



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
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San Diego, CA 92123  
(858) 467-4201  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



## Attachment 3

June 8, 2018

David Swenk  
2624 Airpark Drive  
Santa Maria, CA 93455  
[david@urbanplanningconcepts.com](mailto:david@urbanplanningconcepts.com)

Subject: **Proposal to perform off-site mitigation for the Oak Hills Project on Burton Mesa Ecological Reserve**

Dear Mr. Swenk,

The California Department of Fish and Wildlife (Department) is in discussions with the landowners of Oak Hills Estate project, located at APN 097-371-010, in regards to providing offsite mitigation on 13.19 acres of lands within the Burton Mesa Ecological Reserve (BMER), owned by the State Lands Commission (SLC) and managed under lease by the Department. The Department is working with the landowner to allow offsite mitigation for impacts to federally endangered species on the ecological reserve. We are discussing with the project developer's consultants the scope, design, and long-term maintenance of the mitigation. The Department is willing to allow the off-site mitigation to occur on BMER if the following conditions are met:

The Department recommends the County of Santa Barbara condition the project to require a mitigation restoration plan prior to map recordation that encompasses the following elements to be approved by the US Fish and Wildlife Service, the Department and the SLC:

- A detailed restoration/mitigation plan to be reviewed and approved by the Department, FWS and SLC and any additional California Environmental Quality Act compliance for the proposed mitigation area;
- An approved Lease Agreement executed with the State Lands Commission;
- Long term maintenance of the restoration area accomplished through a long term maintenance and funding plan for BMER and approved by the Department and SLC;
- CDFW issuance of a Right of Entry Permit for the activity.

The Department also recommends the Project Proponents implement the elements of the plan and secure funding prior to conducting any grading or causing any impacts to habitat. For mitigation surrounding habitat restoration for federally listed species on site as annotated in the project EIR (SCH #2015111069), evidence of a USFWS Incidental Take Permit and applicable Habitat Conservation Plan provided by the Service prior to issuance of a grading permit. Any listed State species identified for habitat restoration

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onsite shall have the necessary concurrence from California Department of Fish and Wildlife.

With the addition of these conditions, the Department does not object to the approval of TM 14,180 and will work in good faith with the landowner in developing and implementing the mitigation plan and its requirements at the Regional Manager's discretion.

If you have any questions, please contact the Land Manager, Richard Brody at (310) 455-3243 or [Richard.brody@wildlife.ca.gov](mailto:Richard.brody@wildlife.ca.gov), or Tim Dillingham at (858) 627-3939, or [tim.dillingham@wildlife.ca.gov](mailto:tim.dillingham@wildlife.ca.gov).

Sincerely,

Rick Mayfield  
Environmental Program Manager

cc:

Richard Brody, CDFW  
Christine Found-Jackson, CDFW  
Lands Chron File