

San Bernardino Associated Governments Countywide Habitat Preservation/Conservation Framework Development

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.