



Midpeninsula Regional  
Open Space District

R-19-69  
Meeting 19-14  
May 22, 2019

## AGENDA ITEM 5

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Amend a Contract for Environmental Review Services for the Wildland Fire Resiliency Program

### GENERAL MANAGER'S RECOMMENDATIONS

1. Authorize the General Manager to amend the multi-year contract with Panorama Environmental, Inc., of San Francisco, California to provide environmental review services on fire ecology to support the development of the Wildland Fire Resiliency Program in the amount of \$350,493, for a total not-to-exceed base contract amount of \$655,773 (original contract is \$305,280)
2. Authorize an approximate 12% contingency of \$78,700, to be awarded only if necessary to cover unforeseen conditions, for a total contract amount not-to-exceed \$734,473.

### SUMMARY

California has experienced devastating fire seasons over the last two years and the trend has been towards bigger, more damaging, and deadlier fires. The Midpeninsula Regional Open Space District (District) commits extensive staff time and resources toward fuel reduction work every year and recognizes that more work needs to be done. The District is developing a Wildland Fire Resiliency Program (Program) to more fully address the Board of Director's (Board) recently-approved Fiscal Year (FY) 2019-20 Strategic Plan Objectives that includes working with fire agencies and surrounding communities to strengthen the prevention of, preparation for, and response to wildland fires. The expansion of the Program from the original proposed prescribed fire program requires additional California Environmental Quality Act (CEQA) services, including preparing additional technical studies and analyses, developing project description alternatives, and preparing a draft and final Program Environmental Impact Report (EIR) and Tiered EIR and Mitigation Monitoring Program. The General Manager recommends amending the contract with Panorama Environmental, Inc., (Panorama) for a new base contract amount not to exceed \$655,773 and authorizing an approximate 12% contingency of \$78,700.

### DISCUSSION

In October of 2018, the Board authorized the General Manager to enter into contract with Panorama to perform CEQA services for a new Prescribed Fire Program after a competitive Request for Qualifications and Proposals (R-18-120). Staff returned to the Board in February of 2019 to provide an informational update on the development of the Prescribed Fire Program (R-19-16). Staff discussed potential changes to the project scope that would transform the project from a Prescribed Fire Program to a comprehensive Wildland Fire Resiliency Program. The expanded Program allows the District to develop a more robust, strategic, and comprehensive

fire and fuels management plan to conduct additional fuels management work using non-fire treatments as well as incorporate wildland fuels monitoring and prepare wildland fire pre-plans for each preserve.

The Board formally approved expanding the program by amending a contract with Spatial Informatics Group, LLC (SIG) at the April 24, 2019 Board meeting (R-19-52), to provide additional fire ecology services and prepare a detailed Project Description for the expanded Wildland Fire Resiliency Program (Program). Following execution of the approved contract amendment, staff directed SIG to start the development of the non-fire fuels management plan and wildland fire pre-plans for El Sereno, Fremont Older, and Pulgas Ridge Open Space Preserves.

At the April 24, 2019 Board meeting, members of the public and fire agencies spoke in favor of the increased scope of work but expressed concerned about the length of time the process may take to receive CEQA certification to implement fuels reduction work. To address these timing concerns, staff propose a two-phased CEQA process:

*Phase I – Program EIR, focus on Fuels Management Activities*

Panorama will prepare a Program EIR with detailed descriptions of the fuels management activities, and general programmatic descriptions of the prescribed fire component, the wildland fire pre-plan mapping, infrastructure improvements, and the monitoring component. The District will be able to begin expanding its fuels reduction work upon certification of the Program EIR (anticipated in fall 2020). See Table 2 in the Next Steps section for detailed timeline information.

*Phase II – Tiered EIR, all other components of the Wildland Fire Resiliency Program*

Staff will address the environmental impacts of all other Fire Resiliency Program components (prescribed fire, monitoring protocol, and the potential infrastructure needs from the pre-plan mapping) within a second EIR that is tiered off the Phase I Program EIR. Staff anticipate the certification of the tiered EIR in spring of 2022. See Table 3 in the Next Steps section for detailed timeline information.

### **Additional Strategies to Reduce Length of Time for Implementing Fuels Reduction Work**

Over the last few months, multiple fire agencies have requested that the District increase the number and scale of its fuels management projects as soon as possible. Staff have identified two additional options that would allow the District to perform additional fuels management activities this upcoming fire season without requiring additional CEQA analysis using the existing Integrated Pest Management (IPM) Program EIR. This would allow the District to bridge the gap between now and certification of the Wildland Fire Resiliency Program EIR.

The Draft EIR prepared for the District's IPM Program, which the Board approved on December 10, 2014 (R-14-148), analyzes the vegetation management activities performed on District lands and incorporates mitigation measures to reduce all potential impacts to less-than-significant levels. The District divided the IPM Program into five management categories: buildings, recreational facilities, fuels management, rangeland and agricultural properties, and natural lands. The IPM Program's EIR analyzed environmental impacts for each category, including the treatment type, method, and amount (acreage).

The original intent of the IPM Program's fuels management category was for the District to perform fuels maintenance activities at already established sites.

The first recommended action is to increase the amount of invasive species work within fuels management areas, focusing on species that increase fuel loads such as French broom and Tasmanian blue gum eucalyptus. A preliminary analysis of the invasive species treatment hours the District has performed in 2018 is around 9,500 hours to protect the natural environment (the 2018 Annual IPM Report is scheduled to come before the Board in June of 2019). Staff recommend increasing treatment hours by approximately 10% (1000 hours total) within areas that require fuels management (e.g. roads and trails). 1,000 hours of a hand crew could cover approximately 50 acres (at 10% infestation). Redirection of hours spent at existing invasive species sites is not recommended as this action can setback restoration progress in those areas by years. Table 1 outlines the estimated fiscal impact per year.

**Table 1: Estimated Costs to Expand Invasive Species/Fuel Management Work**

| Crew Type          | Activity                         | Estimated Costs |
|--------------------|----------------------------------|-----------------|
| Contractor         | Hand removal of invasive species | \$55,000        |
| Consultant         | Pre-Treatment Surveys            | \$15,000        |
| <b>Total Costs</b> |                                  | <b>\$70,000</b> |

The second recommendation includes an administrative change to Table 3-1: District Integrated Pest Management Program – Treatment Actions and Estimates from the IPM Program. The overall treatment actions and estimates will not increase, thus the prior certified CEQA analysis remains unchanged. Staff will bring these changes to the full Board during the review of the Annual IPM Report prior to implementing any changes per the IPM Guidance Manual.

## FISCAL IMPACT

There are sufficient funds in the amended FY2018-19 Budget to cover the cost of the recommendation. Staff will request sufficient funds for the FY2019-20 proposed budget as part of the annual Budget and Action Plan process.

| Prescribed Fire Program Development (new Wildland Fire Resiliency Program) (Project #80003-10) | Prior Year Actuals | FY2018-19 Projected Amended Budget | FY2019-20 Projected | FY2020-21 Projected | Estimated Future Years | TOTAL              |
|--|--------------------|------------------------------------|---------------------|---------------------|------------------------|--------------------|
| <b>Project #80003-10 Budget:</b>   | <b>\$29,534</b>    | <b>\$127,370</b>                   | <b>\$441,000</b>    | <b>\$276,000</b>    | <b>\$311,000</b>       | <b>\$1,184,904</b> |
| Spent-to-Date (as of 04/23/2019):  | (\$29,534)         | (\$29,278)                         | \$0                 | \$0                 | \$0                    | <b>(\$58,812)</b>  |
| Encumbrances*:   | \$0                | (\$74,170)                         | \$0                 | \$0                 | \$0                    | <b>(\$74,170)</b>  |
| Panorama Contract Amendment:   | \$0                | (\$21,352)                         | (\$297,899)         | (\$95,459)          | (\$241,063)            | <b>(\$655,773)</b> |
| Approximate 12% Contingency:   | \$0                | (\$1,648)                          | (\$2,101)           | (\$16,014)          | (\$58,937)             | <b>(\$78,700)</b>  |
| <b>Budget Remaining (Proposed):</b>  | <b>\$0</b>         | <b>\$922</b>                       | <b>\$141,000</b>    | <b>\$164,527</b>    | <b>\$11,000</b>        | <b>\$317,449</b>   |

\*includes Board approved contract amendment with SIG for FY2018-19 (R-19-52)

The recommended action is not funded by Measure AA.

### **BOARD COMMITTEE REVIEW**

No prior Board Committee review has occurred for this item. The Board approved amending the contract with Spatial Informatics Group, LLC (SIG) at the April 24, 2019 Board meeting (R-19-52), to provide fire ecology services and a detailed Project Description for the Program. As the Fire Resiliency Program is developed, the Planning and Natural Resources Committee will provide review and guidance (see Next Steps).

### **PUBLIC NOTICE**

Public notice was provided as required by the Brown Act. Public notice was sent to interested parties and tenants by postal or electronic mail.

### **CEQA COMPLIANCE**

This award of contract is not a project subject to CEQA. The Wildland Fire Resiliency Program will undergo CEQA review as described in this report.

### **NEXT STEPS**

Following Board approval, the General Manager will amend the contract with Panorama. Staff anticipate that it will take four years to complete both Phase I and Phase II of the Program. Staff will also complete the IPM Program analysis and present the 2018 Annual IPM Report to the Board on June 26, 2019. At that time, the General Manager will recommend that the Board approve any minor changes to the IPM Program, including the possibility of increasing fuels management activities.

Timelines for Phase I and Phase II of the Program are described below and include multiple public open houses, Planning and Natural Resources Committee, and full Board meetings. The increase in scope hastens the development of fuels management plans and wildland fire pre-plans by delaying the implementation of a prescribed fire component.

**Table 2: Phase I – Program EIR Timeline**

| Meeting Type                             | Description  | Expected Date   |
|--|--|-----------------|
| Public Open House                        | Engage the Community at 3 different locations within the District's Boundary                               | Q1 of FY2019-20 |
| Planning and Natural Resources Committee | Review feedback received from the Public Open House; Review draft Wildland Fire Resiliency Policies        | Q1 of FY2019-20 |
| Planning and Natural Resources Committee | Review draft Fuels Management Project Description  | Q2 of FY2019-20 |
| Planning and Natural Resources Committee | Review Community Informational Meetings feedback; Review draft Monitoring; Review CEQA Project Description | Q2 of FY2019-20 |
| Full Board                               | CEQA Project Description Approval for Program EIR  | Q2 of FY2019-20 |

| Meeting Type | Description                                     | Expected Date   |
|--------------|---|-----------------|
| Full Board   | Draft Program EIR and Receipt of Public Comment | Q1 of FY2020-21 |
| Full Board   | Certification of Program Final EIR (FEIR)       | Q2 of FY2020-21 |

**Table 3: Phase II - Tiered EIR Timeline**

| Meeting Type                             | Description   | Expected Date   |
|--|---|-----------------|
| Public Open House                        | Engage the Community at 3 different locations within the District's Boundary                          | Q2 of FY2019-20 |
| Planning and Natural Resources Committee | Review feedback received from the Public Open House; Review draft Prescribed Fire Project Description | Q3 of FY2019-20 |
| Planning and Natural Resources Committee | Review refined Prescribed Fire Project Description  | Q4 of FY2019-20 |
| Full Board                               | CEQA Project Description Approval for Tiered EIR  | Q1 of FY2021-22 |
| Full Board                               | Draft Tiered EIR and Receipt of Public Comment  | Q3 of FY2021-22 |
| Full Board                               | Certification of Tiered Final EIR (FEIR)  | Q4 of FY2021-22 |

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