

# **Phase 2 Scope of Works**

**Attachment 2**

## **ATTACHMENT A SCOPE OF WORK**

### **PHASE TWO OF THE SAN BERNARDINO COUNTYWIDE HABITAT PRESERVATION/CONSERVATION FRAMEWORK: TRACKING SYSTEM, GAP ANALYSIS, AND RESERVE DESIGN**

#### **Scope of Work (For Review and Discussion Only)**

#### **SUMMARY OF PROJECT**

Conservation planning in the county traditionally has taken place on a more isolated, project-by-project basis, without a comprehensive view of habitat preservation opportunities and priorities countywide. The Framework Study was initiated to provide a comprehensive blueprint for countywide habitat conservation. The work under the first phase of the Framework Study was released as a guidance document outlining the conservation issues and concerns, existing conservation, conservation opportunities, and data gaps associated with current approaches to habitat conservation. The Conservation Framework also identified an achievable set of conservation principles and next steps within a suite of possible comprehensive, long term conservation approaches. The Next Steps section of the Framework Study phase one document included a list of approaches based on priorities and timeframes. Development of the inventory and tracking system, conservation gap analysis, and reserve design were identified by the EEG as the top priorities for next steps. These next steps are critical for establishing implementable comprehensive countywide conservation strategies. Phase two does not require participation by any individual jurisdiction or agency, but broad participation will be encouraged so that the county can move forward to achieve environmental objectives in a business-friendly manner that results in benefits across the board.

#### **STUDY OBJECTIVES**

The objectives of this project are to:

1. Create an inventory and tracking system for existing conservation lands and for lands that are newly conserved through acquisition, easements, local General Plans, and other management practices. The tracking system in San Bernardino County will consider inventory and tracking processes established in other parts of the SCAG region, enabling more consistent inventories and analysis at a regional level. San Bernardino County may be considered as a type of pilot study for how to bring data from these systems together.
2. Conduct a conservation gap analysis based on focal species occurrences and known conservation lands.
3. Based on the gap analysis, develop an initial reserve design or alternative designs that

identify focus areas needing protection to sustain natural resources while considering ecological, social, economic, and political factors. The goals are to develop greater clarity and speed in the land development process and greater certainty in the preservation/conservation of important habitat.

4. Based on study findings and input from the Environment Element Group and other stakeholders, and on direction from the SANBAG Board of Directors and County Board of Supervisors, identify a set of next steps in the development of a more comprehensive approach to habitat preservation/conservation in San Bernardino County.
5. Work with the stakeholder group established for the Environment Element of the Vision to move the countywide habitat preservation/conservation framework forward in a way that benefits both the environment and the economy. 1. Seek relevant information for the study from the stakeholder group; 2. Report summary of findings to the group; 3. Seek feedback and refinements from the group on the final draft reports.

It is anticipated that this study will be completed in 12 months from Notice to Proceed. However, the timeframe will be governed by input from the stakeholders and the analysis of data supporting the eventual recommendations for next steps.

## **STUDY TASKS**

Work tasks to be performed as part of the study include:

1. Project management
2. Create a systematic inventory and update process for existing conservation lands, easements, and maintenance commitments and establish a system for long-term tracking of new conservation acquisitions, easements, and maintenance commitments
3. Conduct conservation gap analysis on focal species occurrences and known conservation lands and easements
4. Develop a conceptual reserve design that identifies potential focus areas needing protection to sustain natural resources while considering ecological, social, economic, and political factors
5. In collaboration with clients, define phase three next steps and commitments necessary to further implement the principles identified in the framework study
6. Document all results of the analysis and comments from stakeholders

Each task is described in more detail below.

### **1. Project management**

- **Project Kick-off Meeting:** SANBAG, County of San Bernardino, SCAG, and the consultant will hold a kick-off meeting to discuss project scope, schedule, outreach, and expected project outcomes. Milestones and potential meeting schedules for interaction with the Environment Element group will be discussed. A meeting summary confirming project goals, objectives, data collection needs, and stakeholder outreach approaches will be developed and documented.
- **Staff Coordination:** Monthly face-to-face project team meetings with consultants to ensure good communication on upcoming tasks and to ensure that the project

remains on time and within budget. It is anticipated that meetings of the Environment Element Group will be held up to five times throughout the project process. The Environment Element Group will serve as the main reviewing stakeholder group for the project, but presentations at SANBAG's Planning and Development Technical Forum (PDTF, consisting of jurisdiction planning directors) and/or SANBAG Board or Committee meetings will be requested as the need arises. (Maximum 4 for PDTF and 2 for SANBAG Board or policy committees)

- The Open Space Conservation Working Group at SCAG is a gathering of stakeholders for the development of the Open Space Conservation Planning component of the Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS). Presentations at SCAG's Working Groups and/or Committee meetings will be requested as the need arises from SCAG. (Maximum 2)
- Invoicing and project reporting: The consultant may bill SANBAG monthly for project expenses incurred. A brief progress report shall be provided together with each invoice.

**2. Create a systematic inventory and update process for existing conservation lands and establish a system for long-term tracking of new conservation acquisitions**

As identified in the Next Steps from the framework study, this effort will be required to create an inventory of conservation lands in the county and establish a system for long-term tracking of new conservation acquisitions. Known conservation easements and maintenance commitments will also need to be identified. SANBAG, the County, and consultant will need to work together to maintain data quality, accuracy, and appropriate confidentiality involved in data collection for the tracking system. The inventory presented as part of the framework study would serve as a starting point, and the consultant will be obtaining the preliminary missing data identified in Section 3 of the framework study as soon as the review of the current data is complete.

The consultant shall create a structured inventory and tracking system through the following:

- Documentation of conservation databases and tracking systems that may be in use in San Bernardino County, at SCAG, and in other counties in the SCAG region and at the US Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW). This project should build upon systems that have been or are being developed in the region and seek to maximize the consistency of data elements and formats at the regional level. This will include outreach early in the project to the counties of Imperial, Orange, Los Angeles, Riverside, and Ventura. No data collection will occur in these other counties, but the tracking system for San Bernardino County should be designed in a way that will enable SCAG to collect regionally consistent data that will be useful for development of the 2020 Regional Transportation Plan/Sustainable Communities Strategy.
- Examination of mapping and auxiliary information available from the phase one framework study (Appendix 2B and 2C). The Consultant will also review and include any other data sources not included in the framework study that will be useful to the

development of the tracking system, including sources from SCAG, County of San Bernardino, Local Agency Formation Commissions (LAFCO), cities in San Bernardino County, state/federal resource agencies, and regional conservation planning efforts such as the Desert Renewable Energy Conservation Plan (DRECP).

- Based on the above input, prepare a technical memorandum recommending a structure for a conservation tracking system in San Bernardino County that will also be usable at the regional level. This will include listings and definitions of variables, GIS/software platform options and associated formats. As discussed above, the preference will be to build on a system or systems already in place, also keeping in mind simplicity of adding new data over time.
- Following approval of the structure by SANBAG, in consultation with the County and SCAG, incorporate data from the framework study and other sources identified above in building of the tracking system. This will establish the baseline inventory from the framework study and other sources, creating an existing conservation ownership and management database.
- Define a long-term Countywide conservation tracking/data collection process that tracks information on new conservation land set asides and/or acquisitions that occur through the development process. These could be from a wide range of local jurisdiction actions such as infrastructure project mitigation, hillside ordinance compliance, land set asides required in development agreements, or regulatory permitting process for waters (i.e., 1600 Permits, 404 permits). The intent is to link the tracking system with the development entitlement process of San Bernardino County's jurisdictions so that the digital footprint of conservation for each development project will be added at the appropriate point. The system should eventually enable SANBAG, County, and SCAG to develop an annual report of conservation efforts.
- The inventory and tracking system should include and distinguish among lands legally committed to conservation through EIR mitigation measures, executed development agreements, easements, or other similar agreements. The tracking system should be able to compare committed lands to potential conservation areas identified in local General Plans and Specific Plans.
- Develop tracking and reporting instructions that apply to the consortium of participants responsible for management of conservation lands. The tracking and inventory system should provide the ability to comprehensively track and manage connected conservation lands for the regulatory agencies.
- The tracking and inventory system should be in a digital format integrated with GIS. The tracking and inventory system should be established in a uniform format for ease of use, with access by multiple jurisdictions.
- The consultant will be responsible for presenting the tracking and inventory system to the Environment Element stakeholder group and to the SANBAG Planning and Development Technical Forum. Comments from these stakeholders will be used to fine-tune the tracking system and associated process.

Deliverables:

- Review report of the existing conservation data and inventory
- Technical memorandum recommending a structure for the conservation tracking system

- GIS based inventory system of existing conservation data
  - Tracking system documentation and user manual
  - Baseline inventory and existing conservation ownership and management database
- 3. Conduct conservation gap analysis on focal species occurrences and known conservation lands**

Based on the information presented in Section 3 of the Framework Study section (Data Gaps), a detailed analysis of focal species occurrences and known conservation lands should be initiated. The gap analysis is an important step in conservation planning, the results of which help develop the biological goals and objectives of a conceptual Reserve Design. The gap analysis will rely on GIS analysis of spatial data (i.e., biological data, land ownership, land uses, and designated management status) to assess the distribution of biological resources (e.g., natural communities, species distributions, known occurrence data) relative to the distribution of protected lands (areas protected and managed to maintain biological resource value) to identify any “gaps” in protection (e.g., biological resources that are on public or private lands and not well protected or where linkages need to be considered). The gap analysis will also be used to identify gaps in representation, ecological processes or functions, and management of existing protected areas. The identification of gaps will help to focus the conservation strategy on areas most at risk or that would most benefit from conservation actions (e.g., acquisition, restoration, management, monitoring).

The consultant shall analyze the gaps in conservation in the County through the following:

- Review and address the data gaps identified in the Framework Study, Section 3:
  - Biological Resources: incomplete survey data. (see Appendix 2B table 2-2 of the framework study for reference)
  - Open Space and Conservation Areas: incomplete information regarding the location/boundaries, acreages, and/or management plans of open space and park areas, conservation/preserve areas, conservation easements for mitigation, and HCP/NCCPs which were established for public use, protection of habitats and species, or as mitigation for impacts to species, habitat, and/or water resources associated with development projects. (see Table 3-1 of the Framework Study for reference)
  - Outreach to Jurisdictions and Agencies: incomplete response from all cities/towns in the County and agencies and/or incomplete or unavailable data for conservation lands, activities, or planned mitigation needs. (see section 2 of the framework study for reference)
- Consider and include the following additional information in the gap analysis:
  - The Developable Land Survey conducted by the County, local General Plans, and the local jurisdiction/SANBAG/SCAG growth forecast elements should be considered in the conservation gap analysis to understand what areas are viewed to be generally available for development and what areas could be candidates for conservation.
  - The conservation lands inventory and tracking system in Task 2 will serve as a

baseline for the gap analysis, providing the location, ownership, and management data upon which to build the GIS spatial gap analyses.

The primary goal of the gap analysis is to inform the next step of the conservation process, the conceptual Reserve Design. The gap analysis is an integral part in development of the Reserve Design because it provides an understanding of the relationship between land ownership and conservation, including wildlife and habitat linkages or connections that can be made with existing and other potential conservation areas that would be most beneficial for focal species conservation. To complete a thorough gap analysis, the consultant will need to work with key stakeholders in obtaining accurate information. This process will need to be coordinated closely with SANBAG and County staff to efficiently manage the outreach effort. The key elements of the analysis will be documented in a technical memorandum.

Deliverables:

- Technical Memorandum/Gap Analysis Report
- GIS spatial analysis data and results

**4. Develop a conceptual reserve design that identifies potential lands needing protection to sustain natural resources while considering ecological, social, and economic factors**

Development of the Reserve Design in Task 4 will flow out of the gap analysis in Task 3. The Reserve Design will identify lands needing protection to sustain natural resources while considering ecological, social, and economic factors. The Reserve Design will be conceptual, in the sense that potential areas will be identified for protection of natural values such as biodiversity, ecosystem functions, or to offset adverse effects from use or development. General assessments will be made of habitat values and its importance to the preservation of existing and potential future threatened and endangered species. The objectives of the Reserve Design will be to achieve species, habitat, and function representativeness and persistence, while not specifying individual properties. Flexibility needs to be provided for public and private entities to achieve conservation values through strategies that are biologically sound, address federal and state regulatory requirements, and enable the public and private sectors to provide for the housing, employment, and other needs of a growing population. The conceptual Reserve Design will need to incorporate current and future conditions, within reasonable and practical limitations, including climate and urbanization changes to be successful long-term. This overall approach is consistent with Principle 1 of the Framework Study, which states “Increase certainty while maintaining flexibility for both the preservation/conservation of habitat as well as for land development and infrastructure permitting.” The Reserve Design is intended as a win-win for both the preservation of species together with the accommodation of growth.

The consultant shall start the development of the Reserve Design structure through the following:

- Obtain input from the Environment Element Group on criteria that are important as the Reserve Design is conceived. Discussions will also be needed with local jurisdictions

concerning open space and conservation areas they deem important and consistent with their General Plans. An outgrowth of the Reserve Design process may also be recommendations on adjustments to local General Plan land use designation and policies.

- Conduct detailed biological analyses needed for species that would most likely require mitigation in association with regulatory permitting as outlined in the Section 4 and Principle 13 of the Framework Study. Section 4 of the Framework Study contains the description of the laws, regulations, policies, and planning pertinent to the preparation of the Reserve Design. This would be based on existing biological data. No new field surveys are anticipated.
- Conduct geographical location analyses to understand where focal species locations overlap with development concerns. Integrate biological and geographical analyses to focus on incorporating complete datasets of species occurrences to support species habitat modeling. This task would be integral to the Gap Analysis and Reserve Design process which identifies important areas for long-term protection and management for focal species.
- Consider the practicality of “species relocation” in cases when abundant and suitable species habitat exists nearby or offsite. The Reserve Design should not force habitat connectivity where and when the existing built environment would make for unsafe interactions between humans and some protected (predator) species.
- Consider in the reserve design all of the following factors: location, size, connectivity, replication, alignment of boundaries.
- Document and present datasets and the methodology used in the Reserve Design process to the stakeholders for quality and input purposes. Areas considered for inclusion into the Reserve Design should be verified through surveys or assessments by a qualified biologist(s) and local land use authorities to ensure that the area provides suitable, quality habitat for focal or other target species.

As noted in the Principle 5 of the Framework Study, “Recognize that jurisdictional and other stakeholder participation in a more comprehensive approach to conservation planning will be voluntary, but that participating in the more comprehensive approach will provide benefits for most of those participating.” Future conservation efforts must seek a balance between development and conservation interests. Voluntary participation by local jurisdictions and special districts is key and would be expected because land use authorities and other entities have their own discrete responsibilities/oversights. Success of the Reserve Design development will depend on the incorporation of scientifically-accepted tenets of conservation biology together with the cooperation from local jurisdictions and regulatory permitting agencies.

Deliverables:

- Technical memorandum/Reserve Design report and methodologies
- Geographical and biological GIS spatial analysis data

**5. Define phase three next steps and commitments necessary to further implement the principles identified in the Framework Study**

It will be important to conclude the initial steps of the tracking system, gap analysis, and reserve

design with clarity in how to proceed to the next phase. From the Framework Study, future phases may be focused on the creation of detailed conservation strategies by conservation subareas and management methods. Financial and personnel resources believed to be needed will continue to be outlined as well. However, next steps could be modified as this project moves forward. Direction of the project will be guided through collaboration and participation of the various stakeholders: elected officials, local agency staff, resource agencies, environmental stakeholders, landowners, and the development community. Direction of the project will be guided through collaboration and participation of the various stakeholders: elected officials, local agency staff, resource agencies, environmental stakeholders, landowners, and the development community.

Deliverable:

- Notes and recommendations on next steps defined by stakeholder groups, to be included in the final report.

#### **6. Document all results of the analysis and comments from stakeholders**

Task 6 will document the results of Tasks 1-5. The final analysis and report will reference the inventory, data, methodologies, strategies, and mapping assembled in the course of the study. The SANBAG GIS Department will also be available to assist in preparing mapping products. A draft of the report will be made available to the Environment Element Group for review and comment, following which a final report will be prepared.

Deliverables:

- Draft and final study reports

### **SCHEDULE**

The target schedule for completion is 15 months, with an approximate November 2015 start date for the consultant contract. This relatively aggressive schedule will help the Environment Element Group to focus its efforts with a specific end result in mind. The target for completion of the draft report will be 12 months. The schedule for intermediate study milestones is identified below:

1. Project management – Initiation in month 1, with ongoing project management
2. Create an inventory system of existing conservation lands and establish a system for long-term tracking of new conservation acquisitions – completion by month 4
3. Conduct conservation gap analysis on focal species occurrences and known conservation lands – Completion by month 7
4. Develop a conceptual reserve design that identifies potential lands needing protection to sustain natural resources while considering ecological, social, and economic factors – Completion by month 11
5. Define phase three next steps and commitments necessary to further implement the principles identified in the Framework Study – completion by month 12
6. Document all results of the analysis and comments from stakeholders – Draft final report

completion by month 12, followed by stakeholder review and delivery of final report by month 15

Three months are being allowed between the draft and final reports for circulation and review/comment by a broad range of stakeholders and for presentations to elected officials at SANBAG committees.