

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 (WCB or Board)	POSITION NUMBER (Agency-Unit-Class-Serial) 567-001-5778-XXX
UNIT NAME AND LOCATION Executive Unit, Sacramento headquarters	CLASS TITLE Attorney
INCUMBENT Vacant	CURRENT POSITION NUMBER (Agency-Unit-Class-Serial) 567-001-5778-XXX
BRIEFLY DESCRIBE THE POSITION'S ORGANIZATION SETTING AND MAJOR FUNCTIONS Under the direction of WCB's General Counsel (CEA A) and as part of WCB's Executive Unit, the Attorney will perform legal work on behalf of WCB and its staff. WCB's Attorney IV may also provide the Attorney direction as a lead person over certain projects. The incumbent will perform this work mainly in the following general areas of law: real estate, administrative, environmental, and water. The work will generally include legal research, drafting and reviewing non-complex documents, assisting in negotiating transactions, assisting in interaction with stakeholders, including Native American tribes, and performing basic services as in-house counsel for the Board.	

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.)
35%	ESSENTIAL FUNCTIONS: Negotiate, draft, review, and revise non-complex documents related to real property transactions, including acquisition or transfer of real estate interests (e.g., fee title, conservation easements, and access easements), eminent domain, inverse condemnation, land management, and funding of grants, with an emphasis on issues and laws that affect real property such as the California Environmental Quality Act (CEQA), relevant Fish and Game Code provisions, encumbrances affecting title, timber rights, mineral rights, water rights, and environmental laws.
30%	Perform basic legal work associated with WCB's Streamflow Enhancement Program and other programs that focus on the aquatic environment. This includes: acquisition of water rights and other types of water transactions (e.g., instream flow dedications under Water Code Section 1707 or forbearance agreements); long-term water-related matters that are ongoing in various areas of the state (e.g. Eastern Sierras, Salton Sea); and, matters relating to restoration, water efficiency and studies. This water-related work will include conducting legal research, assisting in negotiating and drafting documents (e.g. grant agreements for water transactions, forbearance agreements, or 1707 dedications), and providing legal advice.
15%	Provide legal guidance in all subject areas affecting state agencies generally to WCB's Executive Team and staff. Attend meetings and communicate with WCB and staff at the California Department of Fish and Wildlife (CDFW), the State Water Resources Control Board, attorneys, stakeholders including tribes, members of the public, and others regarding legal matters in which WCB is involved or interested. Handle Public Records Act requests.
10%	Attend and participate in WCB Board meetings and meetings of the Lower American River Conservancy Advisory Committee (LARC) which may involve giving presentations or being called upon to speak or answer questions on issues raised by WCB or LARC board members. Prepare and review agenda materials for WCB and LARC meetings, including agenda items and CEQA documentation.

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5%	Assist in overseeing the work of the Office of the Attorney General (OAG) in litigation in which WCB is a party or otherwise interested. This can include assisting with discovery, drafting pleadings and other court documents, preparing administrative records, preparing witnesses for trial, and advising the OAG on policy positions of WCB in such litigation.		
5%	<u>NON-ESSENTIAL FUNCTIONS:</u> Perform administrative tasks, including tracking of time worked; attend career development and training programs and seminars as appropriate to contribute to the achievement of WCB's goals and objectives. <u>DESIRABLE QUALITIFICATIONS:</u> Special Personal Characteristics: Ability to organize, set priorities, and work independently under supervision. Ability to work under pressure and successfully handle multiple competing priorities. Negotiate in situations with tact and firmness. Develop and maintain positive working relationships to accomplish desired goals and objectives. Work cooperatively and effectively with various partners, including federal, state and local agencies. Meet deadlines. Interpersonal Skills: Exceptional communication skills, efficiency, judgment, tact, and professionalism. Ability to work with a diverse group of project partners and stakeholders. <u>WORKING CONDITIONS:</u> Maintain normal and consistent work hours, averaging 40 hours per week. Work in excess of 40 hours per week is expected, when necessary, to complete assignments in a timely manner. Position may require the incumbent to sit for long periods of time under artificial lighting. This position will be located at 715 P Street, Sacramento. This position is eligible for limited telework pursuant to a Telework Agreement. Some overnight travel (approximately 3%) 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

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DFW DIVISION/BRANCH/REGION/OFFICE Wildlife Conservation Board (WCB or Board)	POSITION NUMBER (Agency-Unit-Class-Serial) 567-001-5795-004
UNIT NAME AND LOCATION Executive Unit, Sacramento headquarters	CLASS TITLE Attorney III
INCUMBENT VACANT	CURRENT POSITION NUMBER (Agency-Unit-Class-Serial) 567-001-5795-004
BRIEFLY DESCRIBE THE POSITION'S ORGANIZATION SETTING AND MAJOR FUNCTIONS Under the direction of WCB's General Counsel (CEA A) and within WCB's Executive Unit, the Attorney III will perform complex and legally sensitive work, acting with broad discretion and minimal supervision. The incumbent will perform this work mainly in the following general areas of law: real estate, environmental, administrative, and water. The work will generally include drafting and reviewing documents, negotiating complex transactions, interacting with stakeholders, including Native American tribes, and acting as in-house counsel for the Board.	

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35%	ESSENTIAL FUNCTIONS: Negotiate, draft, review, and revise complex and sensitive documents using a high degree of expertise related to real property transactions, including acquisition or transfer of real estate interests (e.g., fee title, conservation easements, and access easements), eminent domain, inverse condemnation, land management, and funding of grants, with an emphasis on complex issues and laws that affect real property such as the California Environmental Quality Act (CEQA), relevant Fish and Game Code provisions, encumbrances affecting title, timber rights, mineral rights, water rights, and environmental laws, including how to address and ensure remediation of hazardous material and other environmental contamination (e.g. oil, pesticide, underground storage tanks) through the use of mechanisms such as Remedial Action Plans for cleanup. Complex legal documents also include those associated with financial securities (e.g. letters of credit) to protect the state from liability.
30%	Perform complex legal work associated with WCB's Streamflow Enhancement Program and other programs that focus on the aquatic environment. This includes: acquisition of water rights and other types of water transactions (e.g., instream flow dedications under Water Code Section 1707 or forbearance agreements); long-term water-related matters that are ongoing in various areas of the state (e.g. Eastern Sierras, Salton Sea); and matters relating to restoration, water efficiency, and studies. This water-related work will include negotiating, drafting documents (e.g. grant agreements for water transactions, forbearance agreements, or 1707 dedications), and providing legal advice.
15%	Provide sensitive legal guidance in all subject areas affecting state agencies generally to WCB's Executive Team and staff. Attend meetings and communicate with WCB and staff at the California Department of Fish and Wildlife (CDFW), the State Water Resources Control Board, attorneys, stakeholders including tribes, members of the public, and others regarding legal matters in which WCB is involved or interested. This work will include high-level coordination with WCB funding partners. Handle Public Records Act requests.
10%	Represent WCB in Board meetings and meetings of the Lower American River Conservancy Advisory Committee (LARC) which may involve giving presentations or being called upon to speak or

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5%	answer questions on complex and sensitive issues raised by WCB or LARC board members. Prepare and review agenda materials for WCB and LARC meetings, including agenda items and CEQA documentation.	
5%	Oversee the work of the Office of the Attorney General (OAG) in litigation in which WCB is a party or otherwise interested. This can include assisting with discovery, drafting pleadings and other court documents, preparing administrative records, preparing witnesses for trial, and advising the OAG on policy positions of WCB in such litigation.	
	<u>NON-ESSENTIAL FUNCTIONS:</u> Perform administrative tasks, including tracking of time worked; attend career development and training programs and seminars as appropriate to contribute to the achievement of WCB's goals and objectives. <u>DESIRABLE QUALITIFICATIONS:</u> Special Personal Characteristics- Ability to organize, set priorities, and work independently under general supervision. Ability to work under pressure and successfully handle multiple competing complex priorities. Negotiate in highly complex situations with tact and firmness. Develop and maintain positive working relationships to accomplish desired goals and objectives. Work cooperatively and effectively with various partners, including federal, state and local agencies. Meet deadlines. Interpersonal Skills- Exceptional communication skills, efficiency, judgment, tact, and professionalism. Ability to work with a diverse group of project partners and stakeholders. <u>WORKING CONDITIONS:</u> Maintain normal and consistent work hours, averaging 40 hours per week. Work in excess of 40 hours per week is expected, when necessary, to complete assignments in a timely manner. Position may require the incumbent to sit for long periods of time under artificial lighting. This position will be located at 715 P Street, Sacramento. This position is eligible for limited telework pursuant to a Telework Agreement. Some overnight travel (approximately 3%) may be required.	
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