitigating impacts of development, (ii) creates the funding mechanism by which such preservation will be maintained in perpetuity and (iii) does not authorize conservation on Tejon Ranch lands as described in the proposed draft AVRCIS.

For this reason alone, Tejon Ranch’s land must be *entirely* excluded from both the AVRCIS study area (as has already occurred) *and* from purported scientific modeling and/or mitigation prioritization descriptions or visualizations from the AVRCIS.

2. The AVRCIS Process is Plagued by Conflicts of Interest, Precluding its Consideration by DFW

The AVRCIS has been prepared by a number of non-governmental organizations and a nominal governmental agency known as the Desert & Mountain Conservation Authority (“DMCA”). It bears noting that several of the organizations involved in preparing the AVRCIS, such as the Center for Biological Diversity and the California Native Plant Society, are presently litigating or will soon be litigating against Tejon Ranch. These (and other) conflicts of interest permeate the AVRCIS process and caution against DFW considering further the AVRCIS.

As referenced in the prior paragraph, the Center for Biological Diversity and California Native Plant Society have both played an active role in development of the AVRCIS, as reflected in Appendix C of the most recent draft AVRCIS (the “February 2019 Draft AVRCIS”). Appendix C of the February 2019 Draft AVRCIS indicates that, as members of the AVRCIS Advisory Committee, these organizations were heavily involved in preparing the draft versions of the AVRCIS by providing information on “ecological resources” and reviewing and commenting on interim AVRCIS work product. This Advisory Committee

¹ See <https://www.sec.gov/Archives/edgar/data/96869/000119312508138009/dex1028.htm>. Signatories to the Ranchwide Agreement include the Tejon Ranch Conservancy, along with the Natural Resources Defense Council, the National Audubon Society, the Sierra Club, the Endangered Habitats League and the Planning and Conservation League (collectively, “resource groups”).

met at least four times, as noted in Appendix C. In addition, the representative of the California Native Plant Society also served on the AVRCIS Technical Subcommittee. As reflected in Appendix C, the Technical Subcommittee met seven times and appears to have been heavily involved in decisions on how resources were characterized and prioritized in the AVRCIS. This record indicates that these organizations were able to influence the preparation of the AVRCIS in its earlier as well as current iterations, which documentation was eventually used and acted on in a governmental capacity by DMCA.

Unsurprisingly, the Center for Biological Diversity turned its participation in the AVRCIS process to its advantage by submitting to Los Angeles County a June 2017 “administrative draft” AVRCIS as part of a comment letter that was critical of Tejon Ranch’s Centennial Specific Plan.² Effectively, the Center for Biological Diversity weaponized an administrative draft document *that it participated in creating* for its self-serving purpose of opposing a development project within the draft document’s initial study area – a study area that now nominally does not include Tejon Ranch. It should not be surprising, then, *having used a draft document it helped create*, that the Center for Biological Diversity has mentioned multiple times since the Los Angeles County Board of Supervisor’s December 11, 2018 approval that it intends to file suit over approval of the Centennial project. The Center for Biological Diversity is also presently a named plaintiff in two other suits against Tejon Ranch projects.

Separately, the California Native Plant Society has also been vocally critical of the Centennial project and has submitted written comments to Los Angeles, indicating its intention to file suit on approval of the Centennial project. The individual representative of the California Native Plant Society who has participated in the AVRCIS process and is listed in Appendix C of the most recent draft AVRCIS, Greg Suba, has sought to influence other state agencies to oppose Centennial. See Attachment 2.

Separately, each of the resource groups (who are signatories to the Ranchwide Agreement) participated in preparing the draft AVRCIS. Members of these resource groups served either on the AVRCIS Steering Committee or the AVRCIS Advisory Committee at some point during the process. Subsequently, many of these resource groups resigned from these committees when confronted with the evident conflict of interest in (i) serving in a governmental or quasi-governmental capacity to approve the AVRCIS, on one hand, and (ii) the potential that their service in preparing the AVRCIS constituted a breach of their fiduciary and contractual obligations under the Ranchwide Agreement, on the other hand.

One example of an obvious conflict was the participation and leadership of Ms. Terry Watt in the development of the AVRCIS. While there is only one reference to Ms. Watt in the most recent draft of the AVRCIS, her leadership in the AVRCIS is extensively documented in the June 2017 administrative draft AVRCIS (including multiple references in Section 6 of that document). During the timeframe Ms. Watt was providing consulting services to DMCA and those preparing the AVRCIS, she concurrently served a member of the Board of Directors of the Tejon Ranch Conservancy *and, further*, shortly before such activity regarding the AVRCIS she had received reimbursement for professional services from Tejon Ranch for her work with the Tejon Ranch Conservancy. Only after Tejon Ranch objected to these obvious conflicts of interest does it appear Ms. Watt recused herself (belatedly and without legal effect to

² The County of Los Angeles responded to these comments, and specifically addressed and contradicted the analysis of the mitigation and prioritization concepts contained in the June administrative draft AVRCIS. This contradiction is even more forceful in light of the fact there is no pending draft AVRCIS, let alone a complete and approved study. Further, Los Angeles County has similarly objected multiple times to inclusion of “economic opportunity areas” within the approved Antelope Valley Area Plan (AVAP), adopted by the Los Angeles County Board of Supervisors. The AVAP was challenged by the Center for Biological Diversity, but Los Angeles prevailed entirely, resulting in an appellate court decision upholding the AVAP and its environmental analysis. Most recently, Los Angeles County submitted a letter to DMCA reiterating its objections, which is included with this letter as Attachment 4.

the prejudice already created and which permeates the AVRCIS process to this date, we might add). Recent correspondence from Ms. Watt is an admission of this conflict. See Attachment 3.

These blatant conflicts of interest do not appear to have been disclosed to the DMCA, DFW or others. Governmental decisions, such as DMCA's decision to act as the "public agency" submitting the AVRCIS or its decision to approve a draft AVRCIS, or such as DFW's decision to approve an RCIS should not involve the participation of such heavily self-interested individuals or groups. Allowing a study to proceed that was tainted at its formative stage, and continuing through the majority of the work being conducted, by these conflicts poses grave public ethics concerns; these concerns cannot be resolved at this late stage by the recusal of those conflicted individuals and groups.

3. The AVRCIS Must be Revised to Reflect the Commitments Made to Tejon Ranch

On May 8, 2019, Tejon Ranch learned that the DMCA submitted the February 2019 Draft AVRCIS to the DFW. At that time, Tejon Ranch also learned that the Santa Monica Mountains Conservancy (which itself negatively commented on the Centennial project that was approved by the Los Angeles County Board of Supervisors) acted to become the "state sponsor" of the AVRCIS (pursuant to Fish & Game Code § 1850(a)).

Until it received the agenda for the May 8th DMCA meeting, Tejon Ranch was unaware of any ongoing activity pertaining to the AVRCIS. In fact, we had been told that the AVRCIS process was on an indefinite hold. So, we were grateful that DFW provided a copy of the February 2019 Draft AVRCIS to us. Upon review of this draft, it became clear that commitments made by those preparing the AVRCIS to *entirely* remove Tejon Ranch from the AVRCIS had not been honored.

In August and September of 2017, Tejon Ranch communicated its demand to be removed from not just the AVRCIS study area but also from the purported scientific modeling and mitigation priority analysis. As stated in our September 5, 2017 letter to the DMCA and the AVRCIS Steering Committee:

Tejon Ranch understands the AVRCIS will now (and in any future version prepared by DMCA) exclude any reference or depiction of Tejon Ranch lands as being within the AVRCIS study area, and will exclude any discussion of Tejon Ranch lands from substantive analysis. It is our further understanding that any modeling used in the AVRCIS is being revised to account for exclusion of Tejon Ranch lands and such revised modeling will not include discussion, depiction, analysis or reference to Tejon Ranch lands. (See Attachment 5.)

The aforementioned statement confirming our understanding was based on *written representations* from DMCA representatives on August 15, 2017 stating that, following "consulting with the AV RCIS steering committee, ICF will be removing Tejon Ranch from the AV RCIS study area . . ." (See Attachment 6.) Thereafter, on September 18, 2017, Graham Chisolm, a primary author and consultant of DMCA for the AVRCIS, *confirmed in writing* Tejon Ranch's understanding:

[T]he steering committee was comfortable with the recommendation to remove Tejon Ranch from the draft Antelope Valley Regional Conservation Investment Strategy (AVRCIS). ICF International is modifying the draft AVRCIS in order to implement the recommendation, *including removing references to the Tejon Ranch from the draft AVRCIS' narrative analysis and maps.* (See Attachment 7 (emph. supp.).)

Thus, Tejon Ranch not only understood, but detrimentally relied on, the written commitments of DMCA and AVRCIS proponents that the next version of the AVRCIS would not include Tejon Ranchlands in the AVRCIS study area *and* would not include any mapping overlay on Tejon Ranch lands.

To our surprise the February 2019 Draft AVRCIS demonstrates that DMCA and those preparing the AVRCIS did not honor their written commitments.³ Tejon Ranch strongly urges DFW, DMCA and those preparing the AVRCIS to consider taking immediate steps to remove all mapping, depiction, visualization and other analysis or narrative from Tejon Ranch lands. In this case, Tejon Ranch has and is undertaking significant activity and incurring costs in relation to the planning and development of the Centennial project in reliance of the prior commitment that Tejon Ranch is being *entirely* removed from the AVRCIS. Not abiding by DMCA's commitment creates significant risk to DFW, DMCA and those preparing the AVRCIS. (*See HPT IHG-2 Properties Trust v. City of Anaheim* (2015) 243 Cal.App.4th 188.)

4. Other Infirmities Plague the AVRCIS Process, Rendering it Unlawful

The process to prepare and submit *any version* of the AVRCIS has been tainted by violations of state law. Without fully cataloguing these violations, which we reserve our right to do at a later date, there are several concerns that call into question the AVRCIS process to date and which preclude DFW from taking any action on the current AVRCIS.

First, *only* a public agency has statutory authority to “propose”, “develop”, “create” or “submit” an RCIS for DFW’s consideration. (Cal. Fish & Game Code §§ 1852(a), 1854(c).) The statute does not contemplate or authorize the preparation of an RCIS by private parties. Nor does the statute contemplate or authorize private party preparation of an RCIS to avoid compliance with applicable law, such as governmental transparency statutes found in the Brown Act, the Public Records Act or the Political Reform Act.⁴ (*Compare*, Cal. Fish & Game Code § 1854(c) subdiv. (3)(A) *with* (D) (speaking to circumstances for holding a meeting where a “public agency proposing a strategy” has initiated an RCIS either before or following January 1, 2017).) For similar reasons, the statute does not permit private preparation of an RCIS, which is later “adopted” by a public agency in an effort to skirt applicable laws.

Notwithstanding the clear statutory requirement that an RCIS be developed, created and submitted by a public agency, the AVRCIS process did not involve the required public agency sponsorship until September 13, 2017 – at which time DMCA’s governing body acted, *for the first time*, to interject itself as the sponsor of the AVRCIS.⁵

The agenda for the September 13, 2017 regularly scheduled meeting of the DMCA included an item to officially (*and for the first time*) authorize DMCA to be the “sponsor” for the AVRCIS and to authorize submittal of “an AVRCIS” to the Department. As part of a staff report and discussion on this agenda item, staff for DMCA stated that (a) the AVRCIS process to that date had been purely private in nature and (b) it was the intention of those actually preparing the AVRCIS to avoid public scrutiny of their work

³ Numerous maps in the February 2019 Draft AVRCIS continue to include purported scientific modeling and mitigation prioritization overlaid on Tejon Ranch lands. As examples, attached hereto at Attachment 8 are several maps from the February 2019 Draft AVRCIS. These maps, all other maps, and any other narrative or analysis must be revised to remove any such overlay from Tejon Ranch lands.

⁴ Based on analysis to date by Tejon Ranch, including review of records provided by DMCA, we believe that the AVRCIS process has encountered violations of all three of these statutes. As examples, this letter identifies conflicts of interest in those who have participated in preparing the AVRCIS. For the time being we reserve our rights with respect to these issues. It does bear noting, however, that each of these statutes includes private attorney general provisions and the ability to seek advice from (or bring complaints to) other independent state agencies.

⁵ Prior to this September 13, 2017 meeting, the DMCA governing board only received two briefings on the “regional conservation framework” (the precursor to the RCIS process, which precursor had no basis in statute) and acted to receive a grant to assist with the RCF. At no time did the DMCA governing board, prior to September 13, 2017, take any action that could remotely be viewed as authorizing sponsorship, creation or preparation of the AVRCIS.

product until it was submitted to the Department. A full transcript of the September 13, 2017 meeting has been prepared by Tejon Ranch from audio files provided by DMCA. This transcript can be provided to DFW later, if needed. However, those statements made at the September 13, 2017 meeting that are germane to demonstrating the *intentional* desire to maintain secrecy are as follow:

Mr. Edelman: “But right now, it's a private document that's moving forward through this planning team hired by Bechtel and the Windward Foundation.” (Minute 21:58)

Mr. Edelman: “Since you haven't seen the final draft of it, and that the people who are preparing it don't want that final draft to go public until it goes to the Department of Fish and Wildlife, that you could make it so that the chair could get final approval of it, potentially to... Before it gets submitted to Fish and Wildlife.” “But that the planning team really thought it would be better, and move the process along farther, if it could go to that stage without being widely distributed public wide.” (Minute 34:40.)

Against this factual background, it is also important to note that the February 2019 Draft AVRCIS inaccurately represents to DFW that the AVRCIS process was initiated by DMCA in 2016 – which it was not. The February 2019 Draft AVRCIS states, the “Antelope Valley RCIS development process began in March 2016.” (February 2019 Draft AVRCIS at § 1.4.2.) The February 2019 Draft AVRCIS goes on to claim that “[t]he process was initiated by the Desert and Mountains Conservation Authority (DMCA) in collaboration with the California Energy Commission (CEC).” (*Ibid.*) This statement is not accurate.

The DMCA governing board did not meet at all in 2015 and only met twice in 2016. The only two meetings of the DMCA governing board occurred *after* March of 2016, on June 15, 2016 and on September 9, 2016. (See http://dmca.ca.gov/agenda_archive.asp.) Furthermore, neither of the meetings held in 2016 by the DMCA governing board created a “DMCA Steering Committee” or took any action to authorize or “initiate” preparation of the AVRCIS.⁶

Comparing (1) the action taken at the DMCA's September 13, 2017 meeting, the quoted statements of DMCA staff at this meeting describing the secretive nature of the AVRCIS process to date, and the omission of DMCA taking *any* action whatsoever until September 13, 2017 to become the “sponsoring” public agency for the AVRCIS with (2) the statements made in the February 2019 Draft AVRCIS, which are patently inaccurate, is itself sufficient basis to reject any further effort to process the AVRCIS.⁷

⁶ The June 15, 2016 DMCA governing board meeting included several agenda items pertaining to a “regional conservation framework” for the Antelope Valley, and consideration of a resolution accepting grant funding for involvement in the “regional conservation framework” See http://smmc.ca.gov/Agendas_DMCA/agenda_527.pdf (agenda); http://smmc.ca.gov/Agendas_DMCA/minute_527.pdf (minutes). The September 9, 2016 DMCA governing board meeting included consideration of a resolution supporting AB 2087, which legislation created the regional conservation investment strategy process. See http://smmc.ca.gov/Agendas_DMCA/agenda_534.pdf (agenda); http://smmc.ca.gov/Agendas_DMCA/minute_534.pdf (minutes).

⁷ As noted above, only a public agency has statutory authority to “propose”, “develop”, “create” or “submit” an RCIS to the Department for consideration. Cal. Fish & Game Code §§ 1852(a), 1854(c). The statute does not contemplate, let alone authorize the preparation of an RCIS by private parties who, at some later date and time, then “forum shop” an RCIS to a public agency that later enters the process to serve as the nominal public agency sponsor. Such a charade not only contradicts the Fish & Game Code (*compare*, § 1854(c) subdiv. (3)(A) with (D) [describing circumstances for holding a meeting where a “public agency proposing a strategy” has initiated an RCIS either before or following January 1, 2017]), but such shenanigans run afoul of, if not are a blatant affront to, basic

Second, unless a public agency initiated a RCIS before January 1, 2017, the public agency must first publish a notice of intent to create an RCIS and file such notice with the Office of Planning and Research and the county clerk of counties where the RCIS is found. (Cal. Fish & Game Code § 1854(c)(1); *see also* Govt. Code § 6040 (specifying method of publication applicable to all public agency publication obligations).) DMCA, as the sole public agency that has initiated this activity to create the AVRCIS (which it did not do until September 13, 2017) has not complied with this requirement. Nor, as summarized above, does Tejon Ranch believe the statute authorizing creation of RCIS permit private third parties to prepare these studies on their own for later submittal to DFW.

Specifically, in this regard, Tejon Ranch made a public records request seeking proof of publication and a copy of this required notice. Tejon Ranch sought: “The notice of intention to create the AVRCIS published by DMCA (as provided and required by Fish & Game Code § 1854(c)(1)). . . . Proof of publication for the notice of intention referenced in Item 2 above in an adjudicated newspaper of general circulation. See Gov. Code § 6041. . . . Proof of filing of the notice referenced in Item 2 above with the Governor’s Office of Planning and Research and the County Clerk of Los Angeles County (as provided and required by Fish & Game Code § 1854(c)(1)).” No responsive documents were provided by DMCA to Tejon Ranch. Thus, the requirements of Fish & Game Code § 1854(c)(1) were not complied with.

For these and other reasons DFW lacks statutory authority to act on the AVRCIS. As also discussed, at a minimum, Tejon Ranch lands must be removed from all purported scientific modeling and/or mitigation prioritization descriptions or visualizations contained in the AVRCIS. Further, the study itself is flawed as a result of the participation of those with self-serving interest in its contents, including those who participated in the process to gain litigation advantage over land-owners.

Very Truly Yours,



Michael R.W. Houston
Senior Vice President, General Counsel & Secretary

cc: Mr. Charlton H. Bonham (*via electronic mail*)
Desert & Mountain Conservation Authority (*via electronic mail*)
Santa Monica Mountains Conservancy (*via electronic mail*)
Mr. Graham Chisolm (*via electronic mail*)
Resource Groups (*via electronic mail*)

Attachments:

1. May 1, 2008, Letter from California environmental agencies in support of Ranchwide Agreement
2. September 18, 2019, Email exchange between California Native Plant Society members and state agency representatives
3. May 15, 2019, Email from Ms. Watt
4. May 7, 2019, Letter from Los Angeles County to DMCA (with additional attachments)
5. September 5, 2017, Letter from Tejon Ranch to the DMCA and the AVRCIS Steering Committee
6. August 15, 2017, Email from AVRCIS representative to Tejon Ranch
7. September 18, 2017, Email from Mr. Chisolm to Tejon Ranch
8. Examples of depictions in February 2019 Draft AVRICS

principles of governmental transparency, open record keeping, conflicts of interest and due process that apply to public agency operations.

Attachment 1

May 1, 2008, Letter from California environmental agencies in support of Ranchwide Agreement

EXHIBIT R

Resource Agency Letter re Mitigation



*California Environmental
Protection Agency*



May 1, 2008

Mr. Robert A. Stine
President & CEO
Tejon Ranch Company
4436 Lebec Road
Lebec, CA 93243

Dear Mr. Stine:

As you know, representatives of the Tejon Ranch Company (TRC) have had a number of meetings with California Resources Agency staff to discuss TRC's long-term plans for conservation and development of the 270,000-acre Tejon Ranch (Ranch). TRC has also met with the California Environmental Protection Agency to discuss the outline of TRC's project plans. Because of the exceptional natural resource values of the Ranch, both of our agencies have been delighted to learn that you have worked with various environmental groups (Resource Groups) to develop a conservation and land use agreement (Ranchwide Agreement) that identifies and designates planned conservation areas (Conserved Areas), planned development areas (Developed Areas) and the permitted activities within those areas. As it has been described to us, the Ranchwide Agreement would foster the orderly conservation and development of the Ranch and provide for the permanent conservation of almost 90 percent of the Ranch. We understand that the Ranchwide Agreement is at a conceptual level at this time, but that you expect to have final agreement with environmental groups sometime in early May.

In connection with the proposed Ranchwide Agreement, we understand that TRC is seeking policy level recognition of this historic accord from State and Federal agencies and departments. The purpose of this letter is to provide that policy recognition exclusively in relation to this planned transaction for the Ranch.

Because of the unique factors involved in this project, this policy recognition is not intended to, and does not, serve as precedent for lands other than those within the Ranch.

To that end, we offer the following policy statements in support of the Ranchwide Agreement:

- Based on your description of the Ranchwide Agreement, we understand that of the approximately 270,000 acres comprising the Ranch, the Ranchwide Agreement would provide for the permanent preservation of at least 178,000 acres and for the option to preserve an additional 62,000 acres through the purchase of conservation easements, or potentially fee title, for an anticipated total of approximately 240,000 acres, or almost 90 percent of the total Ranch acreage. Because of the many unique factors noted above, including the sheer magnitude of this conservation effort and the significant resource values attributed to this property, and in viewing the 240,000 acres in the Conserved Areas in a holistic manner, we expect that TRC will be allowed to use those Conserved Areas and corresponding natural resource values associated with these Conserved Areas to meet the land conservation and corresponding natural resource mitigation requirements for and the planned development and other activities within the Developed Areas, including the designated planned development projects of Tejon Mountain Village, Centennial and Grapevine, subject to potential limitations for Conserved Areas acquired using public funds as described below.
- Though actual mitigation requirements for the planned development and other activities within the Developed Areas cannot be known prior to regulatory review, given the large amount and high natural resource values in these Conserved Areas, we do not anticipate that TRC would be required to acquire or use lands outside of Ranch property to satisfy natural resource mitigation requirements. Only after a full evaluation of these lands, and a determination is made that the required mitigation can not be found on the Ranch, would we look outside the Ranch for mitigation.
- For portions of the Conserved Areas that are permanently preserved by conservation easements, or potentially fee title, acquired using public funds, the use of these lands for mitigation purposes would not be allowed unless the potential mitigation use of these lands is taken into account in the price paid and unless mitigation uses are allowed by applicable laws including those governing the public funding source(s) used to fund the acquisition.
- In order to provide an integrated and comprehensive approach to the management of lands and resources within the Conserved Areas, we understand that the parties have agreed to create an independent conservancy (Tejon Conservancy) as part of the Ranchwide Agreement. Provided that the Tejon Conservancy meets applicable legal requirements for holding mitigation land and conservation easements and assuming corresponding long-term mitigation monitoring and other mitigation obligations, the Tejon Conservancy could serve as the appropriate and preferred entity to hold conservation easements and/or title to mitigation lands granted by TRC, and to manage those lands, subject to regulatory requirements imposed pursuant to project permitting for the Developed Areas.

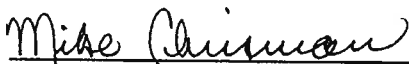
Mr. Robert A. Stine
May 1, 2008
Page 3

- We appreciate the commitment of TRC and the Resource Groups to work with California State Parks and other stakeholders toward creation of a State Park within the Ranch. A large park, extending from the Mojave Desert, across the Tehachapi Mountains, and into the grasslands of Tejon Valley, would be an extraordinary addition to California's state park system, providing meaningful public access to the Tehachapi Mountains. The Tejon Conservancy would be a valued partner in planning and supporting this State Park.

This letter is intended to set forth policy statements in support of the Ranchwide Agreement. As specific projects are proposed, TRC and other parties engaged in the planned development or other activities on the Ranch will be required to apply for and obtain all permits, licenses and approvals required under applicable law, including compliance with the California Environmental Quality Act and all other state laws. Final determinations regarding permit and mitigation requirements for those activities will be decided by the appropriate agencies and departments as part of, and in accordance with, those processes.

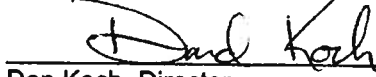
The policy statements in this letter presume that the terms of the final Ranchwide Agreement are substantially consistent with the above description and will in fact be reached. If, for some reason, TRC and the environmental groups are unable to reach a final agreement, we expect that TRC will notify us. Again, we applaud the Tejon Ranch Company for working to reach such a significant and historic agreement to address the long-term future of Tejon Ranch.


Sincerely,

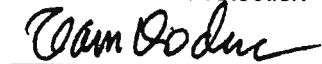

Mike Chrisman, Secretary for Resources


Ruth Coleman, Director
California State Park


John Donnelly, Director
Wildlife Conservation Board


Don Koch, Director
Department of Fish and Game


Linda Adams, Secretary for
Environmental Protection


Tam Doduc, Chair, State Water
Resources Control Board

Attachment 2

September 18, 2019, Email exchange between California Native Plant Society members and state agency representatives

From: Nick Jensen [njensen@cnps.org]
Sent: 9/19/2018 8:48:55 AM
To: Rabinowitsh, Nicholas@ARB [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6e6383bd86f84a93a340406200df1e76-Nicholas Ra]
CC: Alfredo Arredondo [alfredo@priorityca.com]; Greg Suba [gsuba@cnps.org]
Subject: Re: Request for Meeting Re: CEQA Mitigation and Offsets

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

11 am on Friday works for me. We can use one of the CNPS conference call lines if needed.

Thanks,
Nick

On Wed, Sep 19, 2018 at 8:44 AM, Rabinowitsh, Nicholas@ARB <Nicholas.Rabinowitsh@arb.ca.gov> wrote:
Alfredo: that would be great, thanks!

Nick Rabinowitsh
Senior Attorney
California Air Resources Board, Legal Office
Tel: (916) 322-3762

From: Alfredo Arredondo <alfredo@priorityca.com>
Sent: Wednesday, September 19, 2018 7:43 AM
To: Rabinowitsh, Nicholas@ARB <Nicholas.Rabinowitsh@arb.ca.gov>
Cc: Greg Suba <gsuba@cnps.org>; Nick Jensen <njensen@cnps.org>

Subject: Re: Request for Meeting Re: CEQA Mitigation and Offsets

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Let's make it 11am. Nick R., let me know if you would like me to use my conference line for this and I will send a calendar invite with the call information.

Thanks.

/Alfredo Arredondo
Priority Strategies

1225 8th St., Suite 375
Sacramento, CA 95814

o: 916-538-2452
c: 805-598-9350
e: alfredo@priorityca.com

On Tue, Sep 18, 2018 at 5:25 PM, Rabinowitsh, Nicholas@ARB <Nicholas.Rabinowitsh@arb.ca.gov> wrote:
All – yes, 10-1 range works for me. Let me know what specific time works best for you all. Thanks!

Nick Rabinowitsh
Senior Attorney
California Air Resources Board, Legal Office
Tel: (916) 322-3762

From: Greg Suba <gsuba@cnps.org>
Sent: Tuesday, September 18, 2018 4:07 PM
To: Nick Jensen <njensen@cnps.org>
Cc: Alfredo Arredondo <alfredo@priorityca.com>; Rabinowitsh, Nicholas@ARB <Nicholas.Rabinowitsh@arb.ca.gov>
Subject: Re: Request for Meeting Re: CEQA Mitigation and Offsets

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm available Friday from 10am-1pm, then otherwise in transit to/from Bay Area with spotty phone service (Amtrak).

If 10-1 works, then I'll join. If a time outside that is necessary, I'm happy to catch up with Nick (J) and Alfredo afterwards.

Greg

On Tue, Sep 18, 2018 at 4:04 PM, Nick Jensen <njensen@cnps.org> wrote:
My schedule on Friday afternoon is pretty open. Greg-how about you?

Thanks,
Nick

On Tue, Sep 18, 2018 at 3:49 PM, Alfredo Arredondo <alfredo@priorityca.com> wrote:
Hello Nick,

Friday afternoon would work on my end. I am copying Greg and Nick with CNPS as well to see what their availability is. Thanks for your time.

/Alfredo Arredondo

Priority Strategies

1225 8th St., Suite 375

Sacramento, CA 95814

o: 916-538-2452

c: 805-598-9350

e: alfredo@priorityca.com

On Tue, Sep 18, 2018 at 2:40 PM, Rabinowitsh, Nicholas@ARB <Nicholas.Rabinowitsh@arb.ca.gov> wrote:

Alfredo: Rajinder forwarded your email to me. I'd be happy to talk - would you be able to do a call on Friday? Perhaps in the afternoon? If so, what times work for you?

Thanks,

Nick Rabinowitsh

Senior Attorney

California Air Resources Board, Legal Office

Tel: (916) 322-3762

From: Alfredo Arredondo <alfredo@priorityca.com>

Sent: Tuesday, September 18, 2018 1:22:47 PM

To: Sahota, Rajinder@ARB

Cc: Greg Suba; Nick Jensen

Subject: Request for Meeting Re: CEQA Mitigation and Offsets

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Rajinder,

I am reaching out on behalf of my client, the CA Native Plant Society, to see if we can find a time this week to discuss a proposed development in Southern California, the Centennial Project, and their use of offsets from the Cap and Trade regulation in order to comply with CEQA requirements. Attached is the FEIR Supplement related to GHG emissions compliance for the project (link to additional documents for project available [here](#)) which is raising lots of eyebrows for us. In particular, on the third page they say the following:

"Approximately 96 percent (150,808 MTCO₂e/yr) of the Updated GHG Calculations emissions are covered by, and subject to, the purchase of emission allowances under the new, expanded state Cap and Trade program approved

by the Legislature after the DEIR was issued, and signed into law in 2017 (Assembly Bill 398 [AB 398]). The Cap and Trade program was designed to comprehensively regulate fossil fuels (from "wells to wheels" – from production, through refining, through ultimate consumption) and is expected to raise gasoline prices within a range of approximately 15 to 63 cents per gallon by 2021, and from 24 to 73 cents per gallon by 2031, according to the non-partisan California Legislative Analyst Office.¹ Compliance with the Cap and Trade program was upheld as a lawful CEQA mitigation measure to reduce GHG emissions to a less-than-significant-level for fossil fuels used by a refinery project for both direct refinery operations as well as indirect electricity consumption-related GHG emissions in a recent CEQA appellate court case, *Association of Irrigated Residents v. Kern County Board of Supervisors, et al. (Alon USA Energy, Inc., et al., Real Parties in Interest)* (2017) 17 Cal.App.5th 708. The California Supreme Court declined to reverse, or de-publish, this case. The California Air Resources Board (CARB) has also determined that existing California law provides sufficient authority to extend the Cap and Trade program as required to meet state GHG reduction objectives.² See Table 3. "

This raises a lot of questions for us that we hope to get your insight on including:

- Is this type of compliance pathway for non-capped or non-covered entities like a housing developer truly the intent of the cap-and-trade mechanism?
- Are there other examples of a developer in the state using offsets in this way?
- Does the *Irrigated Residents v. Kern* case apply only to capped or covered entities or is the interpretation that this applies to any entity, regulated or not, correct?

I know that this is a lot of information, but I figure that having a conversation with you about this will help clear things up for us. Please let me know if there are some times that work for you this week. Greg Suba, copied on the message, is based in Sacramento, but Nick Jensen, is based in Southern California and could join by phone if possible.

Thanks for your time, and I look forward to reconnecting soon.

/Alfredo Arredondo

Priority Strategies

1225 8th St., Suite 375

Sacramento, CA 95814

o: 916-538-2452

c: 805-598-9350

e: alfredo@priorityca.com

--

Nick Jensen, PhD

Southern California Conservation Analyst

California Native Plant Society

1500 North College Ave

Claremont, CA 91711

njensen@cnps.org

(530) 368-7839

--

/Alfredo Arredondo

Priority Strategies

1225 8th St., Suite 375

Sacramento, CA 95814

o: 916-538-2452

c: 805-598-9350

e: alfredo@priorityca.com

--

Nick Jensen, PhD

Southern California Conservation Analyst

California Native Plant Society

1500 North College Ave

Claremont, CA 91711

njensen@cnps.org

(530) 368-7839

Attachment 3

May 15, 2019, Email from Ms. Watt

From:
To: FW: Antelope Valley RCIS Matter
Subject: Monday, May 20, 2019 12:24:15 PM
Date:

From: Terry Watt <terryjwatt@>
Date: May 15, 2019 at 1:16:03 AM GMT+2
To: "Gary Hunt" <ghunt@>
Cc: "Dan Silver" <dsilverla@>, "Reynolds, Joel" <jreynolds@>, <terryjwatt@>
Subject: Antelope Valley RCIS Matter

Gary,

This email is to inform you that I withdrew from any and all involvement in the Antelope Valley RCIS well over a year ago when the Ranch brought its concerns to the attention of the Tejon Ranch Conservancy Board.

Terry Watt

TerryJWatt@

Please update your contacts

Attachment 4

May 7, 2019, Letter from Los Angeles County to DMCA (with additional attachments)



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

May 7, 2019

VIA EMAIL TO: Diane.sacks@mrca.ca.gov
Spencer.eldred@mrca.ca.gov
Info@dmca.gov

Desert and Mountain Conservation Authority Board Members

Dear Board Members:

MAY 7, 2019, AGENDA ITEM 11, ANTELOPE VALLEY REGIONAL CONSERVATION INVESTMENT STRATEGY

The County of Los Angeles (County) opposes approval of the Antelope Valley Regional Conservation Investment Strategy (AV RCIS) that is being presented to the Desert and Mountain Conservancy Board this morning and for which you are being advised that the Santa Monica Mountains Resources Conservation Authority is requesting to be the sponsor. The County requests that you not approve said sponsorship.

In Mr. Edmiston's memorandum to your Board seeking sponsorship of the AV RCIS, he indicated that the AV RCIS was developed "in coordination with", among others, the Los Angeles County Planning Department. That statement is not only inaccurate but disingenuous given that the County withdrew from the AV RCIS Steering Committee in November 2017 specifically because the County's comments about the plan were ignored by the steering committee. The County's comments continue to be ignored. In sum, the AV RCIS was developed in contravention of County input, not in coordination with the County.¹

The County pointed out to the AV RCIS Strategy Planning Team in August, 2017 that the AV RCIS was inconsistent with the Rural Preservation Strategy of the Antelope Valley Area Plan (County Area Plan), a plan now-beyond legal challenge, and a part of the County's General Plan. This Rural Preservation Strategy balances priorities for environmental conservation and preservation in the County with the need for development. As part of the strategy, the County Area Plan sets aside three Economic Opportunity Areas (EOAs) in the Antelope Valley located around major infrastructure

¹ The County's prior letters on these issues are attached.

projects planned by state and regional agencies, smartly prioritizing those areas for growth and development. In turn, preservation of vast ecological resources and the rural character of the Antelope Valley is achieved through various strategies in the County Area Plan designed to limit development in the non-EOA areas, such as the strategies related to Rural Town Centers, Rural Town Areas and Rural Preservation Areas. Areas outside EOAs were also significantly down-sized to limit development. Thus, the balance of preservation and development is achieved by concentrating the most intensive development within the EOAs to preserve the open and rural areas outside the EOAs.

In contravention of these policies, the AV RCIS prioritizes some of the EOAs for conservation, a policy in direct conflict with the County Area Plan. The AV RCIS also conflicts with the regional conservation investment strategy legislation, which is to provide guidance not only to conservation groups but to developers for identification of areas for compensatory mitigation. In doing so, an RCIS must consider local land use planning designation and foreseeable development. It is an inherent conflict to designate an area for conservation priority that has already been designated by the local jurisdiction as an area for relatively-concentrated development, such as the EOAs.

Moreover, the County Board of Supervisors recently approved a development project in the West EOA, wholly consistent with its County Area Plan. Thus, the County has moved beyond designation of an EOA, and approved a project in an EOA. Accordingly, that area simply will not be available for conservation and should not be identified as such in the AV RCIS.

In the past, the AV RCIS team responded that its mapping of conservation areas was based on "science." Frankly, the County Area Plan too is based on science, science that is backed by an exhaustive Environmental Impact Report that withstood a legal challenge at the trial court and the Courts of Appeal with the petitioner in that litigation electing not to seek California Supreme Court review. As such, the County Area Plan is final and beyond challenge. The areas preserved already by the County Area Plan policies and strategies not to mention the Tejon Ranchwide Agreement adequately provide for plentiful conservation areas.

While we have not seen a final written AV RCIS, the mapping still reflects EOAs designated as conservation or preservation targets, including the West EOA for which development has already been approved by the County. Thus, the County cannot support the AV RCIS and objects to the Conservancy's sponsorship of the RCIS.

Sincerely,



AMY J. BODEK, AICP
Director of Regional Planning

Desert and Mountain Conservation Authority Board Members
May 7, 2019
Page 3

AJB:lg

Attachments

c: Board of Supervisors (Supervisor Kathryn Barger)
AVRCIS (Terry Watt -Terryjwatt@gmail.com)
CA Dept. of Fish and Wildlife (Ronald Unger – Ronald.unger@wildlife.ca.gov)
County Counsel (Elaine Lemke)
Santa Monica Mountains Conservancy (Joe Edmiston)

AP_05_07_2019_AV_RICS



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Dennis Slavin
Acting Director

November 6, 2017

VIA EMAIL TO terryjwatt@gmail.com

Antelope Valley Regional Conservation Investment Strategy Planning Team
44811 N. Date Ave., Suite G
Lancaster, CA 93534

SUBJECT: WITHDRAWAL OF LOS ANGELES COUNTY FROM THE ANTELOPE VALLEY RESOURCE CONSERVATION INVESTMENT STRATEGY (AVRCIS) STEERING COMMITTEE

Dear AVRCIS Planning Team:

On August 10, 2017, the County sent a letter requesting changes to the administrative draft of the AVRCIS. These changes reflected the County's serious concerns regarding the AVRCIS' treatment of areas the recently adopted Antelope Valley Area Plan (AV Plan) designates as Economic Opportunity Areas (EOA). The County requested that the AVRCIS exclude these areas for conservation because of the inherent conflict with the adopted AV Plan's policies that designate those same areas for future economic development.

When the California Legislature created RCISs in 2016, it required that a local agency with land use authority be included in the process. The purpose of this requirement was to ensure that RCISs be developed in coordination with local land use plans such that the RCIS is consistent, and not in conflict, with local land use policy. The County's participation has been based on this understanding.

The County recently learned from the September 2017 Desert and Mountain Conservation Authority staff report that the AVRCIS project will move ahead without the changes the County requested. Because the adopted policy for EOAs will thus continue to conflict with the AVRCIS, the County is unable to support the AVRCIS effort and no longer see a purpose for continued participation in the Steering Committee.

Therefore, the County is withdrawing from the Steering Committee. Please be advised that any correspondence henceforth will be submitted as the County of Los Angeles, and not as a member of the Steering Committee.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Dennis J. Slavin
Acting Director

A handwritten signature in black ink, appearing to read "Mark Child".

Mark Child, AICP, Deputy Director
Advance Planning Division

DJS:MC:PH:ST/st

Attachment:
Additional comments on the Administrative Draft, AVRCIS (August 10, 2017)



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

August 10, 2017

VIA EMAIL TO terryjwatt@gmail.com

Antelope Valley Regional Conservation Investment Strategy Planning Team

SUBJECT: ADDITIONAL COMMENTS ON THE ADMINISTRATIVE DRAFT, ANTELOPE VALLEY RESOURCE CONSERVATION INVESTMENT STRATEGY (AVRCIS) (JULY 2017)

Dear AVRCIS Planning Team:

As you know, the County of Los Angeles ("County") Department of Regional Planning ("Department") has participated on behalf of the County as a member of the Antelope Valley Resource Conservation Investment Strategy ("AVRCIS") Steering Committee. The AVRCIS is a strategy intended to provide voluntary guidance for ways that will enhance the long-term viability of native species, habitat, and other natural resources within the Antelope Valley. This AVRCIS is largely defined as the County portion of the Antelope Valley, and includes the Cities of Lancaster and Palmdale as well as unincorporated County. We consider the County a main stakeholder in the AVRCIS process and had provided a previous comment letter on the administrative draft document in July.

The Los Angeles County General Plan 2035 ("General Plan") was adopted with five guiding principles that emphasizes sustainability, so that the needs of the existing population are met without compromising economic, social, and environmental resources that would be available to future generations.

The Antelope Valley Area Plan ("AV Plan"), adopted as a community-based plan for the Antelope Valley area and a component of the General Plan, relies on a Rural Preservation Strategy to meet the goals and objectives of the General Plan, by balancing priorities for environmental conservation and preservation against the need for development. As part of the AV Plan Rural Preservation Strategy, three Economic Opportunity Areas ("EOAs") were adopted. These EOAs, areas where major infrastructure projects are being planned by state and regional agencies, reflect the County's priority areas for growth and development within the Antelope Valley. In turn, preservation of the ecological resources and rural character of the surrounding areas are achieved through the Rural Preservation Strategy's Rural Town Center Areas, Rural Town Areas, and Rural Preservation Areas.

The AV Plan Rural Preservation Strategy achieves this balance of preservation and development by concentrating development within the EOAs to preserve the open and rural areas outside the EOAs. Areas mapped as EOAs are designated by the County as priority areas for development to occur.

**ADDITIONAL COMMENTS ON ADMINISTRATIVE DRAFT AVRCIS
AUGUST 10, 2017
PAGE 2**

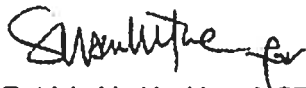
In reviewing the administrative draft of the AVRCIS, it has become apparent that the AVRCIS has chosen to prioritize some of the EOAs for conservation. The County's adopted policy direction for the EOAs thus conflicts with the AVRCIS's designation that prioritizes the same areas for conservation. This designation in the AVRCIS also conflicts with the regional conservation investment strategy legislation, which is to provide guidance for identification of areas for compensatory mitigation and must consider local land use planning designations and foreseeable development. EOAs, through the County's very recent AV Plan process, have been planned for development and not for conservation. To correct these inconsistencies the priority conservation designation in the EOAs under the AVRCIS must be amended to exclude the EOAs. By their function, EOAs cannot be considered areas of conservation priority.

To date, we have not seen a complete final version of the AVRCIS. The administrative draft AVRCIS as well as most recently shared proposed changes provided on August 2, 2017, do not accurately reflect the County's priorities for conservation and in fact, create new issues of concern. Therefore, we respectfully request that a final version addressing our comments be provided to us for our review and further comment before the draft is submitted to the California Department of Fish and Wildlife.

We appreciate being able to participate in the AVRCIS process, as well as developing our working relationship with ICF and the other agencies involved. The County sees the potential for the AVRCIS to be a valuable resource of compiled biological information and a tool to streamline locating areas suitable for mitigation and conservation, and looks forward to continuing our collaboration.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director



Patricia Lin Hachiya, AICP, Supervising Regional Planner
Environmental Planning and Sustainability Section

RJB:MC:PH:ST/st

Attachment 5

September 5, 2017, Letter from Tejon Ranch to the DMCA and the AVRCIS Steering Committee



September 5, 2017

Via Electronic Mail (michelle.osborn@icf.com)

Antelope Valley RCIS Steering Committee
Attn.: Michelle Osborn
630 K St. Suite 400
Sacramento, CA 95814

Via Electronic Mail (edelman@smmc.ca.gov)

Desert & Mountain Conservation Authority
Attn.: Paul Edelman
44811 N. Date Ave., Suite G
Lancaster, CA 93534

Via Electronic Mail (spencer.eldred@mrca.ca.gov)

Desert & Mountain Conservation Authority
Attn.: Spencer Eldred, Staff Counsel
44811 N. Date Ave., Suite G
Lancaster, CA 93534

**Re: Antelope Valley – Regional Conservation Investment Strategy (AVRCIS)
Confirmation of Removal from AVRCIS Study Area**

Dear Ms. Osborne and Messrs. Edelman and Eldred:

This letter is sent in reference to my August 4, 2017 correspondence (copy enclosed), which requested the exclusion of Tejon Ranch's lands from the AVRCIS and the AVRCIS study area.

The necessity of exclusion, and reasons therefor, is comprehensively described in the attached communication. Additionally, since that previous letter's transmittal, audio tapes of a 2016 Steering Committee public outreach meeting have come to our attention. These audio tapes evidence Tejon Ranch representatives requesting, on the record, exclusion from the study area. At no time after that Steering Committee meeting did DMCA or the Steering Committee inform Tejon Ranch that this request would not be honored. In fact, and to the contrary, prior to dissemination of the administrative draft AVRCIS, we were lead to believe that such request would be honored. It was only after dissemination of the draft AVRCIS that Tejon Ranch learned its request was disregarded, without explanation. Initial responses by DMCA representatives to Tejon Ranch's subsequent questioning of the circumstances leading to inclusion of Tejon Ranch lands in the draft document were, unfortunately, unclear, contradictory and lacking in transparency.

Following transmittal of my attached August 4, 2017 letter, discussions occurred with representatives of the Desert and Mountains Conservation Authority (DMCA), which is the purported applicant and "public agency" sponsor for the AVRCIS. See Cal. Fish & Game Code § 1852(a); see also AVRCIS at p. 1-4. These discussions culminated on August 25, 2017. At that time DMCA representatives definitively and without equivocation informed Tejon Ranch representatives in writing that, following "consulting with the AV RCIS steering committee, ICF will be removing Tejon Ranch from the AV RCIS study area"

P.O. Box 1000 | 4436 Lebec Road
Tejon Ranch, CA 99243
661 248 3000 O | 661 248 3100 F
www.tejonranch.com

Tejon Ranch Co. (NYSE:TRC)—a diversified real estate development and agribusiness company.

September 5, 2017
Page 2 of 2

Tejon Ranch has and continues to rely on this representation and has communicated this representation to third parties, including to state resource agency representatives. For instance, Tejon Ranch is undertaking significant activity and incurring costs in relation to the planning and development of the Centennial project in reliance of the representation that Tejon Ranch is being "removed . . . from the AV RCIS study area." See *HPT IHG-2 Properties Trust v. City of Anaheim* (2015) 243 Cal.App.4th 188. Based on this communication from DMCA's representatives, Tejon Ranch understands the AVRCIS will now (and in any future version prepared by DMCA) exclude any reference or depiction of Tejon Ranch lands as being within the AVRCIS study area, and will exclude any discussion of Tejon Ranch lands from substantive analysis. It is our further understanding that any modeling used in the AVRCIS is being revised to account for exclusion of Tejon Ranch lands and such revised modeling will not include discussion, depiction, analysis or reference to Tejon Ranch lands.

Should any our understandings on which we are relying be contrary to your understanding, we request an immediate response so that we can take appropriate actions, as we deem necessary, to protect Tejon Ranch's interests.

On a separate but related topic, we are aware of correspondence from Los Angeles County requesting the AVRCIS study area exclude all economic opportunity areas ("EOAs") designated in the Antelope Valley Area Plan. We fully support the County's request for the reasons contained in their letter, and for full exclusion of the western EOA.

Should you have any questions, do not hesitate to contact me. I can be reached at 661-663-4230.

Very Truly Yours,



Michael R.W. Houston,
Senior Vice President, General Counsel & Secretary

Cc: Elaine Lemke, Esq. (via electronic mail - elemke@counsel.lacounty.gov)
Jennifer Hernandez, Esq. (via electronic mail)
Terry Watt (via electronic mail - terryjwatt@gmail.com)
Chris Beale, Esq. (via electronic mail - cbeale@resourceslawgroup.com)
Clients

Enclosure

Attachment 6

August 15, 2017, Email from AVRCIS representative to Tejon Ranch

From: [CBeale@ Jennifer.Hernandez@](mailto:CBeale@Jennifer.Hernandez@)
To: AV RCIS study area
Subject: Tuesday, August 15, 2017 1:57:22 PM
Date:

Jennifer, after consulting with the AV RCIS steering committee, ICF will be removing Tejon Ranch from the AV RCIS study area, as requested by Tejon Ranch.

Chris Beale

RESOURCES LAW GROUP, LLP
555 CAPITOL MALL, SUITE 1090
SACRAMENTO, CA 95814
916.442.4880
916.442.4193 (FAX)
cbeale@
www.resourceslawgroup.com

This email may contain confidential or privileged information, or attorney work product. Only the intended recipient may disclose, copy, distribute, or otherwise use its contents or attachments. If you received this email in error, please contact Chris Beale immediately at the telephone number or email address above.

Attachment 7

September 18, 2017, Email from Mr. Chisolm to Tejon Ranch

From: [Graham Chisholm](#)
To: jennifer.hernandez@; ghunt@
Cc: [Michael Houston](#); [Paul Edelman](#); [Spencer Eldred](#); elemke@; scoleman@ Tejon Ranch & the Antelope Valley RCIS
Subject: Monday, September 18, 2017 7:45:59 AM
Date:

Jennifer and Gary,

This follows up on our August 14th call, on which we shared that we would be taking a recommendation to remove the Tejon Ranch from the RCIS to the RCIS steering committee and that Chris Beale would let Jennifer know the recommended action.

Chris Beale confirmed with me that he spoke with Jennifer on August 18th and let her know that the steering committee was comfortable with the recommendation to remove Tejon Ranch from the draft Antelope Valley Regional Conservation Investment Strategy (AVRCIS). ICF International is modifying the draft AVRCIS in order to implement the recommendation, including removing references to the Tejon Ranch from the draft AVRCIS' narrative analysis and maps.

When the draft AVRCIS is submitted to CDFW for review it will not include the Tejon Ranch.

Thanks and with regards,

Graham Chisholm

Cc:

Paul Edelman

Elain Lemke

Starr Coleman

Michael Houston

GRAHAM CHISHOLM

Senior Policy Advisor

1100 11th Street, Suite 500|Sacramento, CA 95818|Mobile:



Policy Solutions for a Greener California: www.csocalifornia.com

[Sign up here to receive updates from the new CSG Policy Blog!](#)

This electronic message contains information from Conservation Strategy Group, LLC, which is confidential or privileged. The information is intended to be sent to the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying or distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone at [916-558-1516](tel:916-558-1516).

Attachment 8

Examples of depictions in February 2019 Draft AVRICS

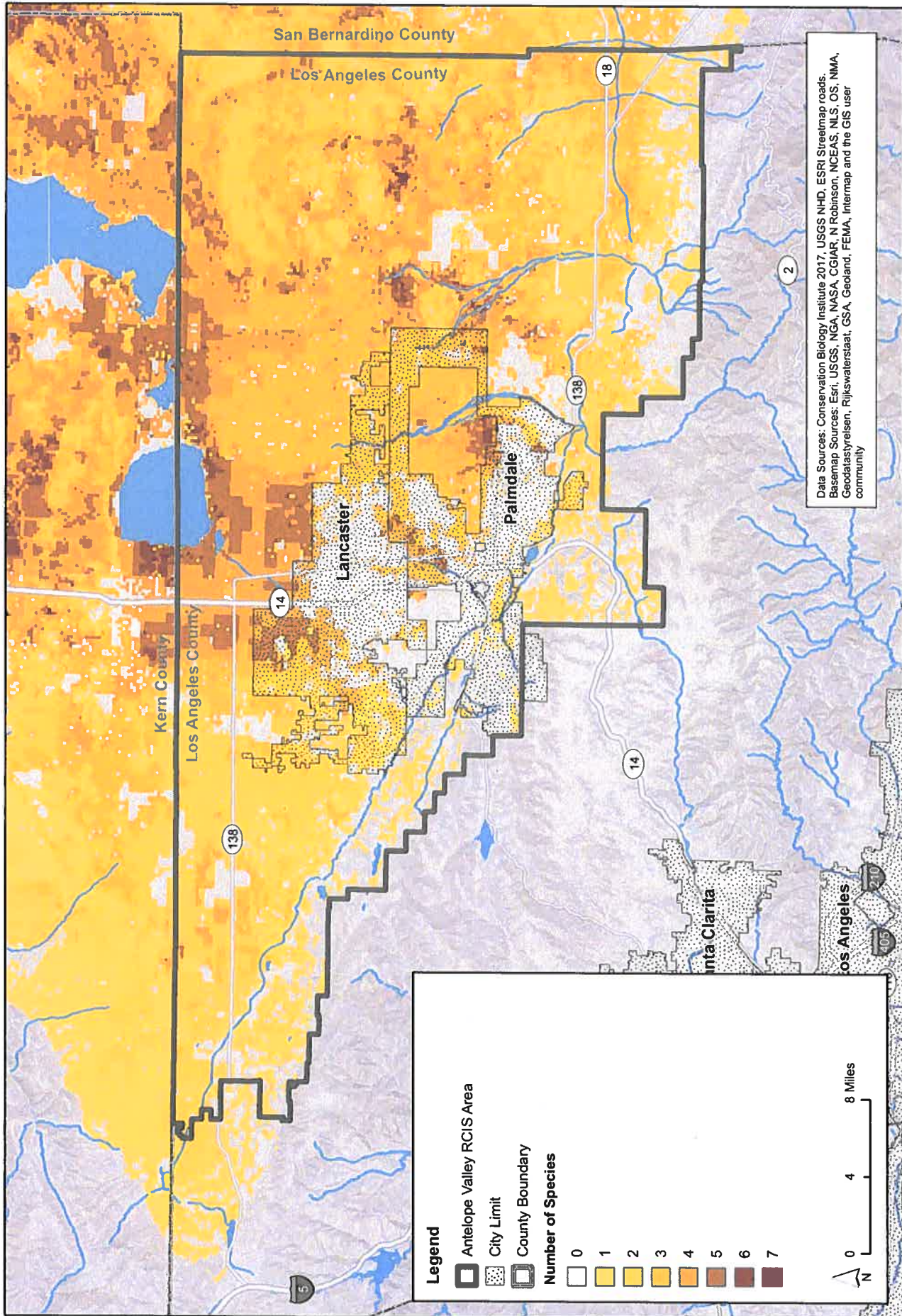


Figure 3-2
Desert Species Group Composite Overlap of Distribution Models in the Antelope Valley RCIS Area



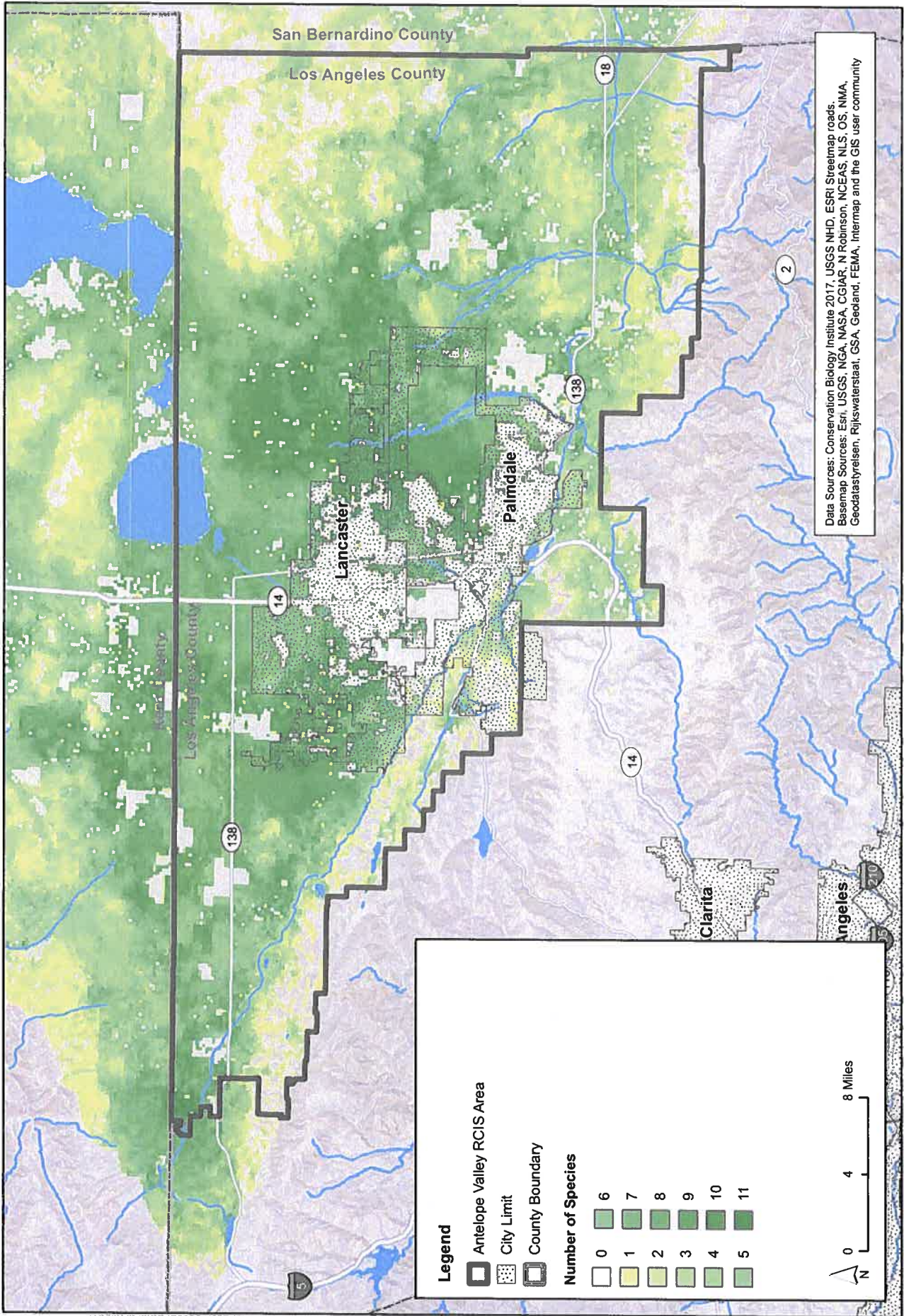


Figure 3-3
Agriculture/Grassland Species Group Composite Overlap of Distribution Models in the Antelope Valley RCIS Area

Path: K:\San Diego\projects\RegionalConservationFramework\AntelopeValleyPlan\mapdoc\Chapter3\Fig_3_GrasslandCompOverl.mxd; User: j6352; Date: 8/18/2017

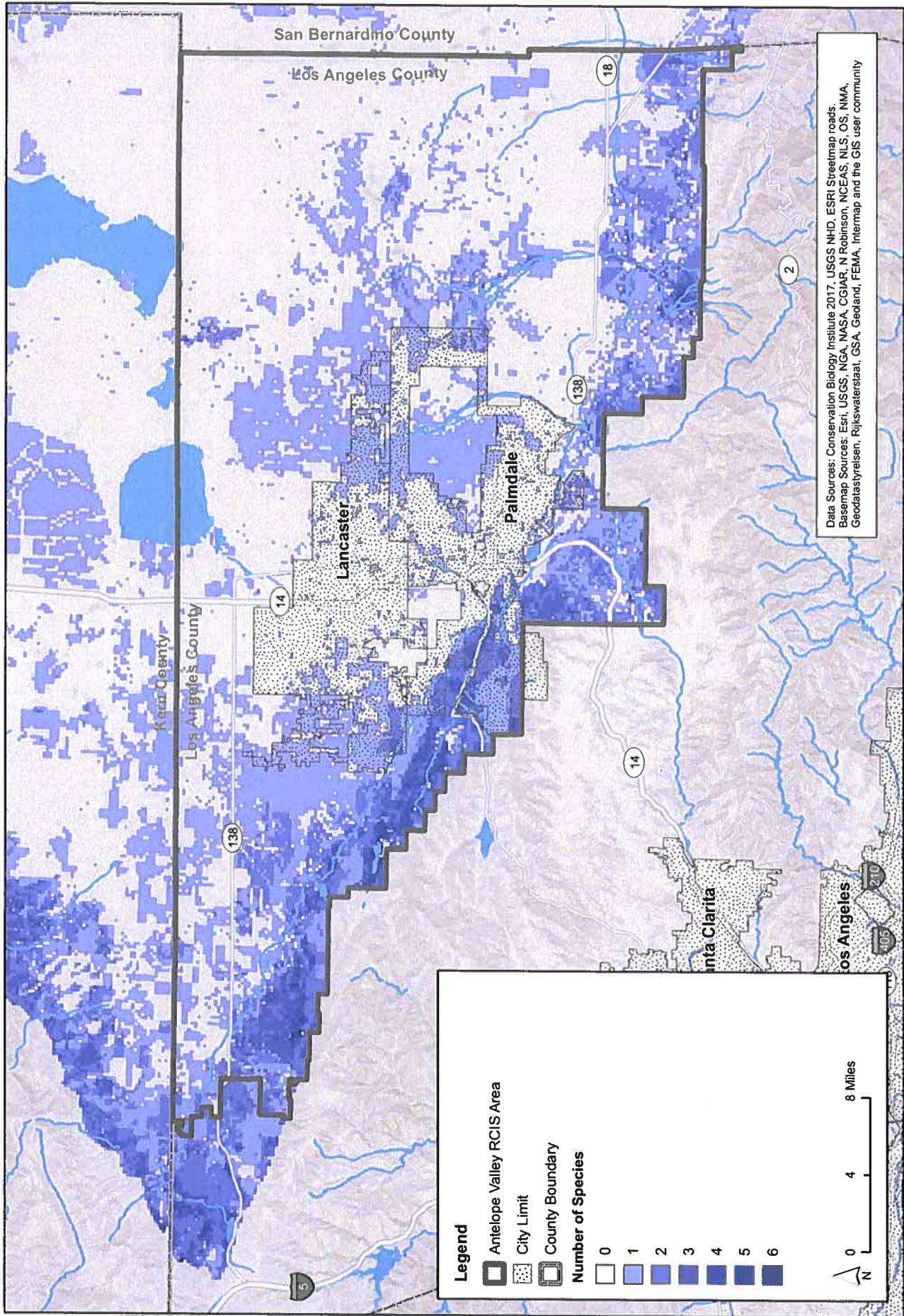


Figure 3-4
Foothill/Riparian Species Group Composite Overlap of Distribution Models in the Antelope Valley RCIS Area

