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- San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies
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CITY/COUNTY MANAGERS TECHNICAL ADVISORY COMMITTEE

THURSDAY, January 7, 2016

******10:00-11:00 A.M.******

LOCATION:

SANBAG
Board Room - First Floor Lobby
1170 W. 3rd Street, 2nd Floor, San Bernardino, CA 92410

Introductions

Council of Governments

- Prop. 47 Update: Discussion of Impacts in the Region - Ray Casey, Yucaipa
- Report on Completion of Phase I of the Habitat Conservation Framework and Scope of Work for Phase II - Josh Lee, SANBAG (Attachment No. 1)
- Business Friendly Best Practices Measurement or Ratings – Duane Baker, SANBAG
- Council of Government Staffing and Funding for FY 16/17 - Duane Baker, SANBAG (Attachment No. 2)
- City/County Conference Update – Doug Robertson, Victorville

Legislative Matters

- League of California Cities Update – Laura Morales, League of California Cities

City/County Manager Issues

- ICMA Range Rider Update – A.J. Wilson, ICMA

Public Comments

Comments from the general public

Adjournment

Our next scheduled meeting date is Thursday, February 4, 2016

Ray Casey,
Chair, City/County Managers TAC

Meeting Procedures and Rules of Conduct

Meeting Procedures - The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility - The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 1st Floor, San Bernardino at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the SANBAG offices located at 1170 W. 3rd Street, 2nd Floor, San Bernardino and our website: www.sanbag.ca.gov.

Agenda Actions – Items listed on both the “Consent Calendar” and “Discussion” contain recommended actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors or unanimous vote of members present as provided in the Ralph M. Brown Act Government Code Sec. 54954.2(b).

Closed Session Agenda Items – Consideration of closed session items excludes members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a “Request to Speak” form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for each item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations. Members of the public requesting information be distributed to the Board of Directors must provide 40 copies of such information in advance of the meeting, except for noticed public hearings. Information provided as public testimony is not read into the record by the Clerk.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board’s authority. Matters raised under “Public Comment” may not be acted upon at that meeting. “Public Testimony on any Item” still applies.

Disruptive or Prohibited Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive or prohibited conduct includes without limitation addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, bringing into the meeting any type of object that could be used as a weapon, including without limitation sticks affixed to signs, or otherwise preventing the Board from conducting its meeting in an orderly manner. Your cooperation is appreciated!



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Minute Action

AGENDA ITEM: 15

Date: October 7, 2015

Subject:

Phase II of the San Bernardino Countywide Habitat Preservation/Conservation Framework

Recommendation:

That the Board:

A. Approve Cooperative Agreement 16-1001344 with the County of San Bernardino and the Southern California Association of Governments (SCAG) for SANBAG to contract for consultant services for the Phase II Countywide Habitat Preservation/Conservation Framework Study for an amount not to exceed \$275,000, including SANBAG project management costs not to exceed \$25,000.

B. Approve a Fiscal Year 2015/2016 budget amendment to increase Task No. 0404, Subregional Planning by \$275,000 to be funded with \$225,000 from the County of San Bernardino and \$50,000 from SCAG.

Background:

This phase two study is a follow-on effort to phase one of the Countywide Habitat Preservation/Conservation Framework Study (Framework Study) completed in February 2015. Both phases are an outgrowth of the San Bernardino Countywide Vision initiated in 2010, driven by community input and endorsed by the County of San Bernardino (County) and the cities of San Bernardino County in 2011.

The Framework Study, being conducted as part of the Environment Element of the Vision, is seeking to develop a structured, comprehensive approach to the preservation and conservation of habitat for threatened and endangered species in the County. Similar to other elements of the Countywide Vision, the Environment Element is being guided by a stakeholder group representing diverse interests, in this case including environmental advocates, the building industry, local and regional governments, state/federal resource agencies, water districts, etc. A report on progress for the Environment Element Group and the Framework Study was provided to the SANBAG Board on January 8, 2014.

Much has already been accomplished for habitat preservation and conservation in San Bernardino County, but on more of a project-by-project basis. The Framework Study is the first of several steps toward a more comprehensive approach to countywide conservation planning. Phase one of the Framework Study is a guidance document outlining the conservation issues and concerns, existing conservation, conservation opportunities, and data gaps associated with current approaches to habitat conservation. The report identified conservation planning subareas, overarching principles, and recommendations to further develop a comprehensive approach to habitat preservation/conservation. Sections 6 and 7 of the report, representing the principles and next steps have been attached to this agenda item.

Entity: COG, CTC

The Environment Element Group requested that the County and SANBAG provide funding and support for several of the “next steps” documented in phase one of the Framework Study. Subsequent discussions between the County, SANBAG, and the Southern California Association of Governments (SCAG) have resulted in funding and a proposed Scope of Work for a second phase of the Framework Study, focusing on these next steps.

The phase two Scope of Work will build on the first phase by completing the following:

- Developing a habitat tracking system,
- Conducting a more detailed conservation “gap analysis,” and
- Initiating development of a reserve design.

These were defined by the Environment Element Group as the most critical next steps in structuring a more comprehensive countywide framework for habitat preservation/conservation going forward. The objective is to structure this comprehensive approach in a way that is a “win-win” for the health of the environment, the economy, and the citizens of San Bernardino County.

Phase two of the Framework Study will support the Environment Element Group’s request by continuing development of a more comprehensive approach to habitat preservation/conservation. The Next Steps section of the Framework Study included a list of approaches based on a draft set of priorities and timeframes. Development of the inventory and tracking system, conservation gap analysis, and reserve design were identified as the top priorities. 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.

To this end, approval is requested of the attached three-party agreement among SANBAG, the County, and SCAG. The agreement outlines responsibilities that will build on the first phase of the Countywide Habitat Preservation/Conservation Framework study by developing a habitat tracking system, conducting conservation “gap analysis” and initiating development of a reserve design as identified by the Environment Element Group. With the approval of the agreement, SANBAG will, on behalf of the County and SCAG, undertake management, planning, outreach, analysis, and procurement work in connection with the Phase Two Framework Study and complete the tasks documented in the Scope of Work.

The specific objectives of phase two of the Framework Study are to:

1. 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.
2. 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.

3. Conduct a conservation gap analysis based on focal species occurrences and known conservation lands.
4. Based on the gap analysis, develop an initial reserve design or alternative designs that identify lands needing protection to sustain natural resources while considering ecological, social, economic, and political factors. The goal is to develop greater certainty, clarity, and speed in both the preservation/conservation of important habitat and the land development process.
5. Based on 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.

It is anticipated that this study will be completed in 12-18 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. Recommendations resulting from phase two will be brought back to the SANBAG Board and to the County Board of Supervisors at the appropriate time. The proposal is for SANBAG to serve as the project manager, similar to the arrangement in the phase one Framework Study. The total budget for the project is \$275,000 with the County contributing \$225,000 and SCAG contributing \$50,000. Out of the total project funding, the costs for SANBAG to manage the project are estimated at \$25,000. Approval of a Fiscal Year 2015/2016 budget amendment is also requested as stated in the recommendation.

Financial Impact:

Approval of Cooperative Agreement 16-1001344 will convey funding to SANBAG from SCAG in the amount of \$50,000 and to SANBAG from the County of San Bernardino in the amount of \$225,000. Approval of this item would amend the Fiscal Year 2015/2016 budget by increasing Task No. 0404, Subregional Planning by \$275,000 to be funded with \$225,000 from the County of San Bernardino and \$50,000 from SCAG.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on September 9, 2015. This item and the agreement have been reviewed by SANBAG General Counsel.

Responsible Staff:

Steve Smith, Director of Planning

RESULT:	APPROVED [UNANIMOUS]	Approved
MOVER:	Bill Jahn, Council Member, City of Big Bear Lake	Board of Directors
SECONDER:	Michael Tahan, Council Member, City of Fontana	Date: October 7, 2015
AYES:	Harrison, Hagman, Emick, McIntyre, Jahn, Yates, Graham, Navarro, Tahan, McCallon, Paget, Robertson, Davis, McEachron, Riddell, Huntington, Ramos, Gonzales, Wilson (Alt.), Bozar (Alt.), Dorst-Porada (Alt.)	Witnessed By:
ABSENT:	Kerr, Klink, Leonard, Rigsby, Eaton, Lovingood, Rutherford	
		Vicki Watson, Clerk of the Board
		10/07/2015

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6 PRINCIPLES AND RECOMMENDATIONS

The following draft principles and recommendations have been developed for the San Bernardino Associated Governments Countywide Habitat Preservation/Conservation Framework. These principles and recommendations have been developed in collaboration with and have been reviewed by the Planning Directors Technical Forum (PDTF) as well as the County's Environment Element Group (EE Group). The Principles are intended to provide broad guidance or recommendations related to future conservation planning in the County. These Principles would be used to guide development of subsequent phases of the Conservation Framework. The Principles are grouped into Policy Principles and Biological Principles. The Principles are presented in a summary list, followed by further discussion of each below.

Policy Principles

- Principle 1: Increase certainty while maintaining flexibility in compliance approach for both the preservation/conservation of habitat as well as for land development and infrastructure permitting.
- Principle 2: Recognize that San Bernardino County needs to have a growing economy to be able to afford the acquisition and ongoing management of habitat. Conservation efforts should complement other objectives such as managed growth, economic development and housing affordability while also respecting private property rights.
- Principle 3: Design institutional structures to promote habitat protection and management to leverage private funding, easements, public funding, and other mechanisms to maximize the protection of habitat and associated species, while respecting private property rights.
- Principle 4: Conservation planning efforts should be led by a funded institutional structure with authority and accountability that can provide champions to keep the process moving in a transparent, productive and timely manner.
- Principle 5: 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.
- Principle 6: Leverage existing conservation efforts.
- Principle 7: Match potential tools for conservation with unique conservation and development needs within specific subareas.
- Principle 8: Consider conservation planning strategies that go outside the Jurisdiction and County boundaries, if needed, while respecting the primacy of local control.

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- Principle 9: Achieve conservation objectives in San Bernardino County through a variety of conservation strategies.

Biological Principles

- Principle 10: Recognize San Bernardino County is biologically diverse.
- Principle 11: Invest in the science of conservation planning.
- Principle 12: The identification of conservation areas should incorporate scientifically-accepted tenets of conservation biology.
- Principle 13: Consider current and future endangered, threatened, and sensitive species. Also, consider common species as indicators to track population trends.
- Principle 14: Identify mechanisms for long term, sustainable, adaptive management and monitoring.
- Principle 15: Manage public access to be compatible with conservation needs.

6.1 Policy Principles

Principle 1 Increase certainty while maintaining flexibility for both the preservation/conservation of habitat as well as for land development and infrastructure permitting.

One of the biggest risks with development of private or public projects is uncertainty. Management of certainty is important to keep projects moving forward. However, conservation concerns have sometimes stymied development efforts in San Bernardino County or have required project modifications that have been greater than project proponents may have expected. Understanding and planning for habitat conservation in a comprehensive and proactive manner will help create certainty in the development process for proposed land development and infrastructure projects. A Countywide Habitat Preservation/Conservation Framework that increases certainty would allow both the conservation community and development community to manage their respective expectations regarding habitat conservation objectives and mitigation obligations. It should also be understood that region wide planning efforts may not always apply effectively across all jurisdictional boundaries. To this end, the primacy of local land use control should be paramount.

To meet both conservation and development interests, there should be a clearer process and better understanding of regulatory permitting processes (i.e., Waters of the U.S. and State, Porter Cologne Act and Endangered Species). Communication and coordination among the local, state and federal

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jurisdictions and agencies will be important at the outset of conservation planning efforts so that expectations can be realized and managed for future processes. Creative ways to achieve the regulatory requirements while allowing for flexibility and pragmatic solutions should be sought out. Additionally, flexibility and incentive-based opportunities should be included to assist in making needed development and planning efforts as efficient and cost-effective as possible.

Principle 2 Recognize that San Bernardino County needs to have a growing economy to be able to afford the acquisition and ongoing management of habitat. Conservation efforts should complement other objectives such as managed growth, economic development and housing affordability.

Economic growth is a necessity for the sustainability of communities. Policies at the local jurisdiction, regional, and State levels will influence how robust that economic growth can be. Initiatives to improve the overall economic performance of the region and achieve a growing economy are addressed by the Countywide Vision Jobs/Economy element. However, conservation objectives and regulatory realities related to species occurrence, sensitive habitats, and protected areas need to be recognized and accommodated for that growth to be achieved. Growth and conservation are linked, and conservation planning tools can provide the mechanisms to balance the linked interests of both growth and conservation. In turn, successful conservation efforts depend on a vibrant economy to provide the funding capacity for establishment and management of the conserved lands. To facilitate needed economic fuel for the county, a broad toolkit of compliance and mitigation approaches should be considered including consideration of new ideas and mitigation approaches proposed by all stakeholders.

Principle 3 Design institutional structures to promote habitat protection and management to leverage private funding, easements, public funding, and other mechanisms to maximize the protection of habitat and associated species, while respecting private property rights.

Habitat protection and management can be achieved through a variety of mechanisms. Existing habitat protection and management occurs in many jurisdictions and entities throughout the County, and these existing conservation areas can serve as building blocks around which future conservation areas are established. Additionally, certain jurisdictions have large land developers that may set aside lands for conservation, which should be incorporated into the network of habitat conservation within the County. Incentives to encourage land dedications should be considered to help facilitate these potential opportunities. If private property is used for conservation, it would occur as a voluntary agreement with the property owner and the property owner would be fairly compensated. Public funding sources such as grants from the US Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) should also

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be sought to help with land acquisitions for conservation. Cooperating entities such as Crafton Hills Conservancy, Riverside Land Conservancy (RLC), Redlands Conservancy and the Inland Empire Resource Conservation District (IERCD) and others should be coordinated with and approached to cooperatively contribute to land acquisition and potentially, management. County Special Districts and Local Agency Formation Commission (LAFCO) should also be sought out for land management, land acquisition and funding strategies for conservation areas. Coordinating the available resources can lead to better management and more cost-effective use of the available funding.

Principle 4 Conservation planning efforts should be led by a funded institutional structure with authority and accountability that can provide champions to keep the process moving in a transparent, productive and timely manner.

Successful planning comes from cooperation and compromise of the people involved. Successful conservation planning programs have had “champions”. The people at the conservation planning table matter, and should have a universal understanding of the conservation and development goals and be able to work toward compromise. Working with the Wildlife Agencies is required for species and habitat permitting, and creative and flexible methods of getting the work done needs to be considered and implemented, such as:

- Identify entities that have funding available or can obtain and manage funding for conservation planning. These entities should employ personnel that are knowledgeable in conservation biology and/or land management.
- Create a steering committee or other mechanism for community stakeholders to have input in decisions and direction of efforts.
- Provide funding to pay for additional Wildlife Agency staff dedicated to the conservation planning efforts.
- Look for public/private partnership opportunities. Bringing together public resources with private flexibility could benefit conservation.

Principle 5 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.

If future comprehensive efforts for conservation planning are to take place, then cooperation amongst those with interest in conservation planning is required. All the stakeholders/entities involved must understand that comprehensive conservation planning is typically an exercise in

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compromise. 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. Economic incentives can be explored that would facilitate voluntary landowner participation. It would be accepted that private property owners would be fairly compensated for lands used as conservation. Through comprehensive planning, participants can obtain streamlined compliance and time and cost savings for both public infrastructure and private development. Participation in a comprehensive conservation planning effort will not always result in all parties being completely satisfied with the outcome, but rather in overall long-term benefits over the status quo.

Principle 6 Leverage existing conservation efforts.

Future conservation efforts should not “recreate the wheel”. Using existing conservation areas, or open space areas as the foundation for which future conservation lands are sought should be the priority. Conservation efforts should incorporate and coordinate existing federal land management areas, plans, and strategies (e.g., U.S. Forest Service [USFS] and Bureau of Land Management [BLM] management plans) into new conservation areas to maintain connected and consistent management actions among adjacent lands. Essentially, looking for ways to “fill in” the gaps of existing conservation with proposed conservation should be a focus of the Countywide Habitat Preservation/Conservation Framework. Habitat conservation planning is typically focused on Endangered Species Act (ESA) and California Endangered Species Act (CESA) compliance; however, many projects and jurisdictions also need to comply with “waters” regulations such as the Clean Water Act (regulated by the Army Corps of Engineers) and Streambed Alteration Agreement (regulated by the California Department of Fish and Wildlife). Conservation planning efforts should take into consideration the need for projects to provide mitigation for compliance with “waters” regulations in addition to ESA permitting needs. By considering the “waters” mitigation needs with the ESA conservation planning, local jurisdictions are able to consolidate the amount of lands required for mitigation, thereby minimizing duplication of mitigation requirements for waters and ESA permitting.

Principle 7 Match potential tools for conservation with unique conservation and development needs within specific subareas.

In a planning area the size of San Bernardino County, conservation and development needs can be geographically diverse. Subdividing the County into useful and practical subareas can help focus the conservation strategies and tools to specific geographic regions. For instance, a majority of the land base in the desert and mountain regions of San Bernardino County is administered by federal entities (e.g., Department of Defense [DoD], National Park Service

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[NPS], BLM, and USFS). In these regions, a comprehensive habitat conservation strategy would complement and build upon the conservation initiatives and programs of these federal entities. In the Valley and mountain foothills, land is predominantly privately held and the development potential is generally higher; therefore, the conservation strategy and tools employed should be tailored to this subarea of the County.

Principle 8 Consider conservation planning strategies that go outside jurisdiction and the County boundaries, if needed.

Areas supporting key biological resources and ecological processes occur throughout the County and also extend outside of the County into adjacent counties, or into cities or towns. Building upon existing protected lands in adjacent jurisdictions and counties (e.g., Western Riverside County Multiple Species Habitat Conservation Plan conserved lands) can benefit the biological resources in both jurisdictions and counties. Conservation strategies that have worked in surrounding jurisdictions and counties should be considered as a conservation tool. Local control should be an important consideration while planning across jurisdictional boundaries. Planning for habitat conservation that considers adjacent and surrounding resources and planning efforts will ensure development of comprehensive and robust conservation strategies for San Bernardino County.

Principle 9 Achieve conservation objectives in San Bernardino County through a variety of conservation strategies.

Open space and biological resource conservation currently occurs through a variety of mechanisms on both private and public lands in the County. The Countywide Habitat Preservation/Conservation Framework should aim to organize and coordinate these existing conservation efforts. Additionally, the framework should develop a conservation strategy structure that employs a variety of conservation tools or options for achieving the conservation needs. Proposed conservation strategies could incorporate economic impact analysis. The conservation strategy structure should incorporate a combination of the following potential conservation tools:

- Leveraging existing, ongoing conservation efforts
 - Conservation activities conducted by Resource Conservation Districts, County Special Districts, and other conservation land management organizations
 - Existing and proposed HCPs
 - Creative coordination with state and federal agencies (e.g., CDFW, BLM, USFS, NPS, DoD)

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- Potential tools for conservation
 - Mitigation banking
 - Density and development transfers
 - Land and easement acquisition
 - Avoidance and set asides from development
 - Regional HCP/NCCPs
 - In Lieu Fee Programs
 - Voluntary conservation and conservation credits
 - Public financing for purchases of private property
 - General Plan Policy implementation
 - Hillside Ordinance implementation
 - Permit-less conservation strategy
 - Advanced mitigation programs
 - Subarea Plan to the DRECP in the Desert Region
 - Land Owner partnerships; agreements

6.2 Biological Principles

Principle 10 Recognize San Bernardino County is biologically diverse.

San Bernardino County covers over 12 million acres and several distinct ecoregions supporting an incredibly diverse assemblage of plant and wildlife species and natural communities. A Countywide Habitat Preservation/Conservation Framework developed to address such a biologically diverse area should include multi-faceted conservation strategy elements to address biological resources across the county. Establishing planning subareas (as discussed in Section 5) can facilitate conservation planning across such a biologically diverse County by focusing conservation strategies geographically.

Principle 11 Invest in the science of conservation planning.

For conservation planning to be successful, the planning process should be informed by the best available, peer-reviewed scientific information. Conservation planning should follow a systematic process that incorporates the best available information into an approach that is scientifically defensible, repeatable, and transparent (Margules and Pressey 2000). This process

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should incorporate a commitment to acquiring up-to-date science in an ongoing manner. Through a systematic process, conservation planning decisions can be data-driven and biologically justified. Recommended components of a systematic conservation planning approach for the Countywide Habitat Preservation/Conservation Framework include, but are not limited to, the following:

- Identifying the conservation targets (e.g., focal species and natural communities)
- Describing the biological baseline conditions for the conservation targets
- Developing biological goals and objectives for the conservation targets
- Identifying conservation actions and measures
- Identifying mechanisms and tools to achieve conservation target objectives
- Developing management goals, strategies, and mechanisms
- Ranking and prioritizing resources and actions

Principle 12 The identification of conservation areas should incorporate scientifically-accepted tenets of conservation biology.

Identifying areas for preservation/conservation should incorporate scientifically-accepted tenets of conservation biology together with the best available biological data for the planning area. Creative approaches to conservation planning should be considered. The following tenets should be used to guide the identification of conservation areas:

- **Larger conservation areas are better:** Conservation areas that are larger have a greater potential to support self-sustaining populations of focal species. Larger conservation areas are more resilient to disturbance and have a greater “interior” area relative to “edge” area; therefore, are less susceptible to adverse edge effects. As a guiding tenet for identifying conservation areas, establishing new conservation adjacent to existing conservation areas is generally preferred over establishing isolated new conservation areas.
- **Focus on ecological integrity and biological diversity:** Conservation areas that reflect the full ecological diversity and heterogeneity of natural communities maintain habitat diversity for a full range of species, including common species as well as listed and sensitive species. Conservation areas that capture ecological and physical processes across the landscape will maintain the ecological integrity that supports the diversity of species and natural communities.
- **Maintain connectivity:** Conservation areas that are connected reduce the adverse effects of habitat fragmentation on ecosystem function and species demography. As much as

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possible, conservation areas should protect habitat linkages, landscape features (e.g., canyons, ridgelines, hillslopes), riparian corridors, climate change refugia, and environmental gradients to maintain and support the ability of species to move, exchange genetic material, migrate, disperse, and colonize. Conservation efforts should be coordinated with state and federal agencies to maintain habitat linkages from state and federal lands to other lands.

- **Minimize edge effects and urban interface:** Conservation areas that are buffered from adjacent urban development have fewer adverse direct and indirect effects associated with urban areas.
- **Target high quality habitats:** Identifying and prioritizing high quality habitats for inclusion in conservation areas will ensure the best areas for supporting biological resources are captured. These areas would likely be characterized by the highest intactness and least habitat fragmentation and edge effects; therefore, these areas would have the highest potential to maintain their ecological function and fewest habitat management issues over the long term.
- **Protect irreplaceable or threatened biological resources:** Certain resources on the landscape are truly unique and cannot be replaced in other locations. These irreplaceable or threatened resources should be considered for prioritization for inclusion in conservation areas.
- **Capture environmental gradients:** Conservation areas that include the full range of contiguous environmental gradients (i.e., topography, elevation, substrates) are more likely to allow for shifting, expanding, or contracting species distributions in response to environmental change or disturbance (e.g., climate change, fire, flood).

Principle 13 Consider current and future endangered, threatened, and sensitive species. Also, consider common species as indicators to track population trends.

State and/or federal regulations apply to species listed as threatened or endangered as well as species considered rare, sensitive, or of special concern by state and federal agencies. Conservation planning efforts should focus on both current and future environmental and economic conditions to find a balance between conservation and development needs. Species that have current listing status under the ESA and CESA should be considered, as well as any rare, sensitive, or special status species. Analysis of species that have the potential to be listed or designated as sensitive or of concern in the future should also be considered in conservation planning. Also, monitoring populations of common species are useful indicators of ecological health. Future planning should incorporate species and habitat analyses that consider risks such as climate change, urban edge effects, and future development patterns.

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Principle 14 Identify mechanisms for long term, sustainable, adaptive management and monitoring.

Existing conservation lands are being managed and held by various entities. As future conservation efforts are made, a systematic and sustainable plan should be established to ensure that the conservation areas are protected and managed to maintain and enhance ecological function and value over the long term. Recognize that conservation lands may require restoration and/or ongoing management activities to continue to support conservation targets in the long-term. Incorporate an adaptive management approach that uses effectiveness monitoring to inform the identification of the management actions that are adapted over time to maintain and enhance ecological function. Funding analysis should occur early and often to ensure costs are being captured and the financial sustainability of the lands are ensured. Collaborate with current or future authorized public and private entities managing lands in the County, such as the Inland Empire Resource Conservation District (IERCD), Redlands Conservancy, Crafton Hills Conservancy, and Riverside Land Conservancy (RLC).

Principle 15 Manage public access to be compatible with conservation needs.

Open space areas are “green” amenities within the communities of San Bernardino County and are used for a variety of public uses. In order for the existing and future conservation areas to continue to function to support species and natural communities, public access in conservation areas should be managed so it is compatible with conservation needs. Sufficient funding must be available to ensure that conservation areas are effectively managed for compatible public access.

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7 NEXT STEPS

To develop a countywide conservation plan as outlined in this conservation framework study, there needs to be a collaboration amongst the stakeholders and a willingness of all parties to seek the most benefit for those involved. The vision of the conservation framework is embodied in Principle 1, which is to provide certainty to the development and conservation processes in the county. The intent would be to approach habitat preservation/conservation in a more comprehensive manner such that the environment benefits from more cohesive, functional habitats that will protect species, while providing economic development benefits through greater clarity and speed in the development process. This is consistent with the lead paragraph in the Environment Element of the Countywide Vision, which states, in part:

“We shall strive to intelligently manage our resources for habitat preservation, recreation opportunities, resource extraction, alternative energy, future growth, water quality, and air quality all within a regulatory framework that does not impede the creation of a sustainable economy.”

The intent of this section is to provide a pathway of the next steps that need to be taken, based on what has been completed to date by the efforts outlined in this report. This effort has not been exhaustive, nor was it intended to be; rather it is the first of multiple steps needed to implement a conservation plan for the county.

The following includes a discussion of the next steps and commitments necessary to continue the momentum proceeding to the next level or phases of a more comprehensive, countywide conservation strategy. A discussion of the next steps on a countywide and subarea level is provided where applicable. The entity responsible, the proposed implementation schedule, personnel, and financial resources needed for each of the next steps are also identified, where applicable.

Primary Priorities: Timeframe: 6 months

1. Identify an Interim Lead for Conservation Planning.

Moving forward from a framework study to a comprehensive planning phase, one entity should be identified to keep the initiative moving and be accountable for achieving progress. As stated in Principle 4, a “champion” or Lead for conservation planning in the county should be established. Since this next step is the first of many, and the course of action and players may change once more information is compiled, the Lead that is identified initially may not be the same Lead throughout the whole process. For this reason, an Interim Lead should be chosen until a long-term Lead entity is identified.

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The process for choosing an Interim Lead could be undertaken by a small committee of individuals that can provide the collaboration and leadership needed to sustain the momentum for this conservation framework. Potential Interim Leads could be the Local Agency Formation Commission (LAFCO), County of San Bernardino, or SANBAG. LAFCO and SANBAG could be potential interim leaders for conservation planning efforts, given their innate role as the representative for all the local jurisdictions in the county. The County of San Bernardino could also be the Interim Lead since they oversee the Countywide Vision program.

The Interim Lead could employ individuals with conservation planning backgrounds to facilitate the management of the conservation planning efforts on behalf of the local jurisdictions. The Interim Lead should have good working relationships with the regulatory agencies, and be able to facilitate and foster those relationships which would be important in developing the conservation plan.

The Interim Lead should work with a consortium (or steering committee) of jurisdictions and entities that would focus on conservation planning in the county. The consortium could include representatives of jurisdictions from each region and entities already involved in either land acquisition and/or management in the county such as Inland Empire Resource Conservation District (IERCD), Riverside Land Conservancy (RLC), Center for Natural Lands Management (CNLM), and County Special Districts. Because the Valley Region has the most focus for development, representatives from multiple cities for this region should be involved. Coordination with landowners should be encouraged. Other considerations could include personnel from other Habitat Conservation Plans, such as San Bernardino Valley Water Conservation District and/or San Bernardino Valley Municipal Water District, inclusion of a qualified biologist, and personnel knowledgeable in GIS.

2. *Create an Inventory and Tracking System.*

The Interim Lead entity, or a designee (e.g., management agency, academic institution), would create an inventory of conservation lands in the county and establish a system for long-term tracking of new conservation acquisitions. The Interim Lead entity or designee managing the inventory and tracking system will be trusted with maintaining data quality and accuracy, and appropriate confidentiality. The inventory presented as part of this report (Section 2) would serve as a starting point, and obtaining missing data identified in Section 3 should be a priority. A digital format inventory integrated with GIS should be required, as this is easily shared with other entities. The tracking and inventory system should be established in an acceptable, uniform format for ease of use by multiple jurisdictions and integration into a single tracking system. Once the inventory of

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previous, existing conservation ownership is complete, a long-term tracking/collection system needs to be established to document new conservation lands set asides and/or acquisitions that occur through the development process as a result of hillside ordinance compliance, or land set asides required by the local jurisdiction, or from the regulatory permitting process for waters (i.e., 1600 Permits, 404 permits). The inventory and tracking system should include and distinguish among lands legally committed to conservation through signed and executed easements or other similar agreements as well as proposed conservation lands not yet legally transferred into conservation. Tracking existing and new conservation efforts is imperative to developing and maintaining a cohesive conservation plan. The tracking system could be linked to the development entitlement process so that all applicants are required to report their digital footprint of conservation and the permitting local agency could provide an annual report of their conservation efforts to the Interim Lead/Lead entity. The reporting requirements could also apply to the consortium of participants (mentioned above) responsible for management of conservation lands. Demonstrating the ability to track and manage connected conservation lands would provide the regulatory agencies with assurances that conservation lands function as intended for mitigation for impacts and may result in more streamlined processing for projects.

3. *Identify Funding Sources.*

As stated in Principle 3, multiple funding sources should be sought, and in the spirit of collaboration, there should be multiple entities working on seeking out funding sources. A priority for next steps should be to identify qualified personnel to pursue and prepare grant funding opportunities needed to continue the conservation study. Grant funding sources may be from federal/state government agencies, non-profits and may include an emphasis on habitats, wildlife movement, and wildlife protection measures. In addition, long-term funding will be needed to acquire and/or manage land. Other potential long-term funding sources may be provided through; open space ordinance fees; tipping fees, private sources, and/or non-profit organizations. A single entity should function as the clearinghouse for funding efforts. Budgeting efforts should also consider allocating funds to support regulatory staff to work exclusively on conservation planning in the County.

4. *Conduct a Conservation Gap Analysis and Develop a Reserve Design.*

Based on the information presented in Section 3, Data Gaps, as well as what is outlined in Principles 3, 7, 9, 11, 12, and 13, a detailed analysis of focal species occurrences and known conservation lands should be initiated. An important step in conservation planning is to conduct a gap analysis, the results of which help develop the biological goals and objectives of a conservation plan. A gap analysis relies on GIS analysis of spatial data (i.e., biological

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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 private lands and not well protected). A gap analysis is used to identify gaps in representation, ecological processes or functions, and management of existing protected areas. The identification of gaps helps to focus the attention of the conservation strategy on areas most at risk or that would most benefit from conservation actions (e.g., acquisition, restoration, management, monitoring).

The Vacant Land Survey conducted by the County should be incorporated into the conservation gap analysis to understand what areas are viewed to be generally available for development and what areas could be considered for conservation. The conservation lands inventory and tracking system (discussed above) will also be important for providing the location, ownership, and management regime data that informs the GIS spatial analyses.

A gap analysis is integral to developing the Reserve Design because it provides an understanding of land ownership encumbrances and identifies the wildlife and habitat linkages or connections that can be made with existing conservation areas that would be most beneficial for focal species conservation. Reserve Design is a process which identifies lands needing protection to sustain natural resources while considering ecological, social, and political factors. Reserves are areas set aside to protect natural values such as biodiversity, ecosystem functions, or to offset adverse effects from use or development. The two main objectives of reserves are to achieve species, habitat, and function representativeness and persistence. To meet these basic objectives, a reserve design must consider not only location but size, connectivity, replication, and alignment of boundaries. The 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. Datasets used in Reserve Design analyses should be reviewed for quality and accuracy. Areas considered for inclusion into the Reserve Design should be verified through surveys or assessments by a qualified biologist(s) to ensure that the area provides suitable, quality habitat for focal or other target species. Identify Focal Species for Conservation Planning.

As outlined in Section 4, and consistent with Principle 13, more detailed biological analyses are needed for species that would most likely require mitigation in association with regulatory permitting. To understand where focal species locations overlap with development concerns, biological analyses should focus on incorporating complete datasets of species occurrences to support species habitat modeling. This task would be

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integral to the Gap Analysis and Reserve Design process which identifies important areas for long-term protection and management for focal species. The practicality of “species relocation” should also be considered in cases when abundant and suitable species habitat exists nearby. Forcing habitat connectivity where and when the existing built environment would make for unsafe interactions between humans and some protected (predator) species should be avoided.

Secondary Priorities: Timeframe: 6 to 24 months

5. Create Detailed Conservation Strategies by Conservation Subarea

As presented in Principle 7, conservation planning should be divided into practical subareas. As outlined in Section 5, refinement of the subarea approach should occur to determine which jurisdictions are interested or better suited to be included into specific sub-regions.

Given that the land in the Desert Region is primarily government-owned, coordination with the federal land owners in these areas is the best alternative for conducting conservation planning whereby local jurisdictions may link their open space and/or conservation lands with large areas of government-owned properties. Additionally, if the Desert Renewable Energy Conservation Plan (DRECP) is finalized and approved, local jurisdictions within the DRECP boundaries should confer to decide if the conservation framework identified in the DRECP could benefit their conservation objectives. One potential for the Desert Region would be to have a County led effort with participation from the local jurisdictions which incorporates the conceptual reserve presented in the DRECP into the jurisdiction General Plans. General Plan Policies or overlays can be created that address conservation needs in areas identified in the Gap Analysis, focusing on the areas that lack protection. Aligning local General Plans with the DRECP will allow those jurisdictions to tier off of the DRECP for species permitting. While General Plans provide a potential avenue for obtaining conservation and open space areas, these policies do not include a mechanism to guarantee long-term protection in perpetuity.

The Mountain Region is also predominantly federally owned and managed, therefore connecting jurisdictional open space and conservation lands with public ownership lands through land acquisition or easement procurement should be considered. This is a similar approach recommended for the Desert Region which tiers off of existing protected federal and/or state lands to create a connected system of open space and/or protected lands.

For the Valley Region, several different strategies could be employed. Since the Valley Region consists of 15 different local jurisdictions, each with their own land use authorities, focus should be given to land use patterns for each jurisdiction and potential undeveloped lands that could be conserved should be analyzed. For instance, some

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jurisdictions in the West Valley area (i.e., Chino, Ontario, Montclair) have few decisions remaining to be made regarding open space that could support listed species (i.e., decisions on open space that would require ESA permitting). Also, these jurisdictions would not have lands that would pose viable biological links to other open space areas. However, other Cities such as Rancho Cucamonga, Fontana, San Bernardino and Rialto still have decisions that will need to be made regarding open space areas. An option for these jurisdictions may be to combine land use planning efforts (with or without the County) to establish a sub-regional comprehensive Reserve Design.

Initially, the focus should be on identifying the areas and linkages that could constitute a cohesive, functional conservation strategy. How best to implement that strategy, and with what specific tools, is a separate but equally important issue (discussed below). It will be important in moving forward not to confuse the end with the means to that end.

One alternative to the more traditional route of completing a Habitat Conservation Plan or a programmatic U.S. Fish and Wildlife Service (USFWS) Section 7 permit, would be to prepare an “alternative conservation plan”. This “alternative plan” approach would utilize the inventory and tracking system, along with the reserve design mentioned above, to provide a plan for which areas of known species occupation or suitable habitat is avoided and conserved through the development process and other means. This “alternative plan” could be implemented voluntarily at a General Plan level. The jurisdictions would need to evaluate the results of the Vacant Land Survey completed by the County, as well as understand the focal species for which regulatory permitting would most likely be required. The jurisdictions’ General Plans could be modified, or the County’s upcoming Countywide Plan could identify the mechanism for which each of these jurisdictions could transfer density credits or bonuses either within a jurisdiction or between jurisdictions to compensate for the “lost” development potential that would become open space/conservation. The Interim Lead/Lead would be responsible for tracking and coordinating these land use efforts to establish the comprehensive reserve design through the alternative plan. The alternative plan would ideally result in no “take” of listed or sensitive species. If “take” permitting is needed, the alternative plan would provide a comprehensive conservation approach to use for species or habitat mitigation. This could be combined with a Waters mitigation plan or County’s programmatic permitting efforts. This alternative plan would provide a more flexible and smaller-scale approach than a traditional HCP, with “front loaded” analysis efforts. Therefore, the alternative plan would speed the development process and also give the conservation community a clear idea, combined with accurate tracking and reporting, of where the conservation will occur. This would be combined with effective management methods, as explained in the next section. The alternative plan approach does not include issuance of a permit by the regulatory Agencies therefore, development of a mechanism (e.g.,

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Memorandum of Understanding) to provide long-term assurances of Agency acceptance and protection from future changes is needed.

6. *Identify Management Methods.*

Consistent with Principles 14 and 15, management mechanisms for existing and future conservation lands would need to be established by the Interim Lead/Lead. Direct employment of qualified personnel, including qualified biologists, and/or contracting with entities such as IERCD, RLC or CNLM who are qualified and experienced in land management should be a priority. Though the areas to be managed must first be identified before this step could be executed, efforts should be made early to seek out potential entity(ies) that would be able and willing to manage the conservation lands. To ensure that long-term management is sustainable, the Interim Lead/Lead should work with the entity(ies) to identify the costs needed for management and conduct the appropriate analysis (e.g., Property Analysis Record [PAR] analysis) and documentation to substantiate the management funding requirements. It would be in the best interest (i.e., more logistically feasible), and generally looked upon favorably by the Wildlife Agencies, to have one management entity involved, at least for each regional Subarea.

Tertiary Priority: Timeframe: 18 to 36 months

7. *Develop Implementation Strategy.*

Based on the results of the above steps, an implementation strategy should then be developed. The various outcomes could include options outlined in Principle 9 such as: development of habitat conservation plans, mitigation banks, and conservation easements managed by one entity, programmatic Section 7 permits, in lieu fee programs, General Plan policy implementation, and alternative plans (as discussed above in No. 6).

An integral part of any future implementation strategy should be early and ongoing communication with the regulatory agencies about conservation plans. One best practice in the development process to facilitate streamlined regulatory permitting requirements would be to initiate “pre-application” meetings with the regulatory agencies (Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Wildlife, and USFWS). Including these entities in the development process early to discuss mitigation requirements will ultimately provide increased certainty to the development community, and provide a clear path for mitigation requirements which will help move development forward. The Interim Lead/Lead could be the conduit for these “pre-application” meetings, or they may be set up by sub-regions. Incorporating pre-application meetings into the General Plans and land use planning for development is also a way to create comprehensive and cohesive conservation.

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.

Minute Action

AGENDA ITEM: 15

Date: *December 2, 2015*

Subject:

Council of Governments Staffing and Funding

Recommendation:

Provide direction to staff on a COG funding plan and on adding two new positions to focus on COG activities.

Background:

During the Strategic Planning Workshop, held September 17-18, 2015, the Board of Directors affirmed its commitment to continue to expand SANBAG's role as a Council of Governments (COG). At the workshop a number of COG work ideas were discussed such as:

- Coordinating regional efforts to assist in the success of Ontario International Airport.
- Forming a regional non-profit to apply for funding opportunities.
- Increase regional collaboration in economic development.
- Find new ways to collaborate on emergency preparedness.
- Lead a regional approach to dealing with environmental and other regulatory agencies.
- Enhance regional marketing to enhance tourism.
- Coordinate development, funding and improvement of regional trails.
- Help coordinate and increase communication in response to homelessness.
- Grants for regional opiate addiction prevention and education.
- Explore options for a regional public safety communication center.
- Explore a Green Building Program and related model ordinances.
- Increase broadband access for underserved communities through grants and collaboration.
- Explore forming a local Clean Cities Program.
- Explore the feasibility for Community Choice Aggregation power purchasing.

The Board also recognized that if SANBAG was to accomplish more as a COG, then more resources would be needed. Many Board Members expressed their support for increasing the assessments paid by member agencies on an equal basis to help fund additional staff. Some cities expressed some concern over their ability to pay an additional assessment for COG activities. It was suggested by members of the County Board of Supervisors that the County might be able to assist those cities that don't have the ability to pay and in this way insure that each city can continue to be an equal partner in the COG.

SANBAG staff is proposing the following budget for COG functions along with options for spreading the cost. SANBAG would continue to levy the current SANBAG dues which are based on population and assessed valuation. The total of those dues are currently about \$105,000. These funds would continue to be used to fund studies, consultants, and special projects as directed by the Board.

Entity: COG

It is proposed that 2 new staff be hired to work exclusively on Council of Governments issues. The positions would be a COG Manager and a Management Analyst I. The total maximum cost for these two positions, including all fringe benefits, would be \$266,836.

- Management Analyst I – Salary Range 23 (\$49,990 - \$74,986) Max with benefits \$104,230
- COG Manager – Salary Range 33 (\$81,430 - \$122,144) Max with benefits \$162,606

It is this staff cost that is being proposed to be supported by an additional assessment of SANBAG’s member agencies. Below are tables that show this additional cost and what the share of that cost would be for each agency. The table also shows options for the additional cost being funded by additional assessment at the 100%, 75%, and 50% level and for being phased in over three years. If the 75%, 50%, or three year phase in option is selected, the balance of the cost would be funded from other sources of COG funds under SANBAG’s control.

% City/County Share	100%	75%	50%
Additional City/County Cost Total	\$266,836	\$200,127	\$133,418
Additional SANBAG Cost Total	\$-0-	\$66,709	\$133,418
Additional City/County Cost per Agency	\$10,673.44	\$8,005.08	\$5,336.72

Costs Spread Over 3 Years

Year 1			
Additional City/County Cost Total	\$88,945.33	\$66,709	\$44,473
Additional SANBAG Cost Total	\$177,891	\$200,127	\$222,363
Additional City/County Cost per Agency	\$3,557.81	\$2,668.36	\$1,778.91
Year 2			
Additional City/County Cost Total	\$177,890.67	\$133,418	\$88,945
Additional SANBAG Cost Total	\$88,945	\$133,418	\$177,891
Additional City/County Cost per Agency	\$7,115.63	\$5,336.72	\$3,557.81
Year 3			
Additional City/County Cost Total	\$266,836.00	\$200,127	\$133,418
Additional SANBAG Cost Total	\$-0-	\$66,709	\$133,418
Additional City/County Cost per Agency	\$10,673.44	\$8,005.08	\$5,336.72

SANBAG has the following funds available to fund COG operations on an annual basis (this is net funds used to support current programs):

Funding Source	Annual Amount
Current COG Dues	\$ 105,000
PACE Program Fees	\$ 705,000
Energy Leader Program*	\$ 217,000
TOTAL	\$ 1,027,000
*Energy Leader Program funds are restricted funds.	

Based on the options outlined above, the COG will be able to cover staff expenses and have net operating revenue ranging from \$810,000 to \$677,000 plus an additional \$217,000 to fund the Energy Leader Program.

The majority of this funding is coming from PACE Program Fees and the current level is anticipated to remain steady for the next five years and then decline 20% - 30% below current levels. That new level would be expected to remain consistent for the foreseeable future after that.

In addition to annual operating funds, SANBAG will have an estimated fiscal year 2015/2016 fund balance of \$2,041,499 that can serve as a reserve and as a source of funds for special projects, studies, grant matching or consultant help.

With the additional staff resources, SANBAG would be able to attempt a greater variety of tasks as identified by the Board. Some of those tasks are listed above. That list is not meant to be exhaustive nor is it meant to represent that SANBAG would definitely undertake all of those tasks. Rather it represents some of the subject areas mentioned by Board Members and identified by staff where action by a COG could be beneficial. Before committing resources, tasks would first be approved by the Board to be included in the COG work program for the year.

If the Board directs staff to proceed with one of the proposed funding plans and the proposed additional staff, the details would be prepared and made part of the fiscal year 2016/2017 budget.

Financial Impact:

Approval of this item would not impact the current FY 2015/2016 SANBAG budget, but would authorize additional expenditures of up to \$266,836 to be included in the FY 2016/2017 budget to be paid from existing revenues in the Property Assessed Clean Energy Fund and offset by new revenues generated by assessments paid by SANBAG member agencies.

Reviewed By:

This item has not received prior review by any policy committee or technical advisory committee.

Responsible Staff:

Duane Baker, Director of Management Services

Minute Summary:

Stephen Rogers, Redlands, provided public comments under this agenda item. He stated that SANBAG should work with the funding already provided by the cities and not increase assessment dues in order to hire additional staff to work on COG issues. He stated that the non-profit sector should be involved in implementing some of these COG recommendations, some of which are already operating under the Mentone Area Community Association.

Mayor Michael motioned to approve the additional assessment spread over 3-years at the 50% level. Second by Mayor Eaton.

RESULT: APPROVED [20 TO 4]
MOVER: L. Dennis Michael, Mayor, City of Rancho Cucamonga
SECONDER: Paul Eaton, Mayor, City of Montclair
AYES: Harrison, Hagman, Emick, McIntyre, Yates, Graham, Navarro, Tahan, McCallon, Rigsby, Eaton, Paget, Wapner, Michael, Robertson, Davis, McEachron, Riddell, Huntington, Rutherford
NAYS: McNaboe, Klink, Jahn, Musser
ABSENT: Kerr, Leonard, Lovingood, Ramos, Gonzales

Approved
Board of Directors
Date: December 2, 2015

Witnessed By:



Vicki Watson, Clerk of the Board

12/02/2015