

DUTY STATEMENT

DFW 242A (REV. 07/18/22)

Department Statement:

California is one of the most biodiverse places on the planet. As such, the Department of Fish and Wildlife (CDFW) values diverse employees working together to protect nature for all Californians. CDFW is committed to fostering an inclusive work environment where all backgrounds, cultures, and personal experiences can thrive and connect others to our critical mission.

INSTRUCTIONS: A duty statement and organizational chart must be submitted with each Request for Personnel Action, Form 242	EFFECTIVE DATE
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DFW DIVISION/BRANCH/REGION/OFFICE Executive Branch / Legal	POSITION NUMBER (Agency-Unit-Class-Serial) 565-007-5795-XXX
UNIT NAME AND LOCATION Office of the General Counsel	CLASS TITLE Attorney III
INCUMBENT	CURRENT POSITION NUMBER (Agency-Unit-Class-Serial) 565-007-5795-XXX

BRIEFLY DESCRIBE THE POSITION'S ORGANIZATION SETTING AND MAJOR FUNCTIONS

Under the general direction of an Assistant Chief Counsel, the Attorney IV will serve as one of the senior legal advisors to the Assistant Chief Counsel, General Counsel, and Executive Staff at the California Department of Fish and Wildlife (CDFW), particularly with respect to landscape conservation and advance mitigation programs, the California Endangered Species Act (CESA), and other related state natural resources laws. Counsel in this position will also serve as a mentor to and in a lead capacity over the work of other CDFW attorneys and staff.

PERCENTAGE OF TIME PERFORMING DUTIES	INDICATE THE DUTIES AND RESPONSIBILITIES ASSIGNED TO THE POSITION AND THE PERCENTAGE OF TIME SPENT ON EACH. GROUP RELATED TASKS UNDER THE SAME PERCENTAGE WITH THE HIGHEST PERCENTAGE FIRST. (USE THE REVERSE SIDE IF NECESSARY.)
	<u>ESSENTIAL FUNCTIONS:</u>
30%	Work independently exercising broad professional discretion on complex and sensitive, project-specific legal issues related to: landscape conservation and advance mitigation programs (LCAMP) (i.e., Natural Community Conservation Plans, Regional Conservation Investment Strategies, and conservation and mitigation banking); CESA. (including listing, permitting, recovery planning, and enforcement); and other related state natural resources laws. These duties include developing novel theories related to natural resources law with high precedential value.
30%	Directly advise CDFW staff and management on complex legal issues related to LCAMP, CESA, and other laws involving natural resource protection, including the administration of a broad spectrum of CDFW programs. The Attorney III will also serve in a supporting role to CDFW decision makers and likewise independently represent CDFW in direct interaction and negotiations with various other federal, state, and local agency decision makers; tribal representatives, public stakeholder and regulated community interests; decision makers in the Governor and Attorney General's Offices, and the California Natural Resources and Environmental Protection Agencies; and the Legislature.
15%	Oversee complex environmental litigation and lawsuits handled by the Office of the Attorney General (OAG"). Responsible for providing OAG information concerning subject matter on the conduct of litigation, as well as assisting with the drafting of pleadings, preparing witnesses for trial, compiling CDFW's administrative record, and all aspects of discovery, etc. Assist with representing the Department in preparation for and during administrative hearings.
10%	Oversee the drafting of legislation and regulations. Handle procedural aspects of getting approval of legislation and regulations, including testimony before the Legislature.
10%	Process requests made pursuant to the Public Records Act, document subpoenas, and/or requests for production of documents. This includes drafting complex correspondence to requesters and CDFW staff, reviewing documents to determine if exemptions from disclosure or privileges apply, and

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5%	<p>providing support to the Office of Attorney General representing CDFW in litigation challenging CDFW's response.</p> <p><u>NON-ESSENTIAL FUNCTIONS:</u></p> <p>Perform administrative tasks, including tracking of time worked; attend career development and training programs, seminars as appropriate to contribute to the achievement of Office of the General Counsel's goals and objectives.</p> <p>Special Personal Characteristics: Exceptional lawyering skills, especially communication and representation. Working in groups and in teams effectively. Taking directions from supervisors and other senior management.</p> <p>Interpersonal Skills: Excellent oral and written communication skills; sound judgment; exceptional organizational skills; strong attention to detail; ability to effectively handle deadlines; collegial and professional attitude.</p> <p>WORKING CONDITIONS: This position will be located in Sacramento. Some overnight travel (e.g., <5%) will be required. Active membership in the California State Bar is required.</p>		
SUPERVISOR'S STATEMENT: I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE.			
PRINT SUPERVISOR'S NAME	<table border="1"> <tr> <td data-bbox="901 997 1377 1094">SUPERVISOR'S SIGNATURE</td> <td data-bbox="1377 997 1520 1094">DATE</td> </tr> </table>	SUPERVISOR'S SIGNATURE	DATE
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EMPLOYEE'S STATEMENT: I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT. I HAVE READ AND UNDERSTAND THE DUTIES AND ESSENTIAL FUNCTIONS OF THE POSITION AND CAN PERFORM THESE DUTIES WITH OR WITHOUT REASONABLE ACCOMMODATION.			
PRINT EMPLOYEE'S NAME	<table border="1"> <tr> <td data-bbox="901 1220 1377 1312">EMPLOYEE'S SIGNATURE</td> <td data-bbox="1377 1220 1520 1312">DATE</td> </tr> </table>	EMPLOYEE'S SIGNATURE	DATE
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DFW DIVISION/BRANCH/REGION/OFFICE Executive Branch / Legal	POSITION NUMBER (Agency-Unit-Class-Serial) 565-007-5780-012
UNIT NAME AND LOCATION Office of the General Counsel	CLASS TITLE Attorney IV
INCUMBENT	CURRENT POSITION NUMBER (Agency-Unit-Class-Serial) 565-007-5780-012

BRIEFLY DESCRIBE THE POSITION'S ORGANIZATION SETTING AND MAJOR FUNCTIONS

Under the general direction of an Assistant Chief Counsel, the Attorney IV will serve as one of the senior legal advisors to the Assistant Chief Counsel, General Counsel, and Executive Staff at the California Department of Fish and Wildlife (CDFW), particularly with respect to landscape conservation and advance mitigation programs, the California Endangered Species Act (CESA), and other related state natural resources laws. Counsel in this position will also serve as a mentor to and in a lead capacity over the work of other CDFW attorneys and staff.

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	<u>ESSENTIAL FUNCTIONS:</u>
30%	Work independently exercising broad professional discretion on more complex and sensitive, projectspecific legal issues related to: landscape conservation and advance mitigation programs (LCAMP) (i.e., Natural Community Conservation Plans, Regional Conservation Investment Strategies, and conservation and mitigation banking); CESA. (including listing, permitting, recovery planning, and enforcement); and other related state natural resources laws. These duties include developing novel theories related to natural resources law with high precedential value.
25%	Directly advise CDFW senior executive management on more complex legal issues related to LCAMP, CESA, and other laws involving natural resource protection, including the administration of a broad spectrum of CDFW programs. The Attorney IV will also serve in a supporting role to CDFW executive decision makers and likewise independently represent CDFW in direct interaction and negotiations with various other federal, state, and local agency decision makers; tribal representatives, public stakeholder and regulated community interests; senior decision makers in the Governor and Attorney General's Offices, and the California Natural Resources and Environmental Protection Agencies; and the Legislature.
15%	Mentor, advise, and serve as a lead on CEQA lead agency and other natural resource projects and issues with junior attorneys in the Office of the General Counsel. In so doing the Attorney IV will focus and facilitate the effort within the Office of the General Counsel to assess new case law, legislation, and regulations, and to anticipate and devise legal strategy for CDFW in light of emerging legal trends in California and federal natural resource law related to fish and wildlife.
10%	Oversee more complex environmental litigation and lawsuits handled by the Office of the Attorney General ("OAG"). Responsible for providing OAG information concerning subject matter and policy direction on the conduct of litigation, as well as assisting with the drafting of pleadings, preparing witnesses for trial, compiling CDFW's administrative record, and all aspects of discovery, etc. Assist with representing the Department in preparation for and during administrative hearings.

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10%	Oversee the drafting of complex legislation and regulations. Handle procedural aspects of getting approval of legislation and regulations, including testimony before the Legislature.		
5%	Process requests made pursuant to the Public Records Act, document subpoenas, and/or requests for production of documents. This includes drafting complex correspondence to requesters and CDFW staff, reviewing documents to determine if exemptions from disclosure or privileges apply, and providing support to the Office of Attorney General representing CDFW in litigation challenging CDFW's response.		
5%	<p><u>NON-ESSENTIAL FUNCTIONS:</u></p> <p>Perform administrative tasks, including tracking of time worked; attend career development and training programs, seminars as appropriate to contribute to the achievement of Office of the General Counsel's goals and objectives.</p> <p>Special Personal Characteristics: Exceptional lawyering skills, especially communication and representation. Working in groups and in teams effectively. Taking directions from supervisors and other senior management.</p> <p>Interpersonal Skills: Excellent oral and written communication skills; sound judgment; exceptional organizational skills; strong attention to detail; ability to effectively handle deadlines; collegial and professional attitude.</p> <p>WORKING CONDITIONS: This position will be located in Sacramento. Some overnight travel (e.g., <5%) will be required. Active membership in the California State Bar is required.</p>		
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