

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 Wildlife Conservation Board	POSITION NUMBER (Agency-Unit-Class-Serial) 567-001-5780-001
UNIT NAME AND LOCATION Legal Office, Sacramento, CA	CLASS TITLE Attorney IV
INCUMBENT	CURRENT POSITION NUMBER (Agency-Unit-Class-Serial) 567-001-5780-001

BRIEFLY DESCRIBE THE POSITION'S ORGANIZATION SETTING AND MAJOR FUNCTIONS

Under the general direction of the Chief Counsel (CEA, A), the Attorney IV, acting with broad discretion and independence, will perform a wide variety of complex legal duties in support of the Wildlife Conservation Board (WCB), the Executive Team, program managers, and staff. The position requires a high degree knowledge and skill in the areas of: real property and related areas of law; laws governing the operation of state agencies, including open meeting laws; and, litigation oversight. This work includes using a high degree of judgment and sensitivity while dealing with stakeholders like disadvantaged communities and Native American tribes.

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.)
45%	<u>ESSENTIAL FUNCTIONS:</u> Act as senior counsel for WCB and the Lower American River Conservancy Advisory Committee (LARC) on all matters, including complex and sensitive legal matters. Draft, review, and revise documents related to complex and sensitive real property and water transactions, grants and management, including conservation easements, acquisitions agreements, exchange agreements, easements, and leases; and research, draft, edit, and finalize legal opinions, memoranda, and correspondence regarding complex and sensitive legal matters in which WCB or LARC are involved or interested. Advise both WCB and California Department of Fish and Wildlife (CDFW) on complex and sensitive legal matters involving real property, disputes that arise out of CDFW's ownership of real property, and WCB's acquisition of that real property on behalf of CDFW. Draft, review, revise, and give advice regarding complex and sensitive matters pertaining to compliance with the California Environmental Quality Act (CEQA). Handle Public Records Act requests received by WCB and review responsive documents for applicable exemptions and legal privileges prior to release of documents to the public. In performing this work, the incumbent will communicate directly with the senior WCB and CDFW staff (CEA and Exempt), members of the Administration, and the Legislature (hereafter high-level officials) about WCB and LARC legal matters.
25%	Advise WCB and LARC on compliance with the Bagley-Keene Open Meeting Act and ensure compliance with the law in all public meetings. Assist the Chief Counsel in representing WCB in public and agency meetings on all matters related to WCB, including complex and sensitive legal matters. Attend meetings and communicate by telephone with WCB and CDFW staff, attorneys, members of the public, and others regarding complex and sensitive

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	legal matters in which WCB, LARC, and/or CDFW are involved. Advise high level officials of both WCB and CDFW on complex and sensitive legal matters and participate in meetings with such high-level officials. Give presentations to WCB and LARC's voting members and members of the Legislature and their staff at public meetings. Attend closed session meetings with WCB's voting members and provide legal advice to WCB's voting members on complex and sensitive legal matters when requested to do so including, but not limited to, litigation involving WCB.
10%	Oversee, direct, and assist with the work of the Office of the Attorney General that represents WCB, LARC, and CDFW in litigation on complex and sensitive legal matters, including real property disputes, grant disputes, and CEQA litigation. Participate in settlement conferences for such litigation to dispose of the lawsuit on terms favorable to WCB, LARC, CDFW, or the State of California. This work can also include, but is not limited to, drafting pleadings, responding to and preparing discovery requests, preparing settlement recommendations, and developing novel theories of law to best represent these bodies. Assist the Chief Counsel in representing WCB, LARC, and CDFW in judicial, administrative, and legislative proceedings on the most complex and sensitive matters.
5%	Analyze complex legislation that applies to WCB, LARC, and CDFW and propose legislative revisions/changes as necessary. Meet high level officials to discuss proposed legislation impacting WCB, LARC, and CDFW. Draft complex regulations pertaining to real property and land use matters pursuant to the Administrative Procedure Act. Coordinate legislative and regulatory work with appropriate high-level officials.
5%	Represent WCB, LARC, and CDFW, when requested to do so, in legal matters involving interaction with outside stakeholders. This representation includes, but is not limited to, meetings with groups such as disadvantaged communities (defined in Proposition 4 and elsewhere) and Native American tribes. Develop expertise in special rules regarding working with these groups, including attending specialized training, complying with Executive Orders, and generally using sensitivity and judgment in these communications.
5%	Provide training to WCB and CDFW staff on complex and sensitive legal matters, including, but not limited to, complex carbon sequestration protocols, real property acquisition procedures, hazardous materials liability, CEQA, and Public Records Act procedures. Assist the Chief Counsel in the development of policy, where it pertains to complex and sensitive legal matters. Assist WCB staff in the implementation of its Strategic Plan and other newly adopted WCB programs including Proposition 4 programs.
5%	<u>NON-ESSENTIAL FUNCTIONS:</u> Miscellaneous: Perform other duties as assigned, including advising WCB and CDFW on complex and routine legal matters related to daily operations; prepare timesheets, travel expense claims, and other state employee paperwork; and participate in state-mandated and job-related training. DESIRABLE QUALIFICATIONS:

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	Special Personal Characteristics: Excellent communication skills, good judgment, open-mindedness, flexibility, and tact. Ability to multi-task. Interpersonal Skills: Ability to interact with and be respectful of varied and diverse staff and stakeholder groups, and act both independently and as part of a team. WORKING CONDITIONS: Office with artificial lighting. This position is based at 715 P Street, Sacramento. Work is done both in-office and may also be fulfilled from a home office pursuant to a Telework Agreement. Up to 5% travel, including overnight stays, may be required.	
SUPERVISOR'S STATEMENT: I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE.		
PRINT SUPERVISOR'S NAME	SUPERVISOR'S SIGNATURE	DATE
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	EMPLOYEE'S SIGNATURE	DATE