



August 18, 2021

Via Electronic Mail

scaggreenregion@scag.ca.gov.)

Southern California Association of Government
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017

RE: Comments to SoCal Greenprint

Dear Members of Board, Committee Members, and Staff:

Tejon Ranch Company, on behalf of itself and its subsidiary/affiliated entities Tejon Ranchcorp and Centennial Founders, LLC (collectively, the “Tejon Ranch”), submit this comment letter objecting to the inclusion of the Antelope Valley Regional Conservation Investment Strategy (AVRCIS) as a data source in the SoCal Greenprint. The October 2019 Public Draft AVRCIS is fatally flawed both substantively and procedurally, and as such SCAG must take no further action to incorporate the AVRCIS into the Greenprint.

Beginning as far back as the AVRCIS’s Steering Committee’s comment period in the fall of 2017, Tejon Ranch has consistently and repeatedly requested to both the Desert and Mountain Conservation Authority (“DMCA”), the nominal public agency sponsor of the AVRCIS, and the California Department of Fish and Wildlife (“DFW”), the approving government agency, to not be included in the study or modeling on which the AVRCIS is based. This position is based on the fact that Tejon Ranch lands do not promote the primary stated purposes of the AVRCIS and the modeling used in the AVRCIS is not based upon the best available science.

The AVRCIS’s primary purpose to aid in identifying “areas for compensatory mitigation for impacts to species and natural resources” and to “support mitigation needs” for various large-scale infrastructure, energy and development projects. To that end, Tejon Ranch has already availed itself of, and is presently implementing the statutory purpose behind the AVRCIS legislation as (1) Tejon Ranch had already agreed to conserve 90% of its 270,000 acres in exchange for the ability to engage in development on the remaining 10%, pursuant to the landmark 2008 Tejon Ranch Conservation and Land Use Agreement and (2) the 2008 agreement, which was entered with various environmental groups and with the endorsement of California governmental resource agencies, identified land for development based on scientific analysis demonstrating the areas for development would occur in less environmentally sensitive parts of Tejon Ranch.

As to the second point, Tejon Ranch has submitted to both DMCA and DFW that recent project level environmental analysis conducted for Tejon Ranch lands is more specific than the modeling used for the AVRCIS. Specifically, project level environmental documents, which are publicly available, provide more sophisticated, higher accuracy localized ecological mapping and analysis which represents better

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available scientific information than relied on by the AVRCIS's modeling. In fact, the AVRCIS itself recognizes there are deficiencies and gaps in its modeling.

Notwithstanding Tejon Ranch's request to be removed, and the compelling basis for this request, the AVRCIS Steering Committee nonetheless opted to include Tejon Ranch lands within the study area – without even notifying Tejon Ranch Company that its property was so included. Only after continuous and repeated requests that the Tejon Ranch lands be excluded from the AVRCIS study area and modeling did Tejon Ranch finally receive written representation from DMCA representatives stating that after consulting with the AVRCIS Steering committee that Tejon Ranch lands would be removed from the AVRCIS study area as well as the AVRCIS would be removing any references to Tejon Ranch lands, including narrative analysis, mapping overlay and other modeling. However, upon publication of a later AVRCIS draft, Tejon Ranch learned that notwithstanding Tejon Ranch lands being removed from the AVRCIS study area, Tejon Ranch lands still remain within the modeling used for the AVRCIS. Since this discovery of this intentional omission, Tejon Ranch has strongly urged 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 during its deliberation of its Final approval process. As of the date of this letter, DFW has not approved the final form of the AVRCIS, but instead continues to deliberate its completeness and substance.

Inclusion of the October 2019 draft AVRCIS as a data source in creation of the SoCal Greenprint would be both premature and potentially misleading to the public, as the final version of AVRCIS, once approved by DFW, has the potential to materially deviate from the October 2019 draft version which is now proposed to be made part of the Greenprint.

Additionally, it is Tejon Ranch's belief that the draft AVRCIS (and its inaccurate conclusions) are now being used by certain members of the environmental community, including Center for Biological Diversity, Natural Resources Defense Council, Endangered Habitats League, California Native Plant Society and others to name a few (all members of the AVRICS Advisory Committee), to challenge approvals of Tejon Ranch's Centennial master plan community in Los Angeles County, specifically, and Tejon Ranch development of its lands at large, as evidence by several lawsuits against Tejon Ranch which remain in various stages of litigation. It is of significant concern from a conflict of interest standpoint that these environmental groups have played central roles in the AVRCIS process that has been managed by DMCA and have been and continue to use the AVRCIS process to block the Centennial project and Tejon Ranch land use development in general, on the other hand. It is a grave concern how current litigants such as CBD and the other environmental groups mentioned in this paragraph can serve in an independent, non-biased capacity to craft a resource conservation program, where the program covers the very area where they have filed suit and continue to try and challenge Tejon Ranch projects. These blatant conflicts of interest do not appear to have been disclosed to DMCA or DFW. 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. It is apparent to Tejon Ranch that the same conflicted environmental groups now are engaged in weaponizing and hijacking SCAG's Greenprint program for its own purposes, by championing as part of Greenprint's underlying data source, a known unsanctioned and controversial resource conservation program, the AVRCIS, which will be utilized by municipalities, planners, infrastructure agencies, community based organizes and other to guide and shape regional development and land use decisions for the foreseeable future.

As an additional point of interest to you, The Nature Conservancy, who SCAG has engaged to consult on Greenprint was also a member of the AVRCIS team. This fact raises yet another conflict of interest with the submission of the AVRCIS for inclusion in the Greenprint effort. This appears to be a coordinated effort by several conflicted participants in the AVRCIS process to give legitimacy to this self-serving and deeply flawed draft document by having it adopted by SCAG as best available science. Further, submittal of the draft AVRCIS is inappropriate as it is still under review and not approved by CDFW. These facts should give rise for grave concern to SCAG in considering the inclusion of the AVRCIS data in its Greenprint process.

To assist SCAG on our historic involvement with this effort, I am attaching two of several letters reflective of our constant ongoing objections to this process and the draft document, one of which includes correspondences authored by LA County as to their objections at the time.

Given that the AVRCIS is flawed for the reasons described above, SCAG must remove the AVRCIS for the data source of its Greenprint program. Inclusion of the draft AVRCIS is highly problematic and unjustly favors the self-serving interest of environmental groups, who are active insider participants in the AVRCIS and Greenprint process.

Very Truly Yours,



Marc W. Hardy
Senior Vice President, General Counsel

Attachments