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DATE 6-21-11

TO:

Board of Supervisors

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FROM:

Roger Trout, Development Services Director

DATE:

June 21, 2011

RE:

Integrated Natural Resources Management Plan Request for Proposals

(INRMP RFP), Board of Supervisors, June 21, 2011, Item 41, Legistar 11-0330

The RFP proposed today contains all the necessary information for potential contractors to make proposals for the next phase of the INRMP process. However, it is likely to result in a wide range of proposals, and a wide range of cost estimates, that may not be reasonable to evaluate and compare during our selection process.

We may not receive a proposal that fully implements the Board of Supervisors expectations for the Phase 2 of the INRMP.

It is important to recognize that Phase 1 of the INRMP was gathering, organizing, and analyzing of the scientific and regulatory facts related to the Plan. Phase 2 is the creation of a draft Plan with recommendations on the CEQA process to implement the plan. Phase 1 was driven by fact-finding, while Phase 2 is to be driven by the Board of Supervisor's Policy direction.

If the Board agrees, I recommend that we take a short period of time to identify the major policy issues, determine the Board of Supervisors direction on the issues, and incorporate the direction into a revised RFP.

I suggest a small team be directed to identify the issues, prepare a discussion, and present that to the full Board of Supervisors for direction.

Based on what I have heard and read, my initial list of policy issues follows:

1. **Mitigation Plan.** The focus of INRMP Phase 2 should be on a mitigation plan to mitigate impacts to habitat loss and fragmentation by development allowed in the General Plan. The INRMP is not a habitat conservation plan nor a restoration plan for past practices.

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- 2. County ownership of fee title lands. It is unlikely the County wishes to acquire land for mitigation purposes. The management of lands is not a core function of the County. Ownership of land by State or federal agencies may be more appropriate. There are also certain land trust organizations that are used, such as for wetland banks. The County may want to focus on easements that allow the land owner to manage lands, while maintaining habitat qualities.
- 3. Land or easement acquisition from willing sellers. It is unlikely the County desires to acquire mitigation habitat in any way other than from willing sellers.
- 4. **Mitigation Plan funding mechanism**. The Mitigation Plan should be funded primarily from fee sources such as new building permits. It could also be based on subdivision activity. Another option is a surcharge on various County development permits. Grant funding should also be allowed, but with limited strings attached.
- 5. **Operational Costs**. The Plan needs to minimize the operational cost of the program. The County cannot sustain a costly mitigation burden. The program should be self sufficient, but operational costs should be minimized by: Fee collection needs to be simple; procedure for acquisition of land or easements needs to be standardized; maintenance and management costs need to be very low; and administration costs need to be low.
- 6. **General Plan Policies**. The Plan's scope is limited to the implementation of the identified General Plan Polices as outlined in the RFP, which will be revised based on the policy direction provided by the Board of Supervisors.
- 7. **Williamson Act lands**. The Williamson Act is under scrutiny by the State and may not be supported any longer. The Plan should consider incorporation of a mitigation plan to supplant the Williamson Act with a correlating program which will allow the land to remain in an agricultural status, thus preserving habitat as well.
- 8. Agricultural Lands. As with the Williamson Act Lands, the Plan should consider augmenting the agricultural landowners' land stewardship roll with a program that allows easements or other mechanisms (such as funding to improve habitat) to be created which are mutually beneficial to the agricultural land owner and to the County.
- 9. **Highway 50**. Highway 50 is an existing facility that affects wildlife. However, it is not a subject of the Plan for any purposes. The Plan can acknowledge that other agencies that have jurisdiction over the Highway are encouraged to also improve wildlife movement and safety as they can.
- 10. **Fire Prevention.** The Plan should coordinate strategies with Fire Prevention Plans to reduce fuel leading and create fire breaks, so that improved habitats can be established that will survive catastrophic wildfire.

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11. Oak Woodland Management Plan and Ecological Preserves. The County has two mitigation programs currently in place. The Plan should incorporate those programs into one single strategic plan for the County.

Conclusion: If just these 11 issues could be further refined, the RFP could be narrowed to a reasonable level. This would better ensure that we receive reasonable proposals that implement the Board's Policy direction and which will be relatively easy to compare and judge for selection.