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## REMOTE PARTICIPATION ONLY

# REGIONAL ADVANCED MITIGATION PLANNING ADVISORY TASK GROUP

*Wednesday, November 16, 2022*  
**12:30 p.m. – 2:30 p.m.**

**To Attend and Participate on Your Computer:**  
<https://scag.zoom.us/j/92156366986>

**To Attend and Participate by Phone:**  
**Call-in Number: 1-669-900-6833**  
**Meeting ID: 921 5636 6986**

***Please see next page for detailed  
instructions on how to participate in the meeting.***

### **PUBLIC ADVISORY**

Given the declared state of emergency (pursuant to State of Emergency Proclamation dated March 4, 2020) and local public health directives imposing and recommending social distancing measures due to the threat of COVID-19, and pursuant to Government Code Section 54953(e)(1)(A), the meeting will be held telephonically and electronically.

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Maggie Aguilar at (213) 630-1420 or via email at [aguilarm@scag.ca.gov](mailto:aguilarm@scag.ca.gov). Agendas & Minutes are also available at: [www.scag.ca.gov/committees](http://www.scag.ca.gov/committees).

SCAG, in accordance with the Americans with Disabilities Act (ADA), will accommodate persons who require a modification of accommodation in order to participate in this meeting. SCAG is also committed to helping people with limited proficiency in the English language access the agency's essential public information and services. You can request such assistance by calling (213) 630-1420. We request at least 72 hours (three days) notice to provide reasonable accommodations and will make every effort to arrange for assistance as soon as possible.



## Instructions for Public Comments

*You may submit public comments in two (2) ways:*

1. **In Writing:** Submit written comments via email to: [scaggreenregion@scag.ca.gov](mailto:scaggreenregion@scag.ca.gov) by **5pm on Tuesday, November 15, 2022**. You are **not** required to submit public comments in writing or in advance of the meeting; this option is offered as a convenience should you desire not to provide comments in real time as described below.

All written comments received after 5pm on Tuesday, November 15, 2022 will be announced and included as part of the official record of the meeting.

2. **In Real Time:** If participating in real time via Zoom or phone, during the Public Comment Period (Matters Not on the Agenda) or at the time the item on the agenda for which you wish to speak is called, use the “raise hand” function on your computer or \*9 by phone and wait for SCAG staff to announce your name/phone number. SCAG staff will unmute your line when it is your turn to speak. Limit oral comments to 3 minutes, or as otherwise directed by the presiding officer. For purpose of providing public comment for items listed on the Consent Calendar, please indicate that you wish to speak when the Consent Calendar is called; items listed on the Consent Calendar will be acted on with one motion and there will be no separate discussion of these items unless a member of the legislative body so requests, in which event, the item will be considered separately.

If unable to connect by Zoom or phone and you wish to make a comment, you may submit written comments via email to: [scaggreenregion@scag.ca.gov](mailto:scaggreenregion@scag.ca.gov).

***In accordance with SCAG’s Regional Council Policy, Article VI, Section H and California Government Code Section 54957.9, if a SCAG meeting is “willfully interrupted” and the “orderly conduct of the meeting” becomes unfeasible, the presiding officer or the Chair of the legislative body may order the removal of the individuals who are disrupting the meeting.***

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### OUR MISSION

To foster innovative regional solutions that improve the lives of Southern Californians through inclusive collaboration, visionary planning, regional advocacy, information sharing, and promoting best practices.

### OUR VISION

Southern California’s Catalyst for a Brighter Future

### OUR CORE VALUES

Be Open | Lead by Example | Make an Impact | Be Courageous



## Instructions for Participating in the Meeting

SCAG is providing multiple options to view or participate in the meeting:

### To Participate and Provide Verbal Comments on Your Computer

1. Click the following link: <https://scag.zoom.us/j/92156366986>
2. If Zoom is not already installed on your computer, click “Download & Run Zoom” on the launch page and press “Run” when prompted by your browser. If Zoom has previously been installed on your computer, please allow a few moments for the application to launch automatically.
3. Select “Join Audio via Computer.”
4. The virtual conference room will open. If you receive a message reading, “Please wait for the host to start this meeting,” simply remain in the room until the meeting begins.
5. During the Public Comment Period (Matters Not on the Agenda) or at the time the item on the agenda for which you wish to speak is called (see note above regarding items on the Consent Calendar), use the “raise hand” function located in the participants’ window and wait for SCAG staff to announce your name. SCAG staff will unmute your line when it is your turn to speak. Each speaker is limited to oral comments totaling 3 minutes for all matters, or as otherwise directed by the presiding officer.

### To Listen and Provide Verbal Comments by Phone

1. Call **(669) 900-6833** to access the conference room. Given high call volumes recently experienced by Zoom, please continue dialing until you connect successfully.
2. Enter the **Meeting ID: 921 5636 6986**, followed by #.
3. Indicate that you are a participant by pressing # to continue.
4. You will hear audio of the meeting in progress. Remain on the line if the meeting has not yet started.
5. During the Public Comment Period (Matters Not on the Agenda) or at the time the item on the agenda for which you wish to speak is called (see note above regarding items on the Consent Calendar), press \*9 to add yourself to the queue and wait for SCAG staff to announce your name/phone number. SCAG staff will unmute your line when it is your turn to speak. Each speaker is limited to oral comments totaling 3 minutes for all matters, or as otherwise directed by the presiding officer.

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## REGIONAL ADVANCED MITIGATION PLANNING – ADVISORY TASK GROUP

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### Regional Advance Mitigation Planning – Advisory Task Group *Members – November 2022*

1. **Hon. Art Brown**  
Buena Park, RC District 21
2. **Sup. Curt Hagman**  
San Bernardino County
3. **Hon. Peggy Huang**  
TCA Representative
4. **Hon. Clint Lorimore**  
Eastvale, RC District 4
5. **Hon. David Pollock**  
Moorpark



## REGIONAL ADVANCED MITIGATION PLANNING – ADVISORY TASK GROUP AGENDA

Southern California Association of Governments  
Remote Participation Only  
**Wednesday, November 16, 2022**  
**12:30 PM**

The Regional Advance Mitigation Planning - Advisory Task Group may consider and act upon any of the items on the agenda regardless of whether they are listed as Information or Action items.

### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE** *(The Honorable Clint Lorimore, President)*

### **PUBLIC COMMENT PERIOD (Matters Not on the Agenda)**

This is the time for persons to comment on any matter pertinent to SCAG's jurisdiction that is **not** listed on the agenda. Although the committee may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon at this time. Public comment for items listed on the agenda will be taken separately as further described below.

**General information for all public comments:** Members of the public are encouraged, but not required, to submit written comments by sending an email to: [scaggreenregion@scag.ca.gov](mailto:scaggreenregion@scag.ca.gov) by 5pm on Tuesday, November 15, 2022. Such comments will be transmitted to members of the legislative body and posted on SCAG's website prior to the meeting. Any writings or documents provided to a majority of the Regional Advance Mitigation Planning - Advisory Task Group regarding any item on this agenda (other than writings legally exempt from public disclosure) are available at the Office of the Clerk, located at 900 Wilshire Blvd., Suite 1700, Los Angeles, CA 90017 during normal business hours and/or by contacting the office by phone, (213) 630-1420, or email to [aguilarm@scag.ca.gov](mailto:aguilarm@scag.ca.gov). Written comments received after 5pm on Tuesday, November 15, 2022, will be announced and included as part of the official record of the meeting. Members of the public wishing to verbally address the Regional Advance Mitigation Planning - Advisory Task Group in real time during the meeting will be allowed up to a total of 3 minutes to speak on items on the agenda, with the presiding officer retaining discretion to adjust time limits as necessary to ensure efficient and orderly conduct of the meeting. The presiding officer has the discretion to equally reduce the time limit of all speakers based upon the number of comments received. If you desire to speak on an item listed on the agenda, please wait for the chair to call the item and then indicate your interest in offering public comment by either using the "raise hand" function on your computer or pressing \*9 on your telephone. For purpose of providing public comment for items listed on the Consent Calendar (if there is a Consent Calendar), please indicate that you wish to speak when the Consent Calendar is called; items listed on the Consent Calendar will be acted upon with one motion and there will be no separate discussion of these items unless a member of the legislative body so requests, in which event, the item will be considered separately.



## REGIONAL ADVANCED MITIGATION PLANNING – ADVISORY TASK GROUP AGENDA

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### REVIEW AND PRIORITIZE AGENDA ITEMS

### CONSENT CALENDAR

#### Approval Items

1. Minutes of the Meeting – April 18, 2022 PPG. 5
2. Minutes of the Meeting – April 26, 2022 PPG. 19

### ACTION ITEMS

3. Draft RAMP Policy Framework and Stakeholder Engagement Summary PPG. 29  
*(Kimberly Clark, Program Manager II, SCAG)*

### RECOMMENDED ACTION:

Staff recommends that the RAMP-ATG accept the final draft RAMP Policy Framework, and forward the framework to the Regional Council and Energy & Environment Committee with recommendation for approval.

### ADJOURNMENT



Southern California Association of Governments  
Remote Participation Only  
**November 16, 2022**

**MINUTES OF THE MEETING**  
**REGIONAL ADVANCED MITIGATION PLANNING –**  
**ADVISORY TASK GROUP (RAMP-ATG)**  
**MONDAY, APRIL 18, 2022**

THE FOLLOWING MINUTES IS A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL ADVANCED MITIGATION PLANNING - ADVISORY TASK GROUP (RAMP-ATG). A VIDEO AND AUDIO RECORDING OF THE ACTUAL MEETING IS AVAILABLE AT: <http://scag.iqm2.com/Citizens/>.

The Regional Advanced Mitigation Planning - Advisory Task Group (RAMP-ATG) of the Southern California Association of Governments (SCAG) held its meeting virtually (telephonically and electronically), given the declared state of emergency (pursuant to State of Emergency Proclamation dated March 4, 2020) and local public health directives imposing and recommending social distancing measures due to the threat of COVID-19, and pursuant to Government Code Section 54953(e)(1)(A). A quorum was present.

**Members Present**

<b>Hon. Clint Lorimore, President, Chair</b>	<b><i>Eastvale</i></b>	<b>District 4</b>
Hon. Art Brown, Vice Chair, TC	<i>Buena Park</i>	District 21
Hon. Curt Hagman		San Bernardino County
Hon. Peggy Huang, Vice Chair, LCMC		TCA
Hon. David Pollock, Chair, EEC	Moorpark	District 46

**Staff Present**

- Kome Ajise, Executive Director
- Darin Chidsey, Chief Operating Officer
- Sarah Jepson, Director of Planning
- Javiera Cartagena, Director of Government and Public Affairs
- Jeffery Elder, Deputy Lega Counsel II
- Maggie Aguilar, Clerk of the Board
- Cecilia Pulido, Deputy Clerk of the Board

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The Honorable Clint Lorimore called the meeting to order at 2:01 p.m. President Lorimore asked Hon. Art Brown, Buena Park, District 21, to lead the Pledge of Allegiance.



Given the declared state of emergency (pursuant to State of Emergency Proclamation dated March 4, 2020) and local public health directives imposing and recommending social distancing measures due to the threat of COVID-19, and pursuant to Government Code Section 54953(e)(1)(A), President Lorimore announced the meeting was being held virtually (telephonically and electronically).

**PUBLIC COMMENT PERIOD**

President Lorimore opened the Public Comment Period and outlined instructions for public comments. He noted this was the time for persons to comment on any matter pertinent to SCAG’s jurisdiction that were not listed on the agenda. President Lorimore reminded the public to submit comments via email to [scaggreenregion@scag.ca.gov](mailto:scaggreenregion@scag.ca.gov).

The Clerk acknowledged that no public comments had been received before the 5:00 p.m. deadline.

Seeing no public comment speakers, President Lorimore closed the Public Comment Period.

**REVIEW AND PRIORITIZE AGENDA ITEMS**

There was no prioritization of agenda items.

**CONSENT CALENDAR**

1. Minutes of the Meeting – February 18, 2022

President Lorimore opened the Public Comment Period.

Seeing no public comment speakers, President Lorimore closed the Public Comment Period.

A MOTION was made (Pollock) to approve the Consent Calendar, Item 1. Motion was SECONDED (Hagman) and passed by the following votes:

**AYES:** Brown, Hagman, Huang, Lorimore, and Pollock (5)

**NOES:** None (0)

**ABSTAIN:** None (0)

**INFORMATION/DISCUSSION ITEM**

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## 2. RAMP Policy Framework and White Paper

Public Comments were taken after the staff presentation.

Mr. Kome Ajise, Executive Director, provided some background on how the RAMP-ATG was established during the current pause on the SoCal Greenprint and following the direction of Regional Council on October 7, which was to develop a policy framework on regional advance mitigation to ensure that the SoCal Greenprint tool was aligned with policy objectives. He noted that staff shared the draft RAMP Policy Framework at the last meeting of the ATG on February 18, and that since then staff had been engaging with stakeholders for their input. He further noted that in the past six weeks they had reached a lot of folks and received feedback that they have taken under careful consideration. He indicated that at this meeting staff would share the outreach conducted, feedback received, and discuss the proposed changes to the draft RAMP policy framework that incorporates what they had heard from this group [the RAMP-ATG] and their stakeholders. He emphasized that the ATG was also tasked with advising staff on a white paper on regional advance mitigation and clarified that the white paper was a research exercise to identify the benefits and challenges of RAMP as a regional strategy, as well as ways to support existing RAMP programs and address information gaps. He explained that an outline of the white paper was presented at the second meeting of the ATG on January 28 and that the white paper provides research findings on potential roles for SCAG in supporting RAMP's to improve clarity and ensure SCAG's activities advance the region's priorities, such as facilitating infrastructure development, increasing collaboration, and supporting livable, resilient, and healthy communities. He informed the members that staff had now developed the first draft of the white paper which was included as an appendix to the revised policy framework, and that they looked forward to discussing the draft white paper at this meeting. He also informed the members that the RAMP ATG would report findings and recommendations on the RAMP policy framework back to the Energy and Environment Committee (EEC) and Regional Council (RC) for consideration. He highlighted that they had covered a lot of ground since this group first convened in December 2021 and that they had learned about existing regional advance mitigation programs in the region – by presentations from Orange County Transportation Authority, Western Riverside Conservation Authority, and Caltrans. He noted that staff had reviewed feedback shared from interviews with County Transportation Commissions (CTC) on regional advance mitigation planning, and reviewed the Connect SoCal strategies, goals, and PEIR mitigation measures related to the development of a RAMP initiative and the SoCal Greenprint. He informed the members that at this meeting they would discuss the revised RAMP policy framework, including the draft white paper and based on direction from the members staff, hoped to finalize the RAMP policy framework for EEC and RC consideration.

Ms. Sarah Jepson, Director of Planning, reported that per the direction of this committee staff had spent the last month doing a robust outreach process to make sure that they were listening to their stakeholders and getting their input on the draft policy framework that was released. She stated

that she appreciated the hard work of staff and everyone who was engaged and noted they made a lot of progress in terms of the goals for advanced mitigation in the SCAG region and in better defining those goals. She shared that she thought they made good progress on what SCAG's role should be in advanced mitigation and how they support implementing agencies in pursuing those activities. She indicated that part of the policy was also on the data that SCAG can provide to the implementing agencies to support them in moving forward with advanced mitigation planning through the Greenprint tool, and noted that they continue to get good feedback on that piece of the policy but felt that they need a little more time to work with a technical advisory committee (TAC) that would be comprised of their cities, counties and transportation partners to really flush out some of the ways in which SCAG can provide that data support, the governance of the data, the user guidelines, data selection, and the data parameters. She reiterated that staff had really worked to refine the goals and what SCAG's roles is in advance mitigation. She noted they had some high-level overarching parameters around the role that SCAG can play in providing data to support regional advance mitigation. She informed the members that if this policy framework is adopted, staff would then anticipate putting together a TAC sometime in the fall. She noted they had expended a lot of resources to get to where they were, and they needed to make sure to build back their own capacity and prepare to have a TAC and get a consultant on board to support that work. She indicated this would allow them to move forward in the fall to work on better defining some of the data governance pieces and then that work that the TAC produces could come back and be amended into this policy framework by December.

Ms. Kimberly Clark, Program Manager II of Resource Conservation and Resilient Communities, reemphasized that this group was working to develop a policy framework for regional advance mitigation to ensure the SoCal Greenprint was aligned with related policy objectives and advising on a white paper for regional advance mitigation. She informed the members that SCAG had been engaging in multiple outreach efforts to seek feedback from members of the private sector, including the building community, environmental and conservation stakeholders, staff from local jurisdictions and county transportation commissions, and others involved in previous outreach engagements for the Greenprint project to date. She thanked the members for their feedback on the draft policy framework at the February 18 meeting. She summarized that their guidance included that:

- SCAG staff should engage further with the development community and their transportation partners on developing the framework;
- Outcomes should be measured to evaluate the regional advanced mitigation goals and guide the initiative;
- Looking at the benefits of RAMP, the framework should emphasize potential of expediting projects and reducing costs for project sponsors;
- The RAMP policy framework should be aligned with policy for the 2024 Connect SoCal plan;

- The definition of publicly accessible data should be included; also, layers included should be authored by government, funded or curated by government agencies, or widely used by government agencies; and
- There should be greater clarity, transparency and board oversight on the data vetting process; and
- That work on the Greenprint should be paused until this can be resolved.

Ms. Clark reported that in moving forward with the Committee's direction on outreach, SCAG staff engage widely with a diverse array of stakeholders to seek feedback on the draft policy framework. Specifically, they held briefings with the Transportation Corridor Agencies (TCA), with the Los Angeles County Planning Department, and with Ventura County. She stated they also engaged local jurisdictions and CTC's broadly on the policy framework through SCAG's established Technical Working Group. She noted that they solicited feedback from stakeholders who had been engaged in the Greenprint effort from their distribution lists of over 600 contacts - including a good portion of those contacts hailing from the business and developer community. She further noted that SCAG conducted four workshops on the policy framework, two different opportunities for business consortiums and two opportunities for stakeholders from environmental and conservation groups. She displayed an overview of verbal comments received from various organizations during the public meeting of the RAMP-ATG, as well as SCAG's Technical Working Group, and their business consortium and environmental sector workshops. She noted that they also received eight written comments from stakeholders by the April 1<sup>st</sup> deadline, including a letter from a coalition of business and construction industries; a letter from a coalition of environmental and conservation groups; comments from Caltrans; a letter from the cities of Irvine, Mission Viejo, and Lancaster; and letters from the Endangered Habitats League, the Friends of Harbors, Beaches and Parks, as well as the Tejon Ranch Company. Ms. Clark noted that from this outreach, SCAG received 11 verbal public comments, of which six comments were largely focused on general concerns related to SoCal Greenprint, such as the Greenprint development process, CEQA implications of data proposed for use in the Greenprint, and the potential impacts on housing and infrastructure development; two comments expressed general support for the Greenprint as a tool to support holistic, sustainable planning and growth; and five comments expressed support for the RAMP and the draft framework. She also reported that from the Technical Working Group there was a comment on the maintenance and currentness of certain data content. From the business consortium workshops, they heard several stakeholders' express concerns with the process for developing the framework, but also heard some support for the goals and framework. From the environmental sector workshops, she stated they received comments that were supportive of the policy framework and heard suggestions to consider. She noted that of the eight written comment letters, many written comments offered general support for the RAMP policy framework, including data themes, datasets and policies.

Ms. Clark proceed to note how these comments manifested in the proposed changes to the Policy Framework. As a refresher, she displayed an overview of the contents from the Framework's introduction and background sections. She indicated that proposed revisions were concentrated in these and the data policies sections and that they had removed the sections on the Greenprint tool's governance standards, user guidelines, data selection criteria, and data parameters to be further informed by the TAC. Looking at the draft RAMP Policy Framework Goals, she reported that business stakeholders requested that a goal be added that SCAG's RAMP initiative should help facilitate infrastructure development and associated co-benefits including but not limited to creating jobs, maximizing taxpayer funds, and supporting the building of housing. She further reported that environmental stakeholders requested that co-benefits of RAMP also be emphasized, including but not limited to landscape and community resilience, emissions reduction, improved water and air quality, wildlife corridors and connectivity, and recreation opportunities. She noted that on SCAG's role stakeholders requested that the role of implementing agencies be emphasized more, and that SCAG's role ought to support and not supersede local land use authority and serve as an information provider and regional convener. Also, that SCAG's initiative should study and assess gaps in advance mitigation and collaborate with partner agencies to ascertain the best means to address those gaps, including by supporting implementation agencies in developing partnership efforts. Further, that SCAG should use a science-based methodology to support implementing agencies development of RAMP initiatives across the region and that SCAG develop the process for monitoring and measuring outcomes from RAMP efforts, consistent with the guidance that staff received from the RAMP-ATG at the February 18 meeting. Ms. Clark noted that building on another recommendation made by members of the RAMP-ATG on data policies, now included a requirement that data in the SoCal Greenprint tool must be created by a government agency, funded by a government agency, vetted by a government agency, used by a government agency, or developed in partnership with a government agency. Also, that the use of best available scientific data be further outlined in governance standards to be developed with guidance from the technical advisory group.

Hon. Curt Hagman, San Bernardino County, stated that he liked the fact that they were limiting the scope of data they will be using and asked what the process was for the elected body [SCAG] or the public to have any input before they start using data. He further asked if there was a process that the staff foresees going through to use the data in any way.

Ms. Clark acknowledged the questions and stated that she thought that data as a resource was one of SCAG's most important roles. She stated that they regularly convened the technical working group made up of staff from local jurisdictions, CTC's and other entities to help inform the use of SCAG's data in their work. She noted that for the SoCal Greenprint project they widely sought feedback on the proposed data layer list consistent with the guidance from Regional Council. She stated that as part of addressing the data standards and governance needs for the SoCal Greenprint, they would be conducting a technical advisory group that would be an open meeting

for any stakeholder to come and provide feedback and raise concerns to that body which will be made up of representatives from local agencies, municipalities, and CTC's. She explained that what they have done as an agency is first have regular convenings with their key users of data, local jurisdictions, and CTC's, and then as part of the SoCal Greenprint project, they conducted a wide survey of the proposed data layers as proposed for inclusion in the SoCal Greenprint. She stated that what they were recommending now was to further make that process transparent with specific guidance from the technical advisory group on the data layers that are to be used from SoCal Greenprint.

Hon. Hagman asked if there was also an appeal process built in. Executive Director Ajise acknowledged the question and stated hopefully the RAMP-ATG will get the chance to establish the TAC who will then report back to SCAG on their work, which will then be presented to the Regional Council. He stated that he hoped there would not be any controversy, but if there was there would be a dispute resolution process.

Hon. Hagman stated he was not trying to make layers of bureaucracy but expressed there should a process for people to be heard.

Ms. Clark stated that the data elements included in the tool will have geographic and thematic breadth necessary to support conservation assessments and consider co-benefits that support the broader goals of Connect SoCal, including consideration of the expressed local planning needs for data related to agriculture and working lands; built environment; environmental justice, equity and inclusion; habitat and biodiversity; vulnerabilities and resilience; water resources; and context. Furthermore, she stated that stakeholders requested that additional information be included on RAMP in the Appendix to the Policy Framework like adding a section on state RAMP efforts, including Caltrans' RAMNA process, show the types of permits a project would be required to obtain if there were impacts to water resources, lists the signatories to conservation plans that are incorrectly included in the appendix to understand the diverse mix of participants that have realized benefits from RAMPs. She further explained that SCAG will be consulting with the TAC to finalize the tool's governance standards, user guidelines, data selection criteria and data parameters, which will then be presented to the EEC and RC as an addendum to this policy framework no later than December 31, 2022. She explained that the TAC will be comprised of at least one staff representative from each CTC in the SCAG region, the TCA, Caltrans, and each county government in the SCAG region, and one city government within each county in the SCAG region. She further explained that the TAC will be open to the public and will seek input from the development community, non-governmental conservation groups, resource conservation agencies, researchers, and other stakeholders.

Furthermore, Ms. Clark stated that included in the draft RAMP policy framework was the RAMP white paper, which was a research exercise to identify the benefits and challenges of RAMP as a regional strategy, as well as ways to support existing RAMP programs and address information gaps.

She stated that this builds from the outline of the white paper that was presented at the second meeting of the ATG on January 28. She noted that the white paper provides research findings on potential roles for SCAG in supporting RAMPs, to improve clarity and ensure SCAG's activities advance the region's priorities, such as facilitating infrastructure development, increasing collaboration, and supporting livable, resilient, and healthy communities and landscapes. She further noted that sections include an overview of RAMP, the foundations of RAMP and its various forms, information on the necessary science-based approach to RAMP, potential partners and collaborators, the scope, scale, and models of RAMP, funding and financing to support RAMP, potential roles and responsibilities, and recommendations for SCAG.

President Lorimore opened the Public Comment Period.

Richard Lambros, Southern California Leadership Council, clarified that the engagement of the business community was not a single letter, rather collaborative thoughts from the business community. He noted that the concern all along has been with the CEQA implications and not goals of the RTP/SCS related to infrastructure and RHNA. He noted there had been some strides in the right direction but expressed confusion on the difference between the policy framework and the white paper. He stated that since there was no rush to get this approved, why not allow for a little more time to absorb this and some thought process around the document. He suggested coming back in a few weeks to allow for more robust discussion. He stated that he appreciated SCAG spending a little more time on the data piece, particularly the Greenprint.

Andy Henderson expressed that he would like to see the RAMP contained to species mitigation solely and be done at a reasonable scale as stated in their letter. He noted that they also want the local governments to retain their prerogatives to not only VMT and other things, but even with respect to species mitigation. He stated CEQA allows ultimate prerogatives to reside with the lead agencies and they want to see those prerogatives honored and continued.

Luis Portillo, President and CEO of the San Gabriel Valley Economic Partnership, expressed concern that racial equity was not addressed in the policy and asked for this to be considered. He also expressed concern on the type of data definitions and asked for this to be vetted fully.

Chris Wilson, Los Angeles County Business Federation, thanked staff for the report and for continuing to keep them engaged. He expressed concerns about the use of best scientific data and asked who this was according to. He stated that this was not only an environmental issue, but was a transportation, housing issue and a social justice issue. He also expressed concern for the RAMP and the SoCal Greenprint only being addressed at the Energy and Environment Committee and not at the other Policy Committees since it seemed to touch upon matters concerning the Policy Committees.

Melanie Schlotterbeck, Friends of Harbor, Beaches, and Parks and the Environmental Coalition, reiterated a couple points from the coalition letter which calls out that mitigation is typically delayed until the very end of the process, which ends up meaning that it's more expensive to complete, more urgent, and sometimes not available. She also touched upon existing dashboards, tools and databases and asked that all of the data layers that were represented in the toolboxes be represented the same way in the SoCal Greenprint. She noted that she would like to see a fair process in terms of vetting data. She stated that the environmental community stands ready to help as NGOs because they have projects acquisitions and restoration opportunities that have been identified. She stated that they saw this RAMP as an opportunity to align all of the values whether it's housing, transportation, or conservation.

Jennifer Hernandez thanked SCAG for revisiting some of the issues that were addressed in the comment letters submitted by the business coalition. She noted that the reason that SCAG was getting so much concern was because Greenprint and the RAMP had strayed from what they thought it would deal with originally which was conservation. She also emphasized the point from one of the previous comment speakers and noted that there was a complete absence in recognizing racial equity in the RAMP.

Seeing no further public comment speakers, President Lorimore closed the Public Comment Period.

Hon. Hagman stated he appreciated the process and staff taking this step by step. He asked what happens if there's a conflict from what SCAG does to what a county does.

Executive Director Ajise stated that the regional RAMP was to make sure that they don't have confusion. He stated that they did not have a region wide policy approach to how SCAG supports the RAMP. He noted that SCAG was not going to develop a program like Orange County or Western Riverside County and what they were talking about was how does SCAG in its regional planning, ensure that those RAMP's are recognized, supported and enhanced. He stated that the RAMP was a policy framework and not the advanced mitigation program itself.

Hon. Hagman expressed concern over ensuring there is a process in place as they build the framework and that there is a way for input and equity for the different regions when they do this. He also noted that as priorities change that there be a process for how they change this over time.

Ms. Jepson noted that the white paper was attached as an appendix to the Policy Framework because it was a lot of the research that helped inform both the background that's in the policy framework, as well as some of the goals in the policy framework. She indicated this gave them better language to talk about what SCAG's role is in that policy framework. She noted that the white paper had a section that addressed what SCAG's potential role could be and listed a series of options such as being an information provider, a mitigation planner, a convener, a coordinator, a

hub for mitigation marketplace, a funder, or a mitigation sponsor. She indicated that what they had highlighted in the policy and pulled from this research was that SCAG should focus its attention on being an information provider and providing innovative data and tools to get that information out to their communities, as well as being a convener and a coordinator. She stated this policy narrows their role in a way that is consistent with the feedback that they had received which was that SCAG should be ready to support the agencies that are already doing this work.

Hon. Hagman asked about next steps on the Greenprint after they complete the white paper and the RAMP.

Ms. Jepson acknowledged the question and stated they were suggesting the creation of a TAC with the primary agencies that would anticipate using the Greenprint tool because the agencies would be in a position of needing to do some advanced mitigation for their projects. The TAC would consist of cities, counties and transportation agencies that SCAG would support as they do advanced mitigation, and this would be very consistent with SCAG's role of helping others.

Hon. David Pollock, Moorpark, District 46, asked what the criteria has for what is included or not included in the Greenprint, and once available if there would be some sort of disclaimer.

Ms. Jepson acknowledged the question and stated that the more detailed discussion around the data governance and what data is included and excluded and most valued by partners who are working to pursue advanced mitigation opportunities would be determined through engagement with the TAC that they are looking to establish this fall to provide some additional guidance, which they would then add to the policy by December of next year.

Hon. Peggy Huang, TCA asked what role the Regional Council would play in the final data set that gets put out and about a process for appeals.

Ms. Jepson stated that the TAC would do some additional work and provide recommendations to the staff, and staff would then bring that back to the Regional Council through the Energy and Environment Committee by December of this year. She further stated that as part of the governance process, they had not outlined an appeals process at this point, but that was something that could be considered through the TAC and as they make recommendations to the staff that would be brought back to the Regional Council. She noted they were giving themselves more time to work through these issues.

Executive Director Ajise noted the TAC will work on data governance for policy makers to consider. He indicated that they are taking their time to bring in representatives from all of the project initiators and project owners that would want to build a RAMP so that they can be part of this

process to talk about the data and how the data will be governed and hopefully in that conversation develop a dispute resolution process.

Hon. Huang asked if they needed to change the bylaws to address the role of the TAC and its relationship with the Regional Council.

Executive Director Ajise stated that from the staffing level the Regional Council was the legislative body and the governing body of this organization and could take or not take any recommendations. He stated that if there was a need for a bylaw change it was early and could bring this back but from staffs' perspective it was not recommended.

Ms. Jepson stated that the recommendations of the TAC would go to staff who would process those [recommendations] and pass them on to the Regional Council for consideration as they do with many of their other program areas. She noted that the TAC would be set up similar to the Technical Working Group and would advise staff so that they make sure that they are making sound recommendations to the Regional Council.

Hon. Huang stated she thought it was important to have the dialogue and something for the members of the Regional Council to think about.

Hon. Art Brown, Buena Park, District 21, shared his experience working with RAMP's when he was the Chairman of OCTA. He stated that he had read all the materials provided by SCAG and looked through the minutes of the last meeting. He indicated that he thought this was a good process and had worked well in Orange County. He stated that he thought it would work well throughout the region.

President Lorimore indicated he would be seeking clarification on a couple of items. He asked staff to address the difference between the Policy and the white paper.

Ms. Jepson explained that the white paper was really some research that provides background on the RAMP and some regional context around the regional advanced mitigation planning efforts that exist across the SCAG region and the steps that are involved in regional advanced mitigation planning. She further explained that it outlines different partners and collaborators and roles that can be played including by SCAG. She indicated that the research would help define the type of data that is important for doing the conservation assessments that are needed in order to move forward with advance mitigation planning. She noted that it was a research paper that supports what is in the policy framework at this point. She explained that it would be a useful tool as well when the TAC is convened to look at particular data sources to incorporate into the Greenprint that would be developed.

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Hon. Hagman asked what the process was with the Greenprint and if it was something staff was going to bring back to the subcommittee.

Executive Director Ajise stated the ATG was really on the RAMP because the suggestion was that the Greenprint needed to take a backseat to first develop the policy framework that it fits under. He stated that they were also suggesting that as a result of this policy framework the new technical advisory committee would help create the way forward on what the Greenprint will be. He indicated that there were considerations and data governance that will come back to the Regional Council.

Hon. Hagman indicated he thought the subcommittee would look at the whole process including the Greenprint. He stated that he hoped that at some point they get to look at this [the Greenprint].

Executive Director Ajise stated that the process was included in this policy framework to set up the TAC and if there was more that they wanted to add they could add it to the policy framework as well.

Hon. Hagman stated that he hoped at the next meeting they would have a little more detail on the Greenprint process. He stated he did agree with the RAMP and the white paper.

President Lorimore sought clarification on the composition of the TAC and asked if this consisted of the counties and city government, each County Transportation Commission, the Transportation Corridor Agencies and Caltrans.

Executive Director Ajise stated that this was the suggested composition, but they could add or subtract.

President Lorimore sought clarification on species mitigation not GHG reduction in relation to RAMP as a best practice.

Executive Director Ajise stated that typically the RAMP was about species, conservation, and resources. He explained that what they were looking at was advance mitigation and understanding what a projects impact might be and how they might mitigate it in advance rather than wait until the last minute when permits are needed and creates project delays. He noted that this was the best practice of a RAMP.

President Lorimore noted there were also comments earlier in the meeting about racial equity and the intended purpose of the best scientific data. He asked staff to address this.

Ms. Jepson stated that the policy itself included supporting opportunities around environmental justice communities. She indicated that they had done the stakeholder outreach process and there had been interest in making sure that in a tool like Greenprint they could note where they have racial inequities and injustices and make sure that those communities are noted so they can pursue some mitigation activities that would support more green space in those communities and other types of opportunities.

Ms. Clark noted that SCAG had met with the CTC's to get feedback on advanced mitigation and to look at the data resources. She stated that one of their key stakeholders, Metro, had shared that environmental justice equity inclusion was one of their most important data needs, and that helped to factor into the data items that were included in the data sections in the Policy Framework. She noted that the data selection criteria, although taken out now, was something that will be a good starting place to help factor into the work that staff will be doing with the Technical Advisory Committee.

Hon. Huang sought clarification on the Greenprint and stated that she wanted to make sure they were not going to work on the Greenprint and that the focus would be to give this to the TAC to come up with the final [data] set.

Executive Director Ajise confirmed they had put a pause on the Greenprint and are waiting for this RAMP Policy Framework to be set. He indicated it was good opportunity to reconstitute that process, which is what the TAC will do. He indicated that the TAC would take on this work and then come back with the data governance and data definition for the Greenprint for the Regional Council to consider.

President Lorimore sought clarification on staff's recommendation to have this [the RAMP Policy Framework] go to the EEC.

Executive Director Ajise indicated that the work of the PEIR has always been at EEC, but that there was nothing preventing them from taking this to other committees. He explained that this was an EEC assignment with a recommendation back to the Regional Council, the others [committees] would just be receive and file.

President Lorimore sought clarification on Ms. Schlotterbeck's comment about using other SCAG tools.

Executive Director Ajise stated that he understood that Ms. Schlotterbeck was indicating that there were other SCAG tools that have data in them that have been very useful and are being used very actively by their member agencies. He stated that he thought she was asking for evenhandedness on how these tools are done by SCAG.

President Lorimore sought clarification on including specific data sets and understanding the intended purpose of the data set for inclusion.

Ms. Clark explained that understanding the metadata behind various resources and making that transparent will be the key feature of the tool. She stated that each data element has information associated with it and how it should be used. She noted that having very clear direction on how data is used and to be consistent with the origination of the data set in itself was really important. She also indicated that this was covered in the original draft and would be good starting place for discussions with the TAC.

The Committee members discussed the next meeting date of the RAMP-ATG which would be confirmed at a later date.

### **ADJOURNMENT**

There being no further business, President Lorimore adjourned the Regular Meeting of the Regional Advanced Mitigation Planning - Advisory Task Group at 3:41 p.m.

[MINUTES ARE UNOFFICIAL UNTIL APPROVED BY THE RAMP-ATG]

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Southern California Association of Governments  
Remote Participation Only  
**November 16, 2022**

**MINUTES OF THE MEETING**  
**REGIONAL ADVANCED MITIGATION PLANNING –**  
**ADVISORY TASK GROUP (RAMP-ATG)**  
**TUESDAY, APRIL 26, 2022**

THE FOLLOWING MINUTES IS A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL ADVANCED MITIGATION PLANNING - ADVISORY TASK GROUP (RAMP-ATG). A VIDEO AND AUDIO RECORDING OF THE ACTUAL MEETING IS AVAILABLE AT: <http://scag.iqm2.com/Citizens/>.

The Regional Advanced Mitigation Planning - Advisory Task Group (RAMP-ATG) of the Southern California Association of Governments (SCAG) held its meeting virtually (telephonically and electronically), given the declared state of emergency (pursuant to State of Emergency Proclamation dated March 4, 2020) and local public health directives imposing and recommending social distancing measures due to the threat of COVID-19, and pursuant to Government Code Section 54953(e)(1)(A). A quorum was present.

**Members Present**

<b>Hon. Clint Lorimore, President, Chair</b>	<b><i>Eastvale</i></b>	<b>District 4</b>
Hon. Art Brown	<i>Buena Park</i>	District 21
Hon. Curt Hagman		San Bernardino County
Hon. Peggy Huang, Vice Chair, LCMC		TCA
Hon. David Pollock, Chair, EEC	<i>Moorpark</i>	District 46

**Staff Present**

- Kome Ajise, Executive Director
- Darin Chidsey, Chief Operating Officer
- Sarah Jepson, Director of Planning
- Michael Houston, Chief Counsel, Director of Legal Services
- Maggie Aguilar, Clerk of the Board

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The Honorable Clint Lorimore called the meeting to order at 2:01 p.m. President Lorimore asked Supervisor Curt Hagman, San Bernadino County, to lead the Pledge of Allegiance.

Given the declared state of emergency (pursuant to State of Emergency Proclamation dated March 4, 2020) and local public health directives imposing and recommending social distancing measures due to the threat of COVID-19, and pursuant to Government Code Section 54953(e)(1)(A), President Lorimore announced the meeting was being held virtually (telephonically and electronically).

### **PUBLIC COMMENT PERIOD**

President Lorimore opened the Public Comment Period and outlined instructions for public comments. He noted this was the time for persons to comment on any matter pertinent to SCAG's jurisdiction that were not listed on the agenda. President Lorimore reminded the public to submit comments via email to [scaggreenregion@scag.ca.gov](mailto:scaggreenregion@scag.ca.gov).

The Clerk acknowledged they had received one written public comment from the BIA by the 5 p.m. deadline which had been transmitted to the members and posted on SCAG's website.

Richard Lambros stated he would be speaking in regards to agenda Item No. 1.

Seeing no public comment speakers, President Lorimore closed the Public Comment Period.

### **REVIEW AND PRIORITIZE AGENDA ITEMS**

There was no prioritization of agenda items.

### **ACTION CALENDAR**

#### 1. Final Draft RAMP Policy Framework

President Lorimore asked if there were any members of the public that wished to speak on Item No. 1.

Richard Lambros, Southern California Leadership Council, stated he felt it had all started to sort out in the last couple of meetings. He stated he had three asks that he wanted to make on behalf of the Southern California Business Coalition. The first, he stated they needed, at least 30 additional days for stakeholder input to continue to refine the documents. He stated they were also working on a redline policy framework on behalf of the business coalition which they hoped they would have within 24-48 hours of that meeting with their entirety of thoughts. He stated those could be summarized in two core areas. He stated that as time had gone on, they thought it had gotten clearer that the RAMP framework was about the RAMP, but their argument would be for them to get the remainder of the Greenprint policy separated so that this document was truly about RAMP and not mixing Greenprint. He stated that second, they thought the process for how to address Greenprint was touched on with the idea of the TAC, but further detail was needed as to how that

would work. He stated they did not want to see the removal of the policy maker involvement. He stated they would love to see a new Greenprint ATG and direction from the Regional Council as to that Technical Advisory Committee. He reiterated the three asks were a little more time, focusing on removing Greenprint and building out policy maker involvement and more detail on how they will deal with Greenprint separate from the RAMP technical advisory committee.

Brian Palmaro, Greater Coachella Valley Chamber of Commerce, stated the Greenprint and RAMP were two different tools and should be treated as such. He stated they felt there was no rush on this, and the time should be taken to get this right. He stated they were requesting a delay in any vote and to allow for at least 30 days for an additional review and input.

Jack Eich, SoCal Climate Action, stated they urged the ATG to approve the policy framework and continue as outlined in the staff report. He stated the assurance requested by the business community had been included and that there would be concurrence by the Regional Council. He stated the appropriate committees would be included in the decision making and that TAC would have input on the data. He stated the BizFed Coalition and the BIA kept changing the goal posts. He stated it was interesting to hear BizFed and the BIA debating the RAMP and Greenprint separately because they seem to be confusing the two themselves. Furthermore, he stated that banning the word Greenprint in the RAMP completely ignored the fact that Greenprint was an adopted mitigation measure by SCAG. He stated that the business interests they were hearing from on that day, were asking staff to abandon its mitigation measures and add risk by ignoring that legal obligation. He stated they urged adoption of the staff recommendation.

Melanie Schlotterbeck provided comments that she stated represented more than 50 groups in the Environmental Coalition that spanned the entire SCAG region representing all six counties. She stated they urged the ATG to approve the policy framework and continue as outlined in the staff report. She stated she was a bit confused when BizFed and the BIA asked for more time. She stated the Greenprint and RAMP had been discussed for five years including nine meetings at the working group level and had been in the last three RTP's. She stated this was simply a stall tactic. She stated she was confused the BizFed and the BIA say that the ATG was tasked with creating a policy framework on the Greenprint when that was not true. She stated the Regional Council (RC) had voted 43:15 in October to develop a white paper and policy framework on RAMP to ensure the Greenprint was aligned with policy objectives. She stated six months since the RC decision was more than enough time for the ATG to make recommendations. She stated she was confused when BizFed and the BIA said to ban the word Greenprint from the RAMP document because RAMP, a mitigation tool, and the Greenprint, a decision support tool, were both included as mitigation measures in Connect SoCal. She stated the goal was to help cities, counties and transportation agencies make better land use and transportation decisions and conserve natural and farmlands. She stated further confusion when BizFed and BIA said they had more concerns that needed to be addressed and asked when those would be brought up with specificity. She asked why the

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Greenprint needed to start all over when it needed to be completed. She stated the Environmental Coalition continued to support the RAMP policy framework, the creation of the SoCal Greenprint and the adoption of staff recommendations.

Chris Wilson, representing the Los Angeles County Business Federation known as BizFed stated that though they appreciated the continued pause on the SoCal Greenprint, they were concerned the report on that day still included references to the SoCal Greenprint in the RAMP framework. He stated they were not confused, the SoCal Greenprint and RAMP were two different tools and should be treated as such. He stated there was no rush to move forward on this at the moment. Furthermore, he stated that for this reason, they were requesting for a delay in any vote and allow 30 days for additional review and refinement.

Ray Baca, Executive Director for the Engineering Contractors Association, stated he was there to support the Business Coalition's previous recommendations including that all remaining references to Greenprint be removed from the RAMP policy framework. He stated it had created too much confusion the way it was currently stated. He stated his coalition requested the RAMP do away with the final adoption of the proposed policy and allow for a minimum of 30 to even 60 days for additional review and refinement.

Jennifer Ward, Senior Vice President of Advocacy for the Orange County Business Council, stated she wanted to echo the requests and concerns that were expressed by other members of the business coalition as outlined in the three preferred responses from the committee from Rich Lambros. She stated the members of the coalition continued to express concerns, in particular the language as it led for additional threats to CEQA litigation.

Julie Coffey with Friends of Harbors, Beaches and Parks, urged [RAMP] ATG to approve the policy framework and the process as it was previously outlined. She stated they had heard a lot from the business coalition around the Greenprint and RAMP and thought this was part of a precedent to politicize data and hold up a process that would benefit all of Southern Californians. She stated this was about getting good data so that all Southern Californians could envision a better future.

Dan Silver, Endangered Habitats League of Southern California Regional Conservation Group, stated they urged adoption of the RAMP policy framework that day, which had been the direction from the Regional Council. He stated adoption would get the region moving forward on streamlining for transportation projects and securing mitigation that was important for open space for urban communities. He stated it was open space that made communities better and more desirable. He stated Greenprint was an information source for the RAMP and references serve the goal of alignment and there was no reason for delay.

John Switalski echoed the comments of the previous opponents of the process. He reiterated the call for at least a 30-day delay. He stated the process had changed throughout and that they had not been heard, they had not been listened to and their concerns had not been taken into account. He stated they were seriously concerned this would threaten infrastructure.

Luis Portillo, President and CEO of the San Gabriel Valley Economic Partnership, echoed the comments to delay the implementation of what was being proposed to them on that day. He stated he thought the problem ultimately stemmed from Greenprint. He asked for a delay.

Jennifer Hernandez echoed all comments but particularly put a plea on the last speakers comments to the extent they were working in this ATG effort, or with the idea they were helping to solve the housing problem, which she stated they were not. She stated the fact they wanted to refer this to the environmental committee rather than the other committees that had jurisdiction over the land use development decisions. She stated this was hijacking a mitigation measure to undo what all of them on that call supported which was the Connect SoCal Plan as adopted. She stated it had hundreds of transportation projects in the RTP ready for funding unless they handed the Greenprint tool to people who wanted to stop those projects. She stated Greenprint was a helpful tool if appropriately designed.

Andy Henderson stated he wanted to remind ATG they began opposition to Greenprint a year ago. The upshot was directive from RC to set up special group to look at the RAMP and to put in place RAMP framework that arguably was supposed to then be something that the Greenprint could come into alignment with. He stated they needed to have a separate discussion on Greenprint.

Benjamin Lopez echoed comments made. He stated they had the document for less than five business days. He stated they really opposed rushing through the process.

Claire Schlotterbeck, Executive Director of Hills for Everyone, urged the adoption of the policy framework and advancing staff recommendation. She stated BizFed and the BIA seemed to think that housing and conservation were conflicting priorities and that the Greenprint and the policy framework must be further paused. She stated SCAG had to reject that notion and that the validity of Connect SoCal, the Regional Plan Sustainable Communities Strategy depended on the timely completion of all mitigation measures including Greenprint.

Monika Pointer with the City of Irvine stated they submitted a letter that was conjoined with the City of Mission Viejo that reviewed the Greenprint project. She shared her disappointment because this was not being shared with the local jurisdictions other than member agencies of SCAG. She stated there was a lot of concerns at the jurisdictional level. She requested a delay consistent with what the building industry was asking for. She requested they look at their comments.

Clayton Miller, representing the Southern California Contractors Association, stated they wanted to add their voice to the others in the business coalition that had expressed concerns. He asked for a delay of 30 days so that continued review and refinements could be added to the documents they were discussing on that day.

Seeing no additional public comment speakers, President Lorimore closed the Public Comment Period.

President Lorimore called on Kome Ajise, Executive Director, to provide the presentation on the item.

Executive Director Ajise welcomed members of the public and members of the committee to the 5th meeting of the RAMP-ATG. He stated they appreciated their participation in this process and on the committee. He stated the ATG set out to establish a policy framework for advance mitigation in the region and ensure the Greenprint Tool would align with policy objectives. He stated they were pleased to bring the final draft of the RAMP policy framework for their consideration. He stated staff was recommending the RAMP-ATG accept the final draft RAMP Policy Framework and forward it to the Energy and Environment Committee in June and Regional Council later on in the summer for approval. He stated this would be consistent with the Regional Council resolution of October 2021. He stated that during the last meeting on April 18, staff reviewed with them the Draft RAMP Policy Framework and the changes that were made based on the feedback and the additional outreach conducted over the last two months. He stated the text in the Final Draft RAMP Policy Framework that was before them for their consideration that day had not been revised from the April 18, version. He stated they had simply removed the red-line to make it easier to read and that what they had before them was exactly what they had seen at the April 18, meeting. He stated they appreciated the discussion from the prior week and hoped their questions were addressed. Furthermore, he stated the staff report highlighted some of the issues that were discussed at that meeting with references to how these issues were addressed in the policy framework. He shared they had reserved time for dialogue among the Advisory Task Group to consider and take action to advance or amend staff's recommendations in order to complete the work of the ATG. He added that concluding the work of the ATG, did not mean the policy development process for RAMP or Greenprint was complete. Executive Director Ajise stated that as had been discussed the prior week, while that body had made great progress in defining goals for a RAMP initiative and SCAG's role to support RAMP, they appreciated there had not been time to dive into more of the technical issues around the data needs and resources needs to support RAMP. He stated that for that reason, the RAMP Policy Framework they were considering that day included setting up a stakeholder TAC to do a number of things such as:

- advise on data governance standards, user guidelines, data selection criteria, and data parameters;

- advise on a process to resolve potential divergent perspectives on potential SoCal Greenprint tool data; and
- provide input for finalizing the Appendices of the final draft RAMP Policy Framework.

He stated this would be work done and guided by their policy action on that framework, then set up the TAC. He stated the TAC would do more work that would roll back to the RAMP policy framework. He stated there was no effort to sneak around to complete the Greenprint. He stated the Greenprint had been on hold and that they had not done work on it. He stated there had been comments along those lines and he wanted to make sure it was clear that there was no work being done on the Greenprint. He shared that the work of the TAC would be reported back to the EEC and RC by the end of the calendar year for consideration as an addendum to the Policy Framework. He stated he wanted to acknowledge they had received comments from the Business Community that more time would be valuable, and that data policies listed in the Policy Framework should be the purview of the TAC. He expanded stating that while staff believes the data policies were at a high-enough level to guide without constraining the TAC in their work, they also believed the TAC could add value to the data policies discussion. He stated that if it was the ATG's direction, they could address this request by simply expanding the scope of the TAC in the Policy Framework and bringing the data policies back to the Policy Committee and Regional Council for consideration as part of the addendum being proposed. He stated it was important to acknowledge that most of the data policies included were based on feedback from their outreach process and reflect the priorities of stakeholders engaged in the process. Therefore, he stated the TAC may want to consider these as a starting point. Lastly, he stated he wanted to open it up for discussion and hoped they could get to an action that day that did justice to their hard work over the last several months and advanced the policy work on RAMP for further consideration by the Energy and Environment Committee and Regional Council.

Regional Councilmember Pollock asked Executive Director Ajise what would be the consequences of delaying this another 30 days. Executive Director Ajise stated there was really no consequence, but it was a matter of trying to get this done. Furthermore, Regional Councilmember Pollock stated he had read the letter from the business industry group and asked where they were in terms of agreement/disagreement with their points. Executive Director Ajise stated they had met with them and had a good meeting where they addressed the three items presented by Rich Lambros. He stated they thought there were no fatal issues there. He stated the big item was about extending the time which they felt was [the committees] prerogative. He discussed how there was an item requesting removal of any Greenprint reference and that to him was a difficulty because the RAMP Policy was the policy Framework and the Greenprint was the tool that would be developed. He stated he hoped and heard that the intent was for the RAMP Policy Framework to provide a set of guidelines for how the Greenprint would evolve such that it would be in alignment with the overarching RAMP policy. He stated that therefore to not have references to Greenprint presented some measure of technical difficulty.

President Lorimore stated he had a question regarding the consequences of pushing this out an additional 30 days relating to member Pollock. President Lorimore stated his understanding was that member Pollock would no longer be [SCAG] board member after the General Assembly [taking place May 5, 2022]. Member Pollock stated he had chosen not to run for his seat on the Regional Council therefore he would be replaced but he would remain an elected official of another organization. He stated that if the RAMP needed him to come back, he would be happy to do that for continuity purposes. President Lorimore stated he would check with legal counsel given member Pollock would no longer be a Regional Councilmember, he asked if that would be kosher.

Chief Counsel Houston stated he was looking and that his recollection was that the direction was that the [committee] was supposed to be composed of five Regional Council members.

Regional Councilmember Huang stated that if there would be a legal technical problem in terms of the resolution as written she would be happy to take it to the Regional Council and move that they amend that resolution so that they could keep member Pollock on. Furthermore, she stated she was in agreement with pushing this back because she did not think they should be oceans apart with their stakeholders. She stated the resolution was clear to collaborate with their stakeholders. She asked how much of their framework considered the comments [provided] and addressed concerns because the comments made that day made it sound like they had not been addressed. She stated it had been repeated on that day that the white paper was supposed to be their policy framework so that Greenprint could be developed to be aligned with it. Executive Director Ajise clarified that the RAMP policy Framework was what [the Greenprint] needed to be aligned with and the white paper was an appendix to that. Member Huang asked why the white paper was now an appendix because when they had talked about it as part of the resolution it said they were to develop a white paper which would be the policy framework. Executive Director Ajise explained the white paper was separate from the policy framework. He stated the white paper was in fact a research document that talked objectively about Greenprint. He then stated there was a policy framework which was their work to determine exactly how RAMP would be done. Member Huang asked where the policy was and that her concern was with the data sets. She stated she believed the reason they were not on the same page was because different groups were talking about different things. She stated that if there was a disagreement, she would like for members of that committee to be able to see the discrepancy.

Chief Counsel Houston stated he looked at the language and the language that was taken as part of the motion required that the committee/task force be comprised of five members of the Regional Council. He stated he would think of this further and maybe there was a nuance to this with regards to the timing of the appointment. He stated that maybe the cleanest thing to do was to have the Regional Council take some sort of action to change that if that was desired.

Regional Councilmember Hagman stated he thought they would have some changes that day from the input. He stated his goal was to have 90% of both groups agree on the document and they needed to take their time. He stated he would be happy to take what they had come up with on the RAMP minus the Greenprint references because that was a known heartburn to the majority of the opposition.

Regional Councilmember Pollock stated he had made some observations and hoped it would help staff. He stated they would be unable to resolve the differences between the building industry and environmental organizations. He stated the problem seemed to be the Greenprint. He stated there was nothing magical about the components of it, just that they had created a convenient index to make it easier for people to find the data. He stated he thought the concern of the business community was that by doing that they conferred some officialness to those sources. He stated that could be handled with an appropriate disclaimer saying there was an index of available sources of data which did not mean it had been examined and approved for authenticity by [SCAG]. He stated something along those lines to diffuse the fear that the building industry has about the Greenprint being used to weaponize CEQA. He stated it did not seem far out of reach. He shared the RAMP should be embraced by both sides given the intent of it was to deal with environmental mitigations in advance of projects. He indicated this should be helpful to the building industry, so they did not have to deal with the same issues over and over again with every project. He expressed his support for taking more time to see if they could make these things happen.

Regional Councilmember Brown stated that based on what they had heard that day they were divided. He stated he saw most of the members leaning towards continuing this but also confusion by members as to what has happened. He stated he moved to continue this for two weeks and get the redline from the building community.

President Lorimore stated the two weeks put them past the upcoming General Assembly.

Regional Councilmember Hagman wanted to circle back with legal counsel to see if they could temporarily recruit [member Pollock]. Furthermore, he stated he was fine with another two weeks and wanted for staff to go back to and see how much they could take out of the draft and still keep the policy of RAMP going forward but not have it reference to something that was unknown at this point. He stated that was his second recommendation to scrub it the best they could to get the reference out. He stated that if they were able to clean up the current RAMP policy out of those references, that were kind of vague, put it back out there and return in two weeks, then they could figure out how to deal with the Greenprint.

Executive Director Ajise stated he wanted to note as they voted on the motion, they had the time, but they also had room to amend the framework before them. He stated it would be good to know what the adjustments were so they would get what they were looking for at the next meeting.

President Lorimore called for the vote.

A MOTION was made (Brown) to continue this for two weeks with Regional Councilmember Hagman’s recommendations. Motion was SECONDED (Huang) and passed by the following votes:

**AYES:** Brown, Hagman, Huang, Lorimore and Pollock (5)

**NOES:** None (0)

**ABSTAINS:** None (0)

President Lorimore stated that what they had done was push this back at least two weeks according to the motion. He asked if there were any further discussions from the ATG.

**ADJOURNMENT**

There being no further business, President Lorimore adjourned the Meeting of the Regional Advanced Mitigation Planning - Advisory Task Group at 11:40 a.m.

[MINUTES ARE UNOFFICIAL UNTIL APPROVED BY THE RAMP-ATG]

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## AGENDA ITEM 3 REPORT

Southern California Association of Governments  
Remote Participation Only  
November 16, 2022

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**To:** Regional Advance Mitigation Planning - Advisory Task Group (RAMP-ATG) **EXECUTIVE DIRECTOR'S APPROVAL**

**From:** India Brookover, Senior Planner  
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**Subject:** Draft RAMP Policy Framework and Stakeholder Engagement Summary

*Kome Ajise*

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### RECOMMENDED ACTION:

Staff recommends that the RAMP-ATG accept the final draft RAMP Policy Framework, and forward the framework to the Regional Council and Energy & Environment Committee with recommendation for approval.

### STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 3: Be the foremost data information hub for the region.

### EXECUTIVE SUMMARY:

*As directed by the Regional Council (RC) on October 7, 2021, staff has been working with the Regional Advance Mitigation Planning Advisory Task Group (RAMP-ATG) to establish a white paper and policy framework for advance mitigation in the region, to ensure the future Greenprint tool is aligned with identified policy objectives.*

*A draft RAMP Policy Framework (also sometimes called the "Policy Framework" in this report) was presented at the RAMP-ATG meeting on April 26<sup>th</sup>. At this meeting, RAMP-ATG members heard public comments in support of the Draft RAMP Policy Framework as presented as well as concerns, which included a request from the business and development community for more time to provide specific written feedback. SCAG staff has met with the business community several times since the April meeting and received written comments on November 9, 2022. Staff also held separate meetings with stakeholders from the environmental and conservation community and from the public sector. A summary of the stakeholder engagement efforts since the April 26<sup>th</sup>, 2022 RAMP-ATG meeting is attached. Modifications have been made to the policy based on this feedback that staff believe are both consistent with the mitigation requirements and prior RC and ATG direction. As noted below, this report includes an attachment that depicts those changes made to the draft Policy Framework since the April 26<sup>th</sup> meeting.*

*The majority of the feedback received through these engagements was focused on a relatively small section of the draft Policy Framework that discusses the Greenprint tool and associated data. Consistent with previous direction and desire by RAMP-ATG members to ensure a clear process for addressing these data issues, staff is seeking approval on the formation of a Greenprint Technical Advisory Committee (TAC) as part of the RAMP Policy Framework. The TAC will advise staff on the development of data policies, governance standards, user guidelines, data selection criteria, and data parameters; such policies and standards developed by the TAC would be presented to the Energy & Environment Committee (EEC) and the RC for their review and approval. Because of the now-proposed process to form a TAC, and because the Policy Framework is primarily focused on RAMP, consistent with prior discussion with the ATG, the Policy Framework presented in this report has removed some discussion of the Greenprint as being not necessary in this document. Staff intends to initiate a competitive procurement process to obtain a new consultant with experience preparing environmental impact reports within the SCAG region to facilitate the proposed TAC and complete the SoCal Greenprint webtool for review by the Regional Council (which review was previously directed by the RC at their October 2021 meeting). SCAG's contract with the Nature Conservancy expired as a result of the extended pause on the Greenprint tool, and therefore, additional technical support is needed to complete the project.*

*With approval of the RAMP Policy Framework, the RAMP-ATG will have completed its assignment under the direction of the RC in October 7, 2021 to work with SCAG staff to develop a white paper and establish a policy framework for advance mitigation in the SCAG region to ensure the Greenprint is aligned with policy objectives. The recommended RAMP Policy Framework will be brought forward for recommended approval by the EEC to the RC. This action will include the release of the RAMP white paper.*

#### **BACKGROUND:**

##### **Regional Council Direction**

On October 7, 2021, SCAG's Regional Council voted to continue the pause on implementation of the SoCal Greenprint to allow for further engagement with stakeholders. This decision was to ensure the future tool will advance the policy direction and requirements of the mitigation measures in the Program Environmental Impact Report and related Addendum No. 1 for Connect SoCal, the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. During this pause, direction was provided for SCAG staff to develop a white paper and work with a five-member advisory task group of the RC on establishing a policy framework for advance mitigation in the SCAG region to ensure the Greenprint is aligned with policy objectives.

### **RAMP-ATG Work Scope and Stakeholder Outreach**

The RAMP-ATG has met five times since December 2021 and will be convening on November 16, 2022 to further consider the final draft RAMP Policy Framework. The RAMP-ATG has heard public comments on the SoCal Greenprint and draft RAMP Policy Framework; heard presentations on existing regional advance mitigation programs in the SCAG region; reviewed feedback from interviews with county transportation commissions on regional advance mitigation planning; reviewed the Connect SoCal goals, strategies, and PEIR mitigation measures related to development of a RAMP initiative and the SoCal Greenprint; and had robust discussion on the draft RAMP Policy Framework, including the draft RAMP white paper.

At the previous meeting on April 26<sup>th</sup>, 2022, RAMP-ATG members heard public comments in support of the RAMP Policy Framework as presented as well as concerns, including a request from the business and development community for more time to provide specific written feedback. The RAMP-ATG voted to continue the process for at least two weeks and reconvene after SCAG receives specific written feedback from the business and development community.

Since the April 26<sup>th</sup> meeting, SCAG staff have engaged with stakeholders in the business, environmental/conservation, and public sectors. A summary of feedback from meetings with each group is attached. The majority of feedback was focused on the SoCal Greenprint and its associated data. In response to this feedback, SCAG is requesting approval to convene a Greenprint Technical Advisory Committee (TAC) to advise on data selection criteria, parameters. A more detailed description of the TAC is included in the next section.

SCAG also received written comment regarding the draft RAMP Policy Framework and/or the SoCal Greenprint, which are attached to this staff report. The SoCal Business Coalition submitted a red-lined version of the Draft Policy Framework with proposed changes that include limiting the scope of the RAMP to lands planned for agricultural or open space and mitigation for agricultural and biological resource impacts, removal of references to the SoCal Greenprint and an appendix outlining next steps for SoCal Greenprint development. Another business stakeholder, Tejon Ranch Co., submitted a letter requesting exclusion of the Antelope Valley Regional Conservation Investment Strategy (AVRCIS) data from the SoCal Greenprint, or to preface the dataset with a May 3, 2022 letter from the California Department of Fish and Wildlife clarifying the role of the RCIS. Finally, the Orange County Transit Authority (OCTA) requested the opportunity to review and comment on the final RAMP Policy Framework before submittal to the ATG, EEC, and RC for approval.

### **SoCal Greenprint Contract Update**

SCAG's contract with The Nature Conservancy ended on September 30<sup>th</sup> 2022. If the RAMP-ATG and Regional Council approve the Policy Framework, SCAG will initiate a competitive procurement process to obtain a new consultant with experience preparing environmental impact reports within the SCAG region to facilitate the proposed Technical Advisory Committee (TAC) and create the

SoCal Greenprint webtool for review by the RC, which review was directed by the October 2021 action of the RC.

To ensure that data provided through the SoCal Greenprint tool aligns with advanced mitigation opportunities and fulfillment of the Connect SoCal PEIR mitigation measures, establishment of the tool will adhere to data policies, governance standards, user guidelines, data selection criteria, and data parameters that staff proposes be developed with input and consultation from a Technical Advisory Committee (TAC) and thereafter presented to the Energy & Environment Committee (EEC) and the Regional Council (RC) for their review and approval. This staff recommendation to create a TAC is included in the Policy Framework to provide the direction necessary to move forward with this component of the process. As directed in the draft Policy Framework, the TAC will be comprised of at least one staff representative from: each county transportation commission in the SCAG region, Caltrans, each county government in the SCAG region, the City of Los Angeles, and two city governments within each county in the SCAG region to be determined with input from subregional entities. TAC meetings shall be open to the public and will seek feedback from the development community, non-governmental conservation groups, regional conservation agencies, researchers, and other stakeholders.

**FISCAL IMPACT:**

This project is funded in SCAG’s Fiscal Year 2021-2022 Overall Work Program under 290-4919.01.

**ATTACHMENT(S):**

1. Attachment 1 - PowerPoint Presentation - ATG Draft Policy Framework
2. Attachment 2 - November RAMP-ATG Draft Policy Framework
3. Attachment 3 - Stakeholder Engagement Summary
4. Attachment 4 - Public Comment; SoCal Business Coalition Redline of SCAG RAMP Policy Framework
5. Attachment 5 - Public Comment; Orange County Transit Authority (OCTA)
6. Attachment 6 - Public Comment; Tejon Ranch

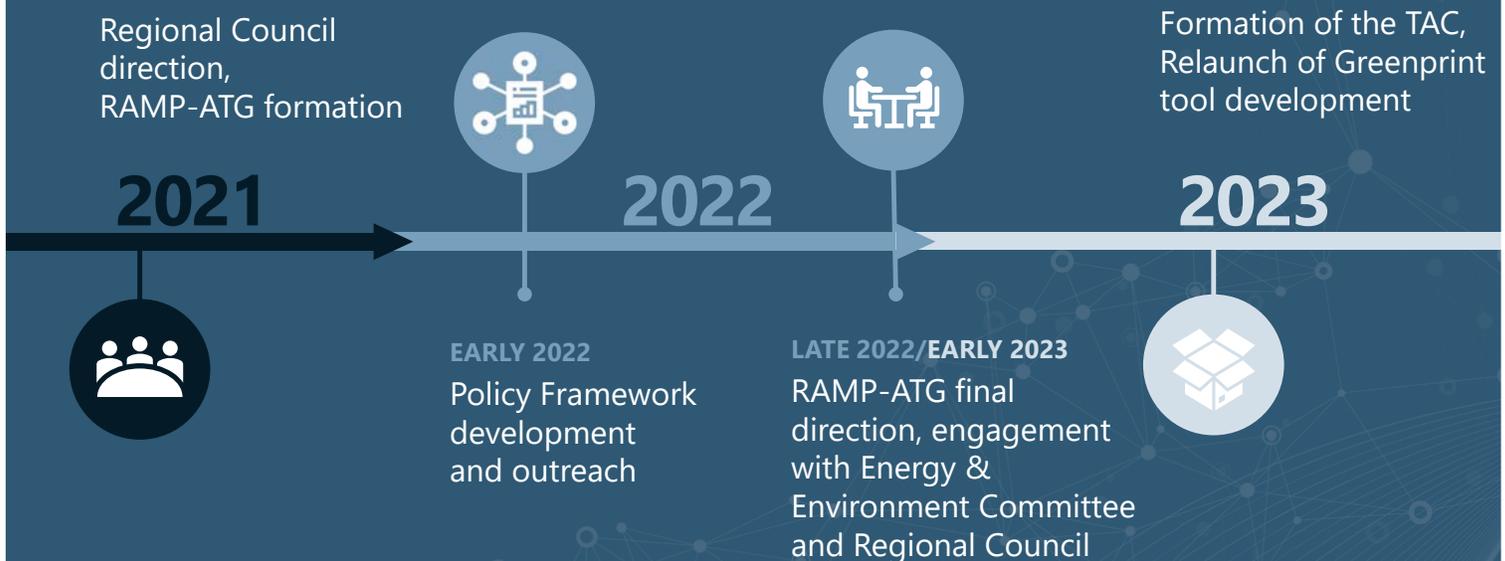


# Proposed Final Draft Regional Advance Mitigation Program Policy Framework

November 16, 2022

[WWW.SCAG.CA.GOV](http://WWW.SCAG.CA.GOV)

## Timeline of this Effort



## What is RAMP?

Regional Advance Mitigation Planning (**RAMP**) is a proven process for expediting project delivery by **planning for required mitigation to reduce environmental impacts earlier in the planning process and at a wider scale.**

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RAMP **allows state and federal agencies to consider** the environmental impacts and mitigation needs of multiple planned infrastructure and development projects in the early stages.

RAMP **allows local project leads to identify and satisfy** those mitigation requirements early in the project planning and environmental review process.

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## Existing RAMP Initiatives in the SCAG Region

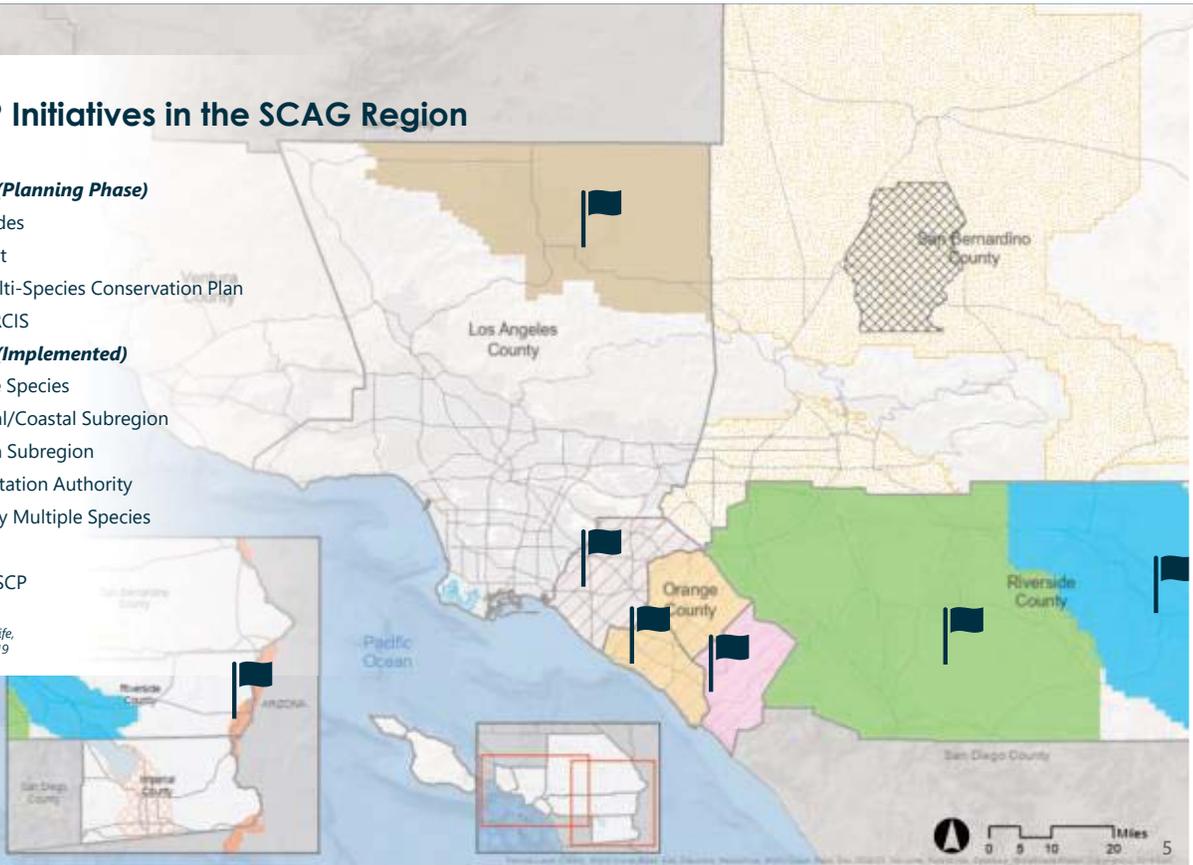
### Regional Conservation Plans (Planning Phase)

-  City of Rancho Palos Verdes
-  Imperial Irrigation District
-  Town of Apple Valley Multi-Species Conservation Plan
-  San Bernardino County RCIS

### Regional Conservation Plans (Implemented)

-  Coachella Valley Multiple Species
-  County of Orange Central/Coastal Subregion
-  Orange County Southern Subregion
-  Orange County Transportation Authority
-  Western Riverside County Multiple Species
-  Antelope Valley RCIS
-  Lower Colorado River MSCP

Source: California Department of Fish and Wildlife, Friends of Harbors, Beach and Parks (FHBP), 2019

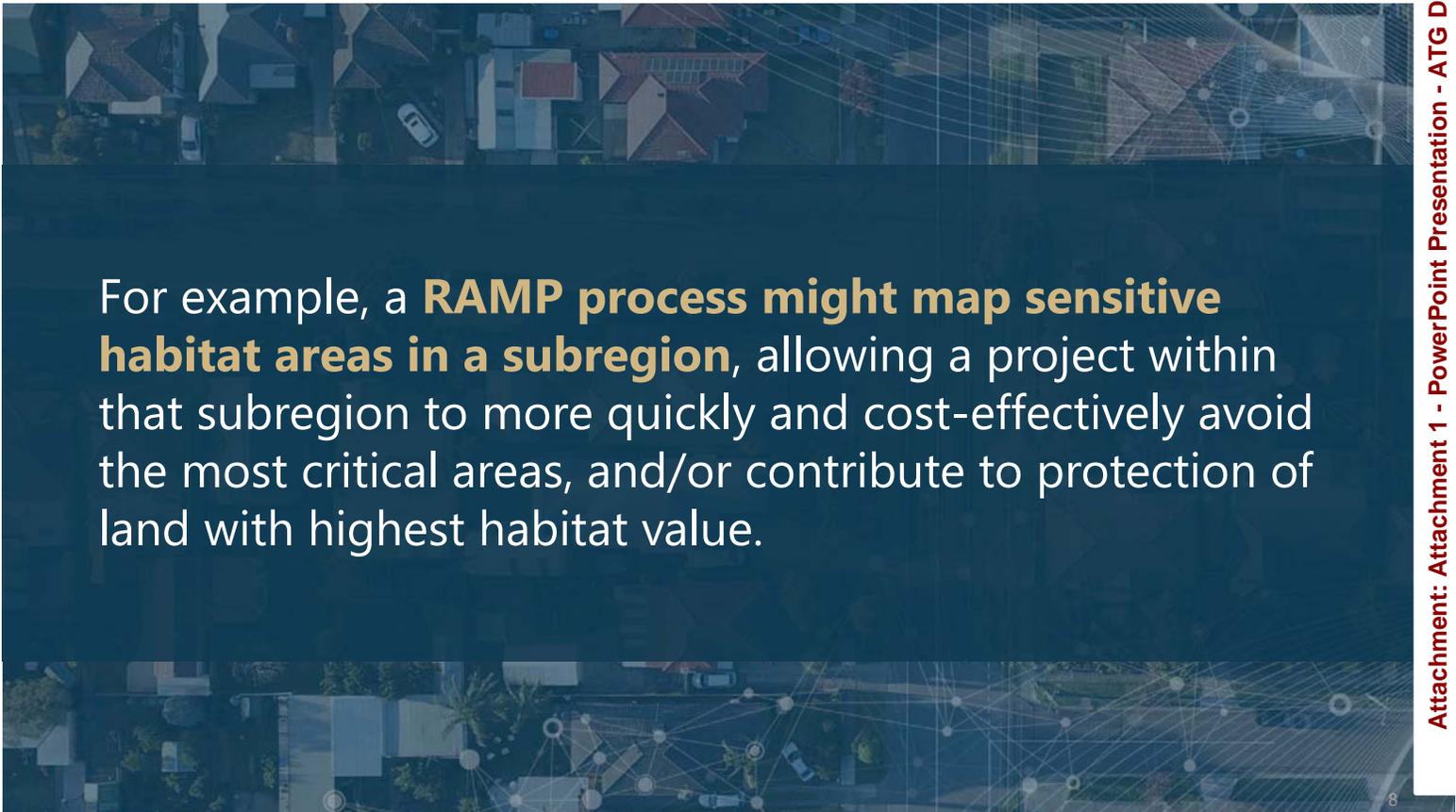


This can help **avoid costs and delays** associated with environmental mitigations **and more effectively avoid environmental harm.**



**Traditional mitigation is usually identified late** in the environmental review process and has tools limited to the specific project site.

**RAMP can be pursued in a variety ways** to mitigate environmental impacts within an environmentally significant geography.



For example, a **RAMP process might map sensitive habitat areas in a subregion**, allowing a project within that subregion to more quickly and cost-effectively avoid the most critical areas, and/or contribute to protection of land with highest habitat value.

## SCAG's Draft RAMP Policy Framework

SCAG's Connect SoCal plan identifies **the need for billions of dollars of investment** in transportation, housing, energy and water projects **to support the region's communities and economy.**

California law requires most infrastructure projects, including those that become eligible for funding under Connect SoCal, to **identify environmental impacts and ways to reduce them.** However, this mitigation can be expensive and delay projects.

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**Mitigation requirements also apply to SCAG's plan. Connect SoCal's Program Environmental Impact Report (PEIR) requires the following mitigation measures related to RAMP:**

- The SoCal Greenprint tool.
- SCAG will collaborate with stakeholders to establish a RAMP initiative to preserve habitat. The initiative would help establish or supplement regional conservation and mitigation banks, and other approaches to offset impacts of transportation and development projects.
- These are programmatic measures for SCAG to develop and implement; they do not mitigate any specific local project.

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A jurisdiction's **participation in a RAMP initiative** established by Connect SoCal and its PEIR **is entirely voluntary**.

**Local agencies keep authority for decisions on future development and have no obligation to change land use policies or infrastructure priorities to be consistent with a future RAMP or consider the data included in a future Greenprint web tool.** Project leads can opt for a project-by-project environmental review process to determine individual mitigation measures and a plan for complying with them, as appropriate.



## SCAG's Draft RAMP Policy Framework

- Regional Goals
- SCAG's Role

## Draft RAMP Policy Framework Regional Goals

1. **Facilitate infrastructure development** and associated co-benefits, such as job creation, maximizing taxpayer funds, supporting housing production;
2. **Expedite project delivery;**
3. **Improve predictability** for project funding;
4. **Examine potential environmental impacts** at the early stages of project development, ~~utilizing the SoCal Greenprint tool,~~ to help expedite the CEQA process;

## Draft RAMP Policy Framework Regional Goals *(continued)*

5. **Reduce costs, risks and permitting time** for responsible development;
6. **Improve and reinforce** regulatory agency partnerships;
7. **Balance future growth and economic development** with conservation and resilience; and
8. **Achieve meaningful, regional-scale conservation outcomes**, with benefits such as landscape and community resilience, ~~emissions reduction,~~ improved water and air quality, wildlife corridors and connectivity, and recreation opportunities.

## SCAG's Role in Supporting RAMPs

1. **Be a resource for local partners** to consider actions in a regional context;
2. **Focus this policy on the transportation sector and related infrastructure**, and consider **future policy** opportunities to expedite and streamline mitigation needs for other sectors including housing, energy and utilities;
3. **Identify ways to support implementing agencies** to establish or supplement regional conservation and mitigation banks and other approaches to more effectively address impacts of projects that support reduction of per-capita vehicle miles traveled;

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## SCAG's Role in Supporting RAMPs *(continued)*

4. **Support implementing agencies with data sharing, information and other resources helpful to their long-term management and stewardship** of conserved properties;
5. Initiate **studies to assess gaps where programs do not exist, and ascertain best ways to collaborate** with partner agencies and permitting entities to address those gaps, including by supporting implementation agencies in developing new or partnership efforts;
6. Pursue **partnerships and collaborative resource development** with state agencies and other MPOs to leverage funding and align efforts beyond SCAG's jurisdictional boundaries;

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## SCAG's Role in Supporting RAMPs *(continued)*

7. Be a **data resource with widely accessible data tools** ~~to assist in defining RAMPs that can provide the best available scientific data to help municipalities and transportation agencies~~ make better land use and transportation infrastructure decisions and conserve natural and farm lands, consistent with Connect SoCal's PEIR Mitigation Measure SMM AG-2 and SMM BIO-2;
- ~~8. Identify potential partnerships to foster the long-term maintenance of the SoCal Greenprint tool;~~
9. **Use a science-based methodology** to support implementing agencies' development of **various** RAMP initiatives across the region; and

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## SCAG's Role in Supporting RAMPs *(continued)*

10. Develop a process for monitoring and measuring outcomes from RAMP efforts

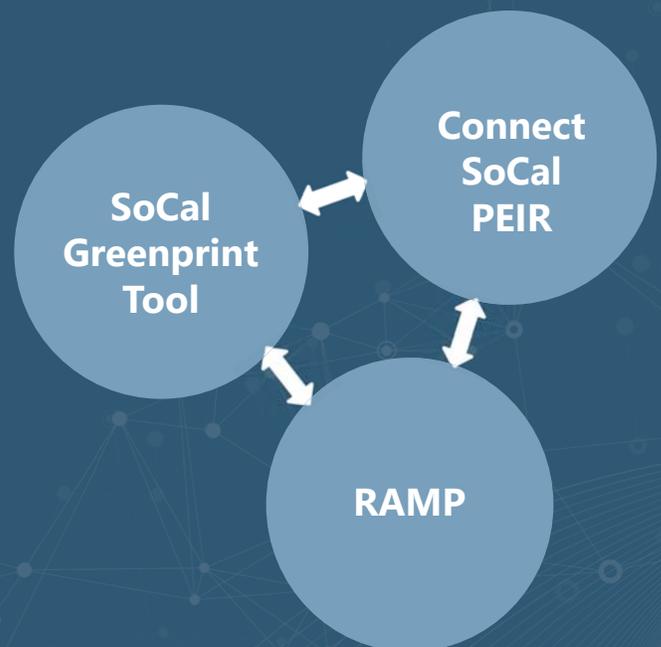
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In forming the RAMP Advisory Task Group, **SCAG's Regional Council directed the planned Greenprint tool to be aligned with regional policy objectives.**

The last section of the **Draft Policy Framework** seeks to address this point.

## How are the SoCal Greenprint and RAMP related?

The SoCal Greenprint is a planned web-based tool, which will complement SCAG's RAMP Policy Framework, with data and scenario visualizations, **primarily intended to support project lead agencies** in pursuing RAMP or other environmental mitigations.

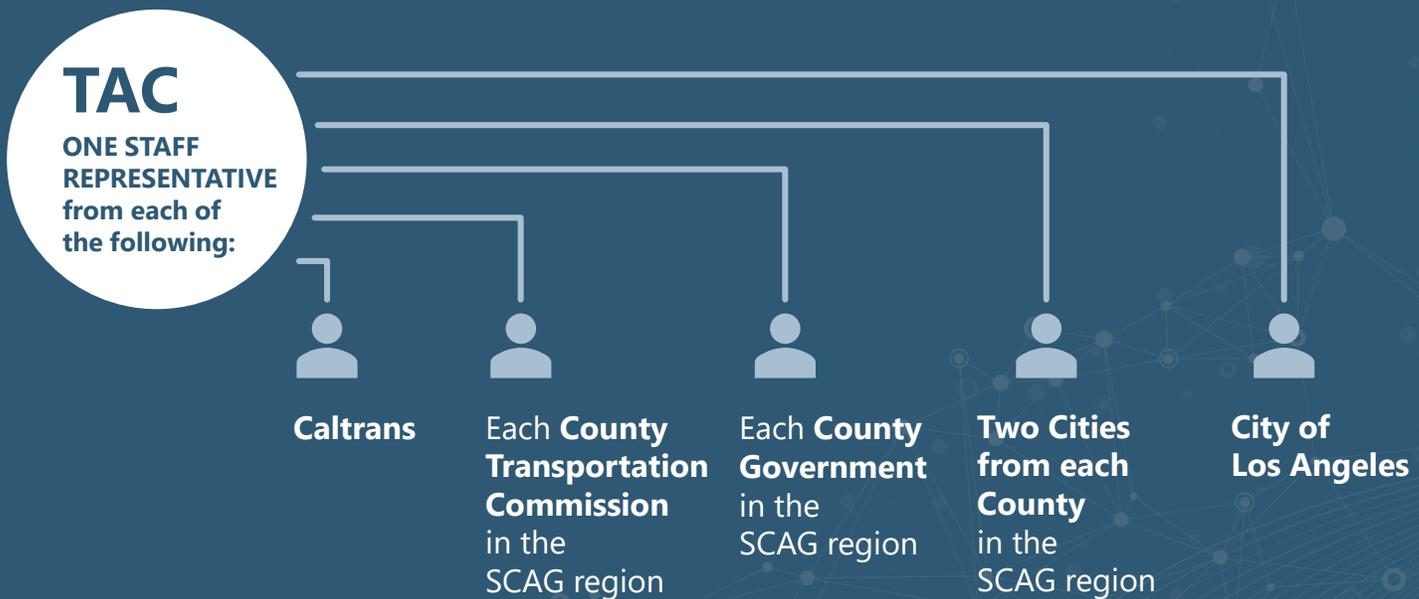


# Establishment of a **Technical Advisory Committee**

Following approval of the RAMP Policy Framework by the Regional Council, SCAG will establish a Technical Advisory Committee to advise on:



# Proposed Structure of the Technical Advisory Committee

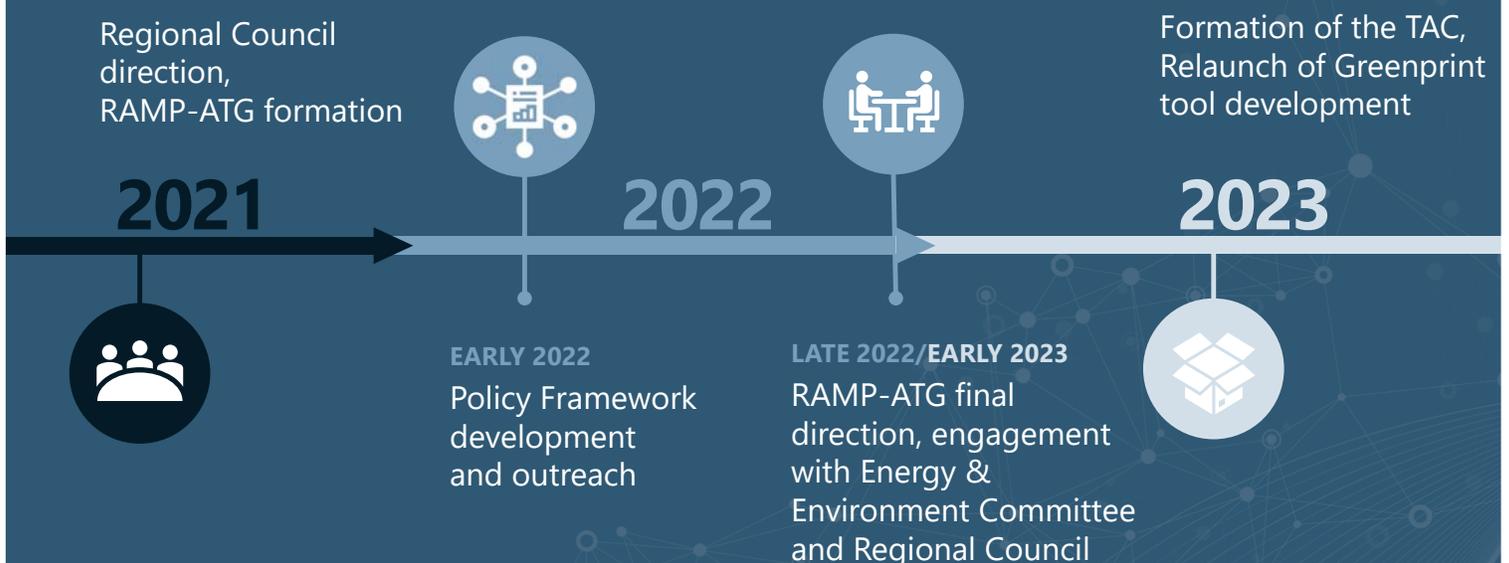


## Draft Data Policies for Consideration by TAC

- Data must be publicly available
- Data must be created, funded, used and/or developed in partnership with a government agency
- Data will not be shown as constraints on future development or growth
- Data will not be endorsed or adopted by the Regional Council as official policy of the agency
- Data elements will be regionally comprehensive

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## Timeline of this Effort



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# STAKEHOLDER ENGAGEMENT SUMMARY

Stakeholder engagement since previous RAMP-ATG meeting on 4/26/2022

## Business and Development Stakeholders

### Meetings and Written Feedback

- Remove references to SoCal Greenprint
- Remove references to "best available scientific data."
- Technical Advisory Committee to evaluate data
- Limit to lands planned for conservation
- Remove language regarding Connect SoCal's goal to support reduction of per capita vehicle miles travelled.
- Remove AVRCIS data or include clarifying letter from CDFW

## **Environmental Stakeholders Feedback**

### **8/17/2022 Workshop**

- Include data on lands not currently conserved
- Include equity and environmental justice data
- Need accurate data to fulfill 30x30 Executive Order
- Use 500-year floodplain data instead of 100-year flood data, and metric for impervious surface cover reduction
- More engagement with tribal communities, AQMD, Coastal Commission, Municipal Water District and Caltrans.

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## **Public Sector Stakeholder Feedback**

### **10/12/2022 Workshop**

- Show best practices and lessons learned from other RAMPS
- TAC should equitably represent the region
- Keep datasets updated and see if some should be replaced
- Evaluate datasets for redundancy or conflict with each other
- Evaluate if datasets are duplicative with state data

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# THANK YOU!

For more information, please visit:

[www.scag.ca.gov/greenprint](http://www.scag.ca.gov/greenprint)

[www.scag.ca.gov/ramp-atg](http://www.scag.ca.gov/ramp-atg)

**Final Draft Regional Advanced Mitigation Program Policy Framework**

*Regional Advanced Mitigation Program Advisory Technical Group (RAMP-ATG)*

*November 16, 2022*

*(Updated from April 26, 2022 Version Shared with RAMP-ATG)*

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## Background

As the SCAG region’s population and economy continue to grow, new housing units, employment facilities, water, energy, and transportation infrastructure are needed to accommodate the nearly two million residents that are forecasted to call Southern California home by 2050.<sup>1</sup> With an over 10 million additional jobs forecast in the region by 2050<sup>2</sup>, strategies that expedite transportation infrastructure delivery are critical to keep people and goods moving.

Framing this regional growth are the diverse natural and agricultural landscapes of Southern California. These invaluable assets ensure a robust economy, clean drinking water, improved air quality, and essential recreation activities for all of the region’s residents. In addition to desert, mountain and coastal habitats, some of the highest concentrations of native plant and animal species on the planet are found within our region. Recognized as part of the California Floristic Province, Southern California is one of the planet’s top twenty-five biodiversity hot spots.<sup>3</sup>

Given the sensitive natural habitats of the Southern California region, many essential development projects will have environmental impacts that require compensatory mitigation due to federal mandates under the Clean Water Act, Endangered Species Act, Federal Wild and Scenic Rivers Act, as well as state requirements under the California Environmental Quality Act (CEQA), California Endangered Species Act, California Wild and Scenic Rivers Act, and the Habitat Restoration and Enhancement Act.

Addressing environmental impacts can be accomplished in a number of ways, as defined in Title 14, Section 15370 of the California Code of Regulations (commonly known as the “CEQA Guidelines”):

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action;
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment;
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
- (e) Compensating for the impact by replacing or providing substitute resources or environment.

Mitigating environmental impacts can often be expensive and increase total project costs significantly. Alongside mitigation, uncertainty in timing can also contribute to significant project costs. For transportation investments broadly, “the permitting process under federal and state legislation constitutes a major component of the project development and delivery process for transportation

<sup>1</sup> *Connect SoCal 2024 Preliminary Regional and County Growth Projections* retrieved from <https://scag.ca.gov/sites/main/files/file-attachments/rc020322fullpacket.pdf?1643342099>.

<sup>2</sup> *Ibid.*

<sup>3</sup> Myers, N., R.A. Mittermeier, C.G. Mittermeier, G.A.B. da Fonseca, J. Kent. (2000). Biodiversity Hotspots for Conservation Priorities.

projects. Over \$3.3 billion is spent annually on compensatory mitigation under the Clean Water Act (CWA) and Endangered Species Act programs.”<sup>4</sup>

Traditionally, environmental mitigation has been handled by lead agencies during the CEQA process on a project-by-project basis, “usually near the end of a project’s environmental review...where permitting delays can occur when appropriate mitigation measures cannot be easily identified and agreed upon, and the cost of mitigation often increases between the time the project is planned and funded and the time mitigation land is acquired. As a result, infrastructure agencies end up paying top dollar to satisfy mitigation requirements.”<sup>5</sup> The practice of identifying mitigation measures at the end of a project’s environmental review often results in delays in project delivery and uncertainty in the development process. This is often due to the costs incurred to conduct biological studies after project plans have been created, especially in instances where impacts are discerned that were not foreseen and mitigation costs increase unexpectedly. A national study identified that nearly two thirds of departments of transportation (DOTs) surveyed had experienced delays from environmental issues, often of 12 months or more.<sup>6</sup>

In California, researchers estimate that mitigation costs for transportation projects initiated between 2014 and 2019 ranged from two percent to twelve percent of total project costs – to a sum of roughly four billion dollars.<sup>7</sup> While the exact length and causes of delay from environmental review are varied, some reports suggest the current process may add 10 to 15 years to project delivery.<sup>8</sup> Continued cost escalations over the past two decades have prompted Caltrans to consider strategic planning for consolidated advance mitigation opportunities.

## Policy Framework for Advance Mitigation

### Regional Advance Mitigation Program & Advisory Task Group

California state law allows agencies to establish voluntary advanced mitigation programs in selected areas, providing an opportunity for infrastructure project leads [agencies](#) to identify potential impacts early in the planning stages and work with regulatory agencies to reduce permitting costs, improve certainty, and expedite project delivery.<sup>9</sup> Regional advance mitigation programs (RAMP) allow state and federal agencies to consider the environmental impacts and mitigation needs of multiple planned infrastructure projects and urban development all at once, and satisfy those mitigation requirements early in the project planning and environmental review process. In cases where compensatory mitigation is needed, advanced mitigation can help agencies purchase larger parcels for mitigation at a

<sup>4</sup> Overman, J. H., Storey, B., Kraus, E., Miller, K., Walewski, J., Elgart, Z., & Atkinson, S. (2014). Maximizing mitigation benefits-making a difference with strategic inter-resource agency planning: year one technical report (No. FHWA/TX-13/0-6762-1). Texas. Dept. of Transportation. Research and Technology Implementation Office.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Sciarra, G. C., Bjorkman, J., Stryjewski, E., & Thorne, J. H. (2017). Mitigating environmental impacts in advance: Evidence of cost and time savings for transportation projects. Transportation Research Part D: Transport and Environment, 50, 316-326.

<sup>8</sup> Sciarra, G. C., Bjorkman, J., Lederman, J., Thorne, J. H., Schlotterbeck, M., & Wachs, M. (2015). Task 2 Report: Setting the Stage for Statewide Advance Mitigation in California.

<sup>9</sup> Cal. F&G Code sec. 1850 *et seq.*

lower unit cost to offset impacts<sup>10</sup>. Further, RAMP can result in better collaboration between regulatory and infrastructure agencies, better project delivery, and better mitigation outcomes.<sup>11</sup>

Regional advance mitigation also presents opportunities to improve quality of life in the region, as it relies on a science-based approach to anticipate and identify mitigation needs for multiple development projects early in the planning process, facilitating the prioritization of sites for conservation and/or restoration with the highest ecological benefits and providing mitigation efficiencies to transportation, land use and other development projects. This approach contrasts with project-by-project mitigation, which “often overlooks regional conservation needs and ecosystem-scale impacts to sensitive species and habitat, thereby missing critical opportunities for efficient, reliable, and biologically relevant mitigation. Additionally, the opportunity for greater benefits to water and air quality and public health are lost.”<sup>12</sup>

There are many established advanced mitigation programs in various locales within the SCAG region, and project applicants in these areas can take advantage of advanced mitigation benefits if they choose. Appendix A of this outline includes a summary of some RAMP programs in the SCAG region. Areas without established programs do not have these efficiencies in the environmental review process. A large percentage of the SCAG region’s land area is not covered by an existing program. As a result, environmental impacts for discretionary projects in these areas would need to be mitigated on a project-by-project basis.

Recognizing the opportunities that a RAMP can present to reduce project costs and improve certainty for project delivery, Connect SoCal and its corresponding Program Environmental Impact Report (PEIR) direct SCAG to collaborate with stakeholders to establish a RAMP initiative to [help preserve habitat and offset impacts of transportation and other development projects. Such a RAMP initiative is meant to recognize and, where appropriate, complement existing RAMP programs and related habitat conservation programs \(such as habitat conservation plans\) in the SCAG region, and not add new or expanded biological resource analytical methods, impacts or required mitigation for plans or projects that have already received initial or final approval by a lead agency encourage new sub-regional programs.](#) While SCAG is required by the PEIR to establish a RAMP initiative and facilitate regional interest in developing RAMPs, SCAG will not create its own RAMP, supersede existing RAMP programs, or require any local jurisdiction or agency to participate in any [local or regional RAMP program, or make or support a determination that any RAMP criteria, component or content is the “best available scientific data” for any purpose inclusive of the California Environmental Quality Act \(CEQA\).](#) ~~local or regionwide.~~ [The intended purpose of SCAG’s RAMP Policy Framework is to assist SCAG member public agencies in the SCAG region in securing public funding, expedite the implementation of approved transportation infrastructure projects approved in the 2020 Connect SoCal Regional Transportation Improvement Plan/Sustainable Communities Strategy \(Connect SoCal\), and help member public agencies](#)

<sup>10</sup> Sciara, G. C., Bjorkman, J., Stryjewski, E., & Thorne, J. H. (2017). Mitigating environmental impacts in advance: Evidence of cost and time savings for transportation projects. Transportation Research Part D: Transport and Environment, 50, 316-326.

<sup>11</sup> Overman, J. H., Storey, B., Kraus, E., Miller, K., Walewski, J., Elgart, Z., & Atkinson, S. (2014). Maximizing mitigation benefits-making a difference with strategic inter-resource agency planning: year one technical report (No. FHWA/TX-13/0-6762-1). Texas. Dept. of Transportation. Research and Technology Implementation Office.

<sup>12</sup> Ibid.

in the SCAG region to secure public funding and/or streamline CEQA approvals for new housing, economic development and infrastructure projects. Thus, SCAG will continue to support local control over land use decisions. Any development and use of local, sub-regional or inter-jurisdictional RAMPs is entirely voluntary by the agency(ies) and stakeholder sponsors of such RAMPs.

~~To help define potential advanced mitigation efforts, the Connect SoCal plan and PEIR also direct SCAG to develop the SoCal Greenprint mapping tool to help municipalities, conservation groups, developers and researchers prioritize lands for conservation based on the best available scientific data.~~

To increase clarity and further guide this work, SCAG’s Regional Council voted on October 7, 2021 for staff to develop a white paper and work with a Regional Advance Mitigation Planning Advisory Task Group (RAMP-ATG) on establishing a policy framework for advanced mitigation in the SCAG region to ensure the SoCal Greenprint tool is aligned with policy objectives. The white paper (attached as Appendix E) provides background information and context that has contributed to the development of this policy framework. Early findings were shared at RAMP-ATG meetings alongside presentations from implementing agencies that were engaged in the white paper development. The white paper provides research and information related to support broader policymaking around SCAG’s goals and potential role in supporting advanced mitigation in the SCAG region, and informed the context, opportunities and challenges and data needs identified below.

Regional Policy Foundation: Connect SoCal Goals and PEIR Requirements

Connect SoCal Goals

As discussed, Connect SoCal and its PEIR provide for a RAMP planning initiative to support implementing agencies in establishing or supplement the region’s established advanced mitigation programs, mitigation banks, and other approaches to more effectively address impacts for projects that support reduction of per-capita vehicle miles traveled. The initiative would also support implementing agencies in the ~~long-term~~long-term management and stewardship of mitigated properties. SCAG can support partner implementing agencies to establish advanced mitigation programs that reflect local priorities, expand regional growth opportunities, and advance regional conservation goals.

Importantly, a jurisdiction’s participation in a RAMP initiative established by Connect SoCal and its PEIR is entirely and purely voluntary. Cities, counties, and transportation agencies retain their full authority for decisions on future development, and there is absolutely no obligation for a jurisdiction to change its land use policies or infrastructure priorities to be consistent with a future RAMP. Similarly, project lead agencies do not have to participate in a RAMP and can opt for a project-by-project environmental review process as appropriate.

The RAMP planning initiative is part of SCAG’s comprehensive effort to implement ~~the vision outlined in Connect SoCal, which includes goals of improving the region’s economic vitality, to advance the region’s economic vitality,~~ improving the region’s mobility options, and allowing the region to grow in a sustainable way that builds healthy and vibrant communities. ~~the~~ RAMP is intended to advance several of Connect SoCal’s specified goals, namely to:

- Enhance the preservation, security, and resilience of the regional transportation system;
- Reduce greenhouse gas emissions and improve air quality;
- Support healthy and equitable communities;

- Adapt to a changing climate and support an integrated regional development pattern and transportation network; and
- Promote conservation of natural and agricultural lands and restoration of habitats.<sup>13</sup>

Connect SoCal also includes specific strategies to support implementing the region’s adopted Sustainable Communities Strategy (SCS). Several strategies are directly tied to supporting related greenhouse gas (GHG) reductions while others support the broader Plan goals. The RAMP initiative can help implement several “Green Region” SCS strategies, including:

- Preserve, enhance and restore regional wildlife connectivity;
- Reduce consumption of resource areas, including agricultural land; and
- Support local policies for renewable energy production, reduction of urban heat islands and carbon sequestration;
- Promote more resource efficient development focused on conservation, recycling and reclamation;
- Identify ways to improve access to public park space.<sup>14</sup>

Natural and Farm Lands Conservation and Climate Resolution 21-628-1

Connect SoCal [also](#) includes a Natural and Farm Lands Conservation Technical Report, [which includes strategies intended that outlines an integrated land use and conservation planning approach that seeks to protect the environment and reduce GHG emissions while meeting the needs of current and future populations. Policies in the Technical Report direct SCAG to:](#)

- Promote best practices in advanced mitigation;
- Facilitate partnerships and collaboration;
- Provide incentives for jurisdictions to work across county lines;
- Expand data sharing amongst partner agencies;
- Align support for local actors with funding opportunities;
- Support innovative land use policies;
- Improve natural corridor connectivity;
- Encourage urban greening and green infrastructure; and
- Connect the benefits of natural lands to public health – including air quality, recreation, and carbon sequestration.<sup>15</sup>

[Within the Plan, specific next steps are included to further a regional conservation strategy, including development of the SoCal Greenprint regional mapping tool that can help stakeholders identify the areas with the highest potential conservation value and encourage advance mitigation programs.](#)<sup>16</sup>

Connect SoCal’s policy goals and next steps related to the RAMP initiative were reaffirmed by the Regional Council in Resolution 21-628-1, which was adopted unanimously on January 7, 2021 and recognized a climate emergency in the SCAG region. The Resolution committed SCAG to “develop a

<sup>13</sup> Connect SoCal p. 9.

<sup>14</sup> Connect SoCal p. 50.

<sup>15</sup> Connect SoCal Natural and Farm Lands Conservation Technical Report pp. 21-22.

<sup>16</sup> Connect SoCal Natural and Farm Lands Conservation Technical Report p. 22.

regional advanced mitigation program (RAMP) as envisioned in Connect SoCal for regionally significant transportation projects to mitigate environmental impacts.”<sup>17</sup>

#### PEIR Mitigation Measures

Establishing a RAMP planning initiative fulfills required mitigation measures of the PEIR, which state that SCAG will support advanced mitigation efforts in the region (SMM AG-2) ~~through the establishment of data tools (i.e. the SoCal Greenprint) that can and~~ provide an easily accessible resources to help municipalities, conservation groups, developers and researchers prioritize lands for conservation ~~based on the best available scientific data~~ (SMM BIO-2) as further described in these two mitigation measures. As a result, the RAMP initiative is both a project feature (as described above) and part of SCAG’s mitigation measure obligations.

Importantly, these mitigation measures apply only to SCAG. Nothing in the PEIR supersedes or applies to existing regulations pertaining to land use and policies of individual local jurisdictions, who fully retain their local authority to approve, deny or condition projects. Indeed, SCAG has no authority to impose these mitigation measures on jurisdictions; ~~as~~ As a result, mitigation measures implemented by local jurisdictions in their own processing of projects are fully subject to a lead agency’s independent discretion. Lead agencies are under no obligation, legal or otherwise, to use the mitigation measures identified in the PEIR. The determination of significance and identification of appropriate mitigation under CEQA is solely the responsibility of the lead agency.

The specific PEIR mitigation measures referencing the need to establish a RAMP initiative are highlighted below (with emphasis supplied identifying the specific language pertaining to the RAMP initiative that is the subject of this policy framework):

- *SMM AG-2: SCAG shall develop a Regional Greenprint, which is a strategic web-based conservation tool that provides the best available scientific data and scenario visualizations to help cities, counties and transportation agencies make better land use and transportation infrastructure decisions and conserve natural and farm lands. SCAG shall use the Greenprint to identify priority conservation areas and work with [County Transportation Commissions] CTCs to develop advanced mitigation programs or include them in future transportation measures by **(1) funding pilot programs that encourage advance mitigation including data and replicable processes, (2) participating in state-level efforts that would support regional advanced mitigation planning in the SCAG region, and (3) supporting the inclusion of advance mitigation programs at county level transportation measures.***
- *SMM BIO-2: SCAG shall continue to develop a regional conservation strategy in coordination with local jurisdictions and other stakeholders, including the county transportation commissions. The conservation strategy will build upon existing efforts including those at the sub-regional and local levels to identify potential priority conservation areas. **SCAG will also collaborate with stakeholders to establish a new Regional Advanced Mitigation Program (RAMP) initiative to preserve habitat. The RAMP would establish and/or supplement regional conservation and mitigation banks and/or other approaches to offset impacts of transportation and other development projects. To assist in defining the RAMP, SCAG shall lead a multi-year effort to...develop new regional tools, like the Regional Data Platform and Regional Greenprint that will***

<sup>17</sup> [Resolution 21-628-1.](#)

*provide an easily accessible resource to help municipalities, conservation groups, developers and researchers prioritize lands for conservation based on best available scientific data. The Regional Greenprint effort shall also produce a whitepaper on the RAMP initiative, which includes approaches for the RAMP in the SCAG region, needed science and analysis, models, challenges and opportunities and recommendations.*

~~It bears noting that, notwithstanding inclusion of any particular data set in the Greenprint tool or the qualitative characterization of the data set, a public agency acting as the “lead agency” for a project subject to CEQA has wide latitude and discretion to make its own conclusions on the quality of data and information (including scientific or technical assessments) as part of its consideration of the project. (See 14 Cal. Code Regs. § 15151.) Nothing in the mitigation measures or Greenprint tools is meant or intended to limit or restrict a public agency’s discretion in reviewing projects.<sup>48</sup>~~

SCAG continues to pursue the development of a regional conservation strategy through regular convenings of its Natural & Working Lands Regional Planning Working Group, and through interviews and other engagements with stakeholders. The RAMP planning initiative is an important element of this strategy and, as guided by the RAMP policy framework, supports the region in achieving Connect SoCal’s goals.

### RAMP Opportunity & Challenge Areas

To identify opportunities and challenges associated with developing and launching a RAMP planning initiative for the expansive SCAG region, interviews were conducted with local transportation agencies with project mitigation needs, as well as with other stakeholders involved in related programs. These interviews were conducted from April through December 2021 to gather initial feedback on potential program needs and benefits, and continued through Spring 2022 to inform the RAMP white paper.

Interviewees conveyed that a RAMP planning initiative could help address data gaps and facilitate data sharing between land use authorities and transportation entities. A RAMP planning initiative could also enhance cross-jurisdictional and cross-county collaboration to address mitigation project-by-project and at a county scale. Further, SCAG could foster local action by identifying incentives to spur advanced mitigation, and also provide solutions for reducing project impacts. SCAG could also incorporate an analysis of future mitigation needs and provide a menu of mitigation options and approaches for each county, rather than a one-size-fits-all approach, as specific project needs differ across the region and within each county. Importantly, a RAMP initiative could foster engagement with the California Coastal Commission, US Army Corps of Engineers, and Water Board to incorporate a focus on water resources in addition to biological resources. Overall, transparent engagement with CTCs, partner agencies, utilities, and communities would be important for the program’s success. Concerns included that a RAMP initiative could have potential duplication and/or conflicting mitigation efforts between regional, county, and local approaches, and that a RAMP initiative also may have gaps in direct application to local conditions.

In addition to interviewing CTCs across the SCAG region, SCAG staff engaged with other partners experienced in mitigation. These included Caltrans Districts #7 and #8, Brightline West, as well as Land

<sup>48</sup> See Memorandum from Margaret M. Sohagi, Esq., Attachment F to the October 7, 2021 Regional Council, [https://scag.ca.gov/sites/main/files/file\\_attachments/21-10-07\\_rceec\\_original\\_staff\\_report\\_with\\_attachments\\_and\\_public\\_comments.pdf?1641857134](https://scag.ca.gov/sites/main/files/file_attachments/21-10-07_rceec_original_staff_report_with_attachments_and_public_comments.pdf?1641857134).

Veritas – the largest mitigation bank in California. Feedback from these entities included that establishment of a RAMP planning initiative could bring private and public entities together towards a common goal and increase public awareness of environmental resources. These organizations also expressed support for a multi-county approach, especially when collaborating across Caltrans Districts for development of multi-species regional plans. They also encouraged development of a credit system that could provide consistency across management of multiple mitigation banks. Finally, they were interested in collaborating on advanced mitigation, specifically multi-agency advance mitigation projects.

### Goals for Regional Advanced Mitigation

Considering the potential advantages and concerns for expanding regional advanced mitigation planning in Southern California, SCAG’s RAMP initiative shall aim to foster collaboration between programs across the region and support local implementing agencies to:

1. Facilitate infrastructure development and associated co-benefits, including but not limited to creating jobs, maximizing taxpayer funds, and supporting the building of housing;
2. Expedite project delivery;
3. Improve predictability for project funding;
4. Examine potential environmental impacts at the early stages of project development, [utilizing the SoCal Greenprint tool](#), to help expedite the CEQA process;
5. Reduce costs, risks, and permitting time for responsible development;
6. Improve and reinforce regulatory agency partnerships;
7. Balance future growth and economic development with conservation and resilience; and
8. Achieve meaningful, regional-scale conservation outcomes and co-benefits, including but not limited to landscape and community resilience, [emissions reduction](#), improved water and air quality, wildlife corridors and connectivity, and recreation opportunities.

To implement these goals, SCAG will seek to:

1. Be a resource for local partners to consider actions in a regional context;
2. Focus [this policy](#) on the transportation sector [and related infrastructure](#), and consider [future policy](#) opportunities to expedite and streamline mitigation needs for other sectors including housing, energy and utilities;
3. Identify ways to support implementing agencies to establish or supplement regional conservation and mitigation banks and other approaches to more effectively address impacts for projects that support reduction of per-capita vehicle miles traveled;
4. Support implementing agencies [with data sharing, information and other resources helpful to](#) ~~the~~ [their](#) long-term management and stewardship of conserved properties;
5. Initiate studies to assess gaps where programs do not exist, and ascertain best ways to collaborate with partner agencies and permitting entities to address those gaps, including by supporting implementation agencies in developing new or partnership efforts;
6. Pursue partnerships and collaborative resource development with state agencies and other MPOs to leverage funding and align efforts beyond SCAG’s jurisdictional boundaries;
7. Be a data resource with widely accessible data tools to ~~assist in defining RAMPs that can provide the best available scientific data to~~ help municipalities and transportation agencies make better

- land use and transportation infrastructure decisions and conserve natural and farm lands, consistent with Connect SoCal’s PEIR Mitigation Measure SMM AG-2 and SMM BIO-2; ~~and~~
- ~~8. Identify potential partnerships to foster the long-term maintenance of the SoCal Greenprint tool;~~
- 9.8. Use a science-based methodology to support implementing agencies’ development of various RAMP initiatives across the region; and
- 10.9.        Develop a process for monitoring and measuring outcomes from RAMP efforts.

These goals and actions are intended to advance policies established in Connect SoCal, support proactive implementation of required mitigation measures in the PEIR and focus SCAG’s role on serving as an “information provider” and “convener and coordinator” as described in the RAMP white paper. Any expansion of SCAG’s role as a “mitigation planner,” “marketplace,” “funder” or “sponsor,” also described in the white paper, would require additional consideration and action by the Regional Council.

### Data Needs & Resources to Support RAMP

#### Science Based Approach

Utilizing a science-based approach to understand the comprehensive biological and resource needs of a given area to discern potential impacts from development projects at the early planning stages is an essential element of regional advanced mitigation. As shared through interviews with CTCs and other practitioners, data access and information sharing is a key benefit of a RAMP planning initiative. As noted by a Federal Highway Administration (FHWA) funded study looking at advanced mitigation nationwide, “improved environmental information is needed on the front end of the project delivery process. Under the current process, state DOTs retrieve environmental data from a variety of sources and then assess environmental impacts and constraints. A central data clearinghouse—similar to those that MPOs developed in the [US Environmental Protection Agency’s] Eco-Logical grants—could improve assessment processes and mitigation outcomes.”<sup>19</sup>

Consistent with Connect SoCal’s PEIR Mitigation Measure AMM AG-2 and SMM BIO-2, SCAG is separately obligated to developing a web-based data tool, referred to as SoCal Greenprint., ~~to assist in defining a RAMPs that provide the best available scientific data to help municipalities and transportation agencies make better land use and transportation infrastructure decisions and conserve natural and farm lands. The SoCal Greenprint tool will provide an easily accessible web mapping resource to help other regional stakeholders as well, including conservation groups, developers, and researchers prioritize lands for conservation. However, the SoCal Greenprint tool, and the data layers within, is not a strategic conservation plan; rather, this tool is an information resource that is primarily intended for use by partner agencies as well as SCAG to support their conservation planning efforts.~~

To ensure that data provided through the tool aligns with advanced mitigation opportunities and fulfillment of the Connect SoCal PEIR mitigation measures, establishment of the SoCal Greenprint tool will adhere to data policies ~~described below~~, ~~and to~~ governance standards, user guidelines, data

<sup>19</sup> Overman, J. H., Storey, B., Kraus, E., Miller, K., Walewski, J., Elgart, Z., & Atkinson, S. (2014). Maximizing mitigation benefits-making a difference with strategic inter-resource agency planning: year one technical report (No. FHWA/TX-13/0-6762-1). Texas. Dept. of Transportation. Research and Technology Implementation Office.

selection criteria, and data parameters that will be developed by staff with input and consultation from a technical advisory committee (described below) and presented to the Energy & Environment Committee (EEC) and the Regional Council for their review and approval as an addendum to this policy framework, ~~no later than December 31, 2022~~. The technical advisory committee will be comprised of at least one staff representative from: each county transportation commission in the SCAG region, ~~the Transportation Corridor Agencies~~, Caltrans, each county government in the SCAG region, ~~the City of Los Angeles~~, and ~~two~~ one city governments within each county in the SCAG region. This technical advisory committee shall be open to the public and seek input from the development community, non-governmental conservation groups, regional conservation agencies, researchers, and other stakeholders.

### Data Policies

- ~~1. SCAG will continue to promote data-driven decision making, government transparency, and data as a public engagement tool to accelerate progress toward achieving regional planning goals consistent with policies included in the agency's final Future Communities Framework;~~
- ~~2. Data included in the SoCal Greenprint tool must be publicly available, meaning that existing datasets are available online or can be accessed if requested and/or licensed;~~
- ~~3. Data included in the SoCal Greenprint tool must be created by a government agency, funded by a government agency, vetted by a government agency, used by a government agency, or developed in partnership with a government agency;~~
- ~~4. Data available through the SoCal Greenprint tool will not be identified, qualified, or defined as constraints on future development or growth, or in any way endorsed by the regional council as official policy of the agency;~~
- ~~5. Publicly available data that is made accessible through the SoCal Greenprint are not adopted by SCAG and are not an expression of regional policy;~~
- ~~6. The SoCal Greenprint will utilize the best available scientific data, consistent with Connect SoCal's PEIR Mitigation Measure AMM AG 2 and SMM BIO 2, as outlined in approved governance standards;~~
- ~~7. Governance standards shall include a timeline and process for periodically updating datasets will be established to ensure continuous use of the best available scientific data;~~
- ~~8. SCAG will seek feedback broadly on all proposed data layers for inclusion in the tool to identify, investigate, and address valid data security concerns;~~
- ~~9. Data elements will be regionally comprehensive to the extent feasible, and data depicted will not be altered from their original source;~~
- ~~10. Data elements will have geographic and thematic breadth necessary to support conservation assessments and consider co-benefits that support the broader goals of Connect SoCal, including consideration of the expressed local planning needs for data related to: agriculture and working lands; built environment; environmental justice, equity and inclusion; habitat and biodiversity; vulnerabilities and resilience; water resources; and context;~~
- ~~11. SCAG will endeavor to increase the availability of civic data and information to reduce costs and increase the efficiency of public services; and~~
- ~~12. SCAG will support development and use of data tools to increase opportunities for public engagement and advocacy to inform local and regional policy.~~

## Appendix A - Established RAMPs in SCAG Region

### Mitigation Banks

A conservation or mitigation bank is privately or publicly owned land managed for its natural resource values. In exchange for permanently protecting, managing, and monitoring the land, the bank sponsor is allowed to sell or transfer habitat credits to permittees who need to satisfy legal requirements and compensate for the environmental impacts of developmental projects ([CDFW](#)). There are several mitigation banks in the SCAG region:

#### I. Soquel Canyon Mitigation Bank, City of Chino Hills

The Soquel Canyon Mitigation Bank, an over 300-acre property located predominantly within the City of Chino Hills, San Bernardino County and includes a few acres located in Orange County. The bank is owned by Land Veritas, a California-based mitigation bank owner. The southern boundary of the bank, the Chino Hills State Park, is an open space area that straddles the junction of San Bernardino, Orange, Riverside and Los Angeles Counties and is a critical link in the Puente-Chino Hills biological corridor.<sup>20</sup>

#### II. Peterson Ranch Mitigation Bank, Los Angeles County

The Petersen Ranch Mitigation Bank, covering over 4,000 acres within the boundaries of the proposed San Andreas Rift Zone Significant Ecological Area in Los Angeles County, is the largest bank in California and one of the largest banks in the United States. The bank is owned by Land Veritas and offers compensatory mitigation across a large part of Southern California.<sup>21</sup>

#### III. Santa Paula Creek Mitigation Bank, Ventura County

The Santa Paula Creek Mitigation Bank includes over 200 acres across Northern Ventura and Los Angeles counties and was the first mitigation bank of its kind in the area, established in 2011. The bank's service area covers the combined watersheds of the Santa Clara and Ventura Rivers. Property was previously owned by Santa Paula Water Works LTD and then purchased by SPC Environmental Holdings, Inc.<sup>22</sup>

#### IV. Chiquita Canyon Conservation Bank, Orange County

The Chiquita Canyon Conservation Bank covers 1,182 acres in Orange County, just east of the City of Mission Viejo. The bank was established in 1996 with Foothill/Eastern Transportation Corridor Agency as its sponsor.<sup>23</sup>

#### V. Barry Jones Wetland Mitigation Bank, Riverside County

The Barry Jones Wetlands Mitigation Bank is located in western Riverside County and incorporates the 33-acre Skunk Hollow Vernal Pool Preserve, the second largest vernal pool in the state, along with 107

<sup>20</sup> Land Veritas, <https://landveritasmitigationbanks.com/soquel.html>

<sup>21</sup> Land Veritas, <https://landveritasmitigationbanks.com/petersen.html>

<sup>22</sup> California Department of Fish and Wildlife, <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=180663>;  
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109831>

<sup>23</sup> Federal Regulatory in-lieu Fee and Bank Information Tracking System,  
[https://ribits.ops.usace.army.mil/ords/f?p=107:10::NO::P10\\_BANK\\_ID:668](https://ribits.ops.usace.army.mil/ords/f?p=107:10::NO::P10_BANK_ID:668)

acres of the pool's upland watershed. The bank was established in 1997 and is managed by the Center for Natural Lands Management.<sup>24</sup>

#### VI. Black Mountain Conservation Bank, San Bernardino

The Black Mountain Conservation Bank, located in the western Mojave Desert of San Bernardino County, spans over 1,940 acres. The bank was established in 2018 and is managed by Wildlands, a conservation and mitigation bank.<sup>25</sup>

#### VII. Cajon Creek Habitat Conservation Management Area, San Bernardino

The Cajon Creek Conservation Bank was first established in 1996 and was expanded to cover over 1,300 acres in 2017. The bank, managed by Vulcan Materials Company, is located in Cajon Wash and Lytle Creek in San Bernardino County.<sup>26</sup>

#### VIII. Mojave Desert Tortoise Conservation Bank, San Bernardino County

The Mojave Desert Tortoise Conservation Bank covers 4,658 acres or preserved habitat and includes 8 sites across San Bernardino County. The bank was authorized in May 2020 and is one of the largest tortoise conservation banks in the state.<sup>27</sup>

#### IX. Riverpark Mitigation Bank, Riverside County

Riverpark Mitigation Bank serves western Riverside and portions of San Bernardino Counties and is located at the southern terminus of the California State Water Project that moves water to Southern California from the San Francisco Bay Delta. The bank is sited in one of the priority areas designated by the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP).<sup>28</sup>

### Regional Conservation Plans

Local agencies throughout the region have worked together to form Regional Conservation Plans (RCPs) that can span multiple jurisdictions, recognizing that important habitats do not routinely line up with jurisdictional borders. Additionally, RCPs efficiently address mitigation mandates pursuant to CEQA by anticipating transportation projects and “banking” potentially threatened endangered-species habitats. Multiple Species Habitat Plans (MSHCPs) allow the county, its cities and special districts to more effectively make local land use decisions regarding development, while adhering to state and federal endangered species acts regulations and environmental mandates. Under an MSHCP, wildlife agencies grant authorization for public and private development that is potentially detrimental to individual species, in return for assembling and managing a coordinated Conservation Area. Similar to the MSHCP, Natural Communities Conservation Plan/Habitat Conservation Plans (NCCP/HCP) acquire and manage large conservation areas that can be made up of several distinct jurisdictions. An NCCP/HCP takes a

<sup>24</sup> California Department of Fish and Game, <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=151451>; McCollum & Sweetwater, Mitigation and Conservation Banks, <https://mccollum.com/mitigation/>

<sup>25</sup> Wildlands, <https://www.wildlandsinc.com/banks/black-mountain-conservation-bank-2/>

<sup>26</sup> Vulcan Materials Company, <https://westerncsr.vulcanmaterials.com/2019/01/08/protecting-our-endangered-species/>

<sup>27</sup> The Mojave Desert Tortoise Conservation Bank, <https://deserttortoisebank.com/>

<sup>28</sup> McCollum & Sweetwater, <https://mccollum.com/mitigation/>; Ecosystem Investment Partners, <https://ecosystempartners.com/project/riverpark/>

broad-based ecosystem approach, focusing on the long-term protection of wildlife and plant species while also allowing for development. There are five established RCPs in the SCAG region:

I. Coachella Valley MSHCP

This plan aims to preserve 240,000 acres of natural habitat and 27 plant and animal species in the Coachella Valley region of Riverside County. Since receiving its state and federal permits in 2008, about 40% of the land (89,000 acres) has been acquired. A major amendment is that includes the entire City of Desert Hot Springs was approved in August 2016.

II. Lower Colorado River MSCP

Established in 2005, this program is a multi-state plan to balance use of the Colorado River’s water resources and conservation of native species and their habitats along the lower Colorado River in compliance with the Endangered Species Act. The program area covers over 400 miles of the lower Colorado River across Arizona, Nevada, and California and aims to preserve over 8,100 acres of habitat, produce over 1.2 million native fish, and benefit at least 27 species, most of which are state or federally listed as endangered, threatened, or sensitive.

III. Orange County Central-Coastal NCCP/HCP

Approved in 1996, this plan was one of the first regional HCPs in the country. The planning area covers 208,000 acres, protecting habitats for 39 species, six of which are federally listed endangered species. Participating organizations include seven cities, the County of Orange, Irvine Company, Metropolitan Water District, the Transportation Corridor Agencies and UC Irvine.

IV. OCTA Measure 2 NCCP/HCP

Approved in 2017, this plan protects threatened plant and wildlife species and covers routine maintenance for preserve areas. It is funded by OCTA’s Measure M2 Environmental Freeway Mitigation Program. An extension of Measure M (1990), Measure M2 is a voter-approved half-cent sales tax increase to fund transportation improvements. Over thirty years, the Environmental Mitigation Program will allocate about \$300 million to acquire natural lands and fund habitat restoration projects, while enabling a more streamlined approval process for freeway improvement projects. Since the initial funding round in 2010, 1,300 acres of natural lands have been acquired and twelve restoration projects have been funded. The total land in the planning area is 510,000 acres.

V. Western Riverside MSHCP

Half a million acres of land are designated for conservation under this plan, the largest habitat conservation plan in the United States. When the MSHCP was enacted in 2008, nearly 70 percent of the land already had public or quasi-public status. Since then, the Regional Conservation Authority (RCA), the plan’s facilitating agency, has been active in acquiring the remaining 153,000 acres. To date, 42 percent of the total land has been acquired.

[Regional Conservation Investment Strategies](#)

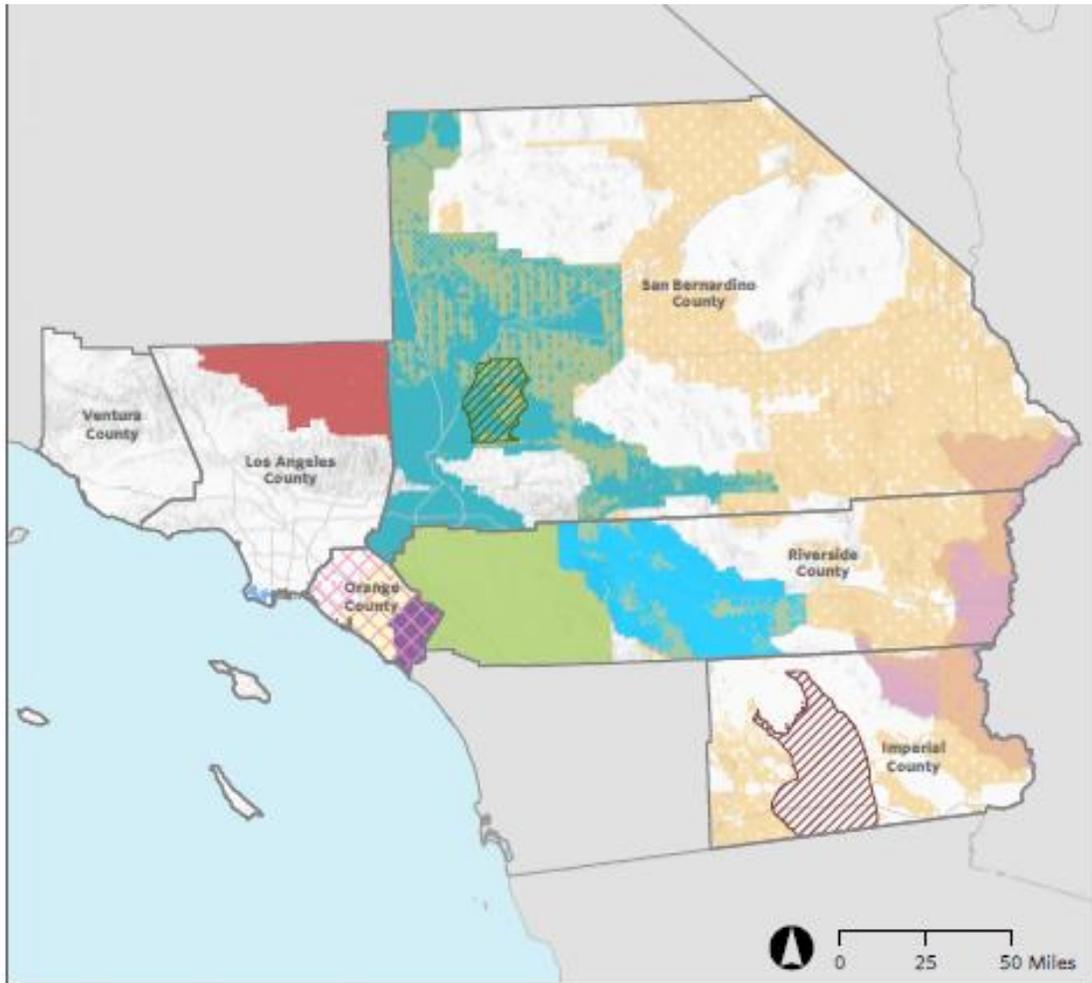
Established by Assembly Bill 2087, the California Department of Fish and Wildlife created the Regional Conservation Investment Strategy (RCIS) program in 2017 to encourage regional approaches for advance mitigation and conservation. The program is a voluntary, non-regulatory conservation assessment and

strategy to benefit species and habitats of concern and to provide a more efficient and effective approaches to mitigation and conservation. An RCIS can be used as the basis for advance mitigation and have the benefit of streamlining. There is one approved RCIS in the SCAG region:

VI. Antelope Valley Regional Conservation Investment Strategy

Approved in 2021 by the California Department of Fish and Wildlife, the Antelope Valley RCIS (AVRCIS) covers over 707,000 acres in northern Los Angeles County. The AVRCIS ~~uses the best available science to~~ identifies conservation goals and objectives, conservation actions, habitat enhancement actions, and conservation priorities. It is a voluntary non-regulatory conservation strategy intended to guide conservation investments and advance mitigation, as well as help species and their habitats adapt to climate change and other pressures, in the AVRCIS area.

## Appendix B – Map of Existing RAMP Boundaries in the SCAG Region



Created by: TNC California, January 26, 2022  
 Sources: Regional Conservation Plans - CDFW; BCS - ICF, Dodel; Basemap - Esri

Appendix C – Draft RAMP White Paper

# Regional Advance Mitigation Planning to Support Connect SoCal in the SCAG Region



Photo: San Bernardino County Transportation Agency



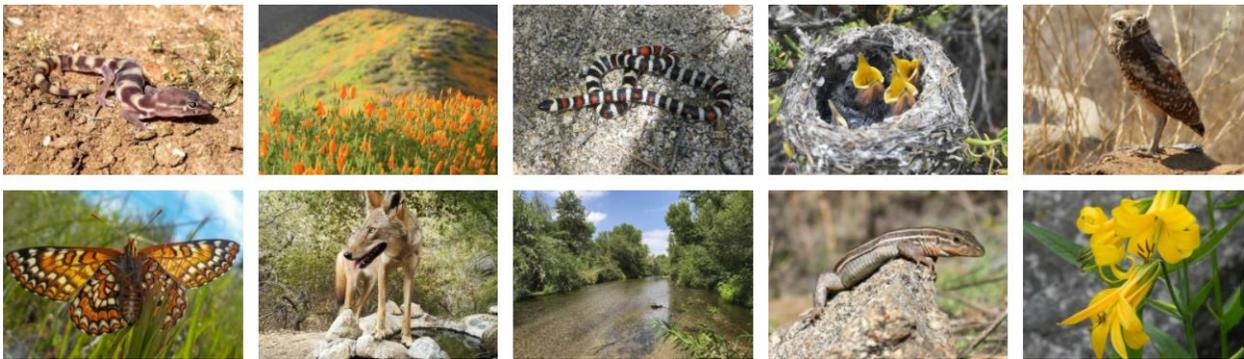
Photo: Lindsay P. Martin/TNC



Photo: Transportation Corridor Agencies



Photo: Orange County Transportation Authority



Photos: Western Riverside County Regional Conservation Authority

FINAL DRAFT White Paper Prepared for Southern California Association of Governments  
By Liz O'Donoghue, The Nature Conservancy  
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- Ventura County Transportation Commission: Amanda Fagan
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- San Bernardino County Transportation Authority: Josh Lee, Steve Smith
- LA Metro: Heather Repenning, Paul Backstrom, Carlos Montez
- Imperial County Transportation Commission: David Aguirre
- Transportation Corridor Authorities: David Matza, Valerie McFall
- Caltrans Districts 7 and 8: Francis Appiah, Tracey D'Aoust Roberts, Craig Wentworth
- WRA Inc.: Nathan Bello, Marlene Tyner-Valencourt
- Friends of Harbors, Beaches and Parks: Melanie Schlotterbeck
- Brightline West: Andrew Mack

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## Executive Summary

The adopted regional plan, Connect SoCal, is a long-range plan that balances future mobility and housing needs with economic, environmental, and public health goals. Connect SoCal identifies over \$638 billion in transportation system investments through 2045 in the six-county Southern California region, and recognizes the need for the housing, energy projects and water investments to support the region's communities and economy. At the same time, Southern California's natural environment hosts an extraordinarily rich and diverse array of ecosystems that provide habitat for plants and wildlife, many of which exist nowhere else on earth, and are essential to maintaining the fragile balance of nature and support resident's health and quality of life. The region's natural and working lands provide clean water and clean air, local fresh food, opportunities for healthy recreation, protection from climate threats like flooding, wildfire, and urban heat, and mitigate climate change by sequestering greenhouse gas emissions.

To achieve the balance envisioned in Connect SoCal, SCAG is working on new initiatives at the intersection of land use, transportation, and technology to achieve its goal of a more mobile, sustainable, and prosperous region, and to reach the region's greenhouse gas reduction goals. Regional Advance Mitigation Planning (RAMP) is one example of a strategy that sits at that intersection of land use, transportation, and technology, and supports Connect SoCal's goals. RAMP seeks to balance the need for infrastructure and conservation in the region to maximize benefits to the environment, economy, and communities. Given the synergistic outcomes from RAMP, especially the benefits to the environment, a RAMP planning initiative was included as component of a mitigation measure in the Connect SoCal Programmatic Environmental Impact report (EIR).

RAMP is a science-based integrated planning framework that, when implemented, expedites infrastructure project delivery, and achieves meaningful conservation outcomes. By identifying and aligning future development and conservation planning, RAMP saves time, money and staff resources, results in permit efficiencies, accelerates conservation investments, and encourages agency communication and coordination. RAMP allows infrastructure agencies to get ahead and stay ahead, by planning and securing anticipated compensatory mitigation needs well in advance of project development, getting projects done sooner and cheaper through streamlined regulatory review and permitting. Simultaneously, conservation benefits are achieved from pooling required mitigation funding to enable protection, restoration or enhancement of larger-scale and higher priority habitat than the typical project-by-project mitigation approach.

Guided by the data-rich integrated planning framework, RAMP can be implemented through Natural Communities Conservation Plan/ Habitat Conservation Plans (NCCP/NCCPs), Regional Conservation Investment Strategies (RCIS) and associated Mitigation Credit Agreements (MCAs), and mitigation and conservation banks. Southern California has been a leader in developing highly successful RAMP programs, mostly at the sub-county level that are well established and achieving their desired outcomes. However, there are gaps in RAMP coverage and coordination in and throughout the SCAG region, and there may be opportunities to provide region-wide RAMP resources and support that can assist existing programs, potentially new programs and inter-jurisdictional collaboration.

This white paper was commissioned by SCAG to investigate the question of advancing RAMP in the six-county region as a regional strategy and is guided by research, and information from transportation agencies, conservation organizations, and others. The paper provides background on RAMP and identifies the benefits and challenges of instituting RAMP in the region. This white paper does not come to a conclusion; rather it explores opportunities to support existing and future programs, RAMP initiatives that could cross jurisdictions to serve inter-regional infrastructure and conservation needs, science and planning resources, agencies' roles, questions and information gaps.

That said, the white paper suggests that SCAG is well positioned to support RAMP in the region, given its regional scope, existing partnerships and relationships, robust data and infrastructure planning expertise, and commitment to project delivery and conservation outcomes. SCAG has no intention to assume responsibility for RAMP in the region; a program, should it be established consistent with Connect SoCal's PEIR mitigation measures, would be voluntary, promote flexibility in options and actions, address clear needs, and add value to existing partners and programs. As SCAG, partners and collaborators explore more deeply the possibility of a RAMP initiative in the region, specific tasks can be pursued that can help inform decisions as the conversation continues. Those next steps are: 1) Identify the potential demand for advance mitigation through integrating conservation and impacts assessments, potentially focusing on specific sectors or geographies; 2) Evaluate regional network and collaborative opportunities to study options for the structure and stakeholder engagement for a RAMP initiative; 3) Consider opportunities to close gaps in RAMP plans and mechanisms to enable RAMP throughout the region; 4) Explore options for funding and financing a RAMP initiative in the SCAG region; and 5) Consider a pilot project based on emerging mitigation needs.

The white paper is organized around the following chapters:

*Regional Advance Mitigation Planning: an overview*

This chapter identifies the problems with project-by-project mitigation and describes the RAMP approach, its benefits and challenges. It highlights the existing advance mitigation programs in the Region, gaps in coverage and cross-jurisdictional considerations.

*RAMP Foundations and Tools*

This chapter describes the regulatory context and foundations for RAMP and identifies advance mitigation tools and plans that can act as implementation opportunities. It also describes the regional and local planning context and other important considerations (like climate resilience, climate mitigation and general plans) at the various jurisdictional scales.

*A Science-based Integrated Planning Framework*

This chapter outlines the stepwise planning process to integrate and align infrastructure and conservation planning information that is the basis for RAMP. It provides the science and methods that underpin the RAMP approach enabling certainty and acceptance. It includes the principles behind conservation planning, the methods and data needed for assessing potential project impacts, and the data, tools and outreach needed for identifying advance mitigation opportunities.

*Partners and Collaborators*

This chapter describes the range of partners and collaborators in the RAMP process, identifies potential engagement opportunities and structures, and reports on feedback from interviews with partners and collaborators.

*Scope, Scale and Models*

This chapter identifies and considers different approaches to a regional RAMP program, given the existing advance mitigation programs, plans and other opportunities. It considers the inter-jurisdictional issues such as linear infrastructure, wildlife connectivity corridors, large sensitive habitats, and regulatory agency preferences such as ecoregional and watershed scales.

*Funding and Financing*

This chapter describes the importance of funding and financing to implementing a RAMP program. The chapter describes funding models, sources of funding for mitigation, costing models and timing.

*Authorities, Potential Roles and Responsibilities*

This chapter clarifies existing authorities and identifies potential roles for SCAG in a regional RAMP initiative and identifies the array of expertise and partners in the SCAG region.

*Recommendations*

This chapter provides recommendations for SCAG to consider based on the research and information gathered through the process, proposes areas of focus and incremental next steps, identifies information gaps and potential tools, and considerations for collaboration and roles.

DRAFT

## Regional Advance Mitigation Planning: An Overview

As the SCAG region’s population and economy continue to grow, new housing units, employment facilities, water, energy, and transportation infrastructure are needed to accommodate the nearly two million residents that are forecasted to call Southern California home by 2050<sup>1</sup>. With an over 10 million additional jobs forecast in the region by 2050<sup>2</sup>, strategies that expedite transportation infrastructure delivery are critical to keep people and goods moving.

Framing this regional growth are the diverse natural and agricultural landscapes of Southern California. These invaluable assets ensure a robust economy, clean drinking water, improved air quality, and essential recreation activities for all of the region’s residents. In addition to desert, mountain and coastal habitats, some of the highest concentrations of native plant and animal species on the planet are found within our region. Recognized as part of the California Floristic Province, Southern California is one of the planet’s top twenty-five biodiversity hot spots.<sup>3</sup> Yet due to major stressors such as climate change, urbanization and fragmentation, California is experiencing rapid biodiversity loss, with the most imperiled biodiversity of any state in the contiguous United States.<sup>4</sup>

Given the sensitive natural habitats of the Southern California region, many essential development projects will have impacts on sensitive species and habitats that may result in degradation of existing habitats and species, and increased fragmentation further threatening the viability of habitats and species and may require environmental mitigation as prescribed in each project’s environmental document to avoid, or minimize the potential impact; if there are unavoidable impacts to species, habitats or resources, the project proponent is required to compensate for any impacts that do occur. This avoid-minimize-compensate sequence is called the mitigation hierarchy.<sup>5</sup>

The mitigation hierarchy guides project proponents to address environmental impacts in a number of ways, as defined in Title 14, Section 15370 of the California Code of Regulations (commonly known as the “CEQA Guidelines”):

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action;
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment;

<sup>1</sup> *Connect SoCal 2024 Preliminary Regional and County Growth Projections* retrieved from <https://scag.ca.gov/sites/main/files/file-attachments/rc020322fullpacket.pdf?1643342099>

<sup>2</sup> Ibid

<sup>3</sup> Myers, N., R.A. Mittermeier, C.G. Mittermeier, G.A.B. da Fonseca, J. Kent. (2000). Biodiversity Hotspots for Conservation Priorities

<sup>4</sup> Hamilton, Healy, Regan L. Smyth, Bruce E. Young, Timothy G. Howard, Christopher Tracey, Sean Breyer, D. Richard Cameron, et al. 2022. “Increasing Taxonomic Diversity and Spatial Resolution Clarifies Opportunities for Protecting US Imperiled Species.” *Ecological Applications* e2534. <https://doi.org/10.1002/eap.2534>

<sup>5</sup> See U.S. EPA website: <https://www.epa.gov/cwa-404/types-mitigation-under-cwa-section-404-avoidance-minimization-and-compensatory-mitigation>

- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
- (e) Compensating for the impact by replacing or providing substitute resources or environment.

Compensatory mitigation measures may include purchasing, restoring or enhancing habitat for certain affected species or activities. Mitigation is often required under federal statutes such as the Clean Water Act, Endangered Species Act, Federal Wild and Scenic Rivers Act, as well as state requirements under the California Environmental Quality Act (CEQA), California Endangered Species Act, CA Fish and Game Code Sections 1600-1616 (Lake and Streambed Alteration Agreements), Porter-Cologne Water Quality Control Act, California Wild and Scenic Rivers Act, and the Habitat Restoration and Enhancement Act.

Mitigating environmental impacts can often be expensive and increase total project costs significantly. Alongside mitigation, uncertainty in timing can also contribute to significant project costs. For transportation investments broadly, “the permitting process under federal and state legislation constitutes a major component of the project development and delivery process for transportation projects. Over \$3.3 billion is spent annually on compensatory mitigation under the Clean Water Act (CWA) and Endangered Species Act programs.”<sup>6</sup>

Traditionally, environmental mitigation has been handled by lead agencies during the CEQA process on a project-by-project basis, “usually near the end of a project’s environmental review...where permitting delays can occur when appropriate mitigation measures cannot be easily identified and agreed upon, and the cost of mitigation often increases between the time the project is planned and funded and the time mitigation land is acquired. As a result, infrastructure agencies end up paying top dollar to satisfy mitigation requirements.”<sup>7</sup> The practice of identifying mitigation measures at the end of a project’s environmental review often results in delays in project delivery and uncertainty in the development process. This is often due to the costs incurred to conduct biological studies after project plans have been created, especially in instances where impacts are discerned that were not foreseen and mitigation costs increase unexpectedly. Furthermore, the lack of early coordination with regulatory agencies to pro-actively incorporate conservation data and align mitigation with regional conservation priorities results in delays in securing accepted mitigation and small-scale ineffective mitigation.<sup>8</sup> A national study identified that nearly two thirds of departments of transportation (DOTs) surveyed had experienced delays from environmental issues, often of 12 months or more.<sup>9</sup>

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<sup>6</sup> Overman, J. H., Storey, B., Kraus, E., Miller, K., Walewski, J., Elgart, Z., & Atkinson, S. (2014). Maximizing mitigation benefits-making a difference with strategic inter-resource agency planning: year one technical report (No. FHWA/TX-13/0-6762-1). Texas. Dept. of Transportation. Research and Technology Implementation Office.

<sup>7</sup> Ibid

<sup>8</sup> Ibid

<sup>9</sup> Ibid

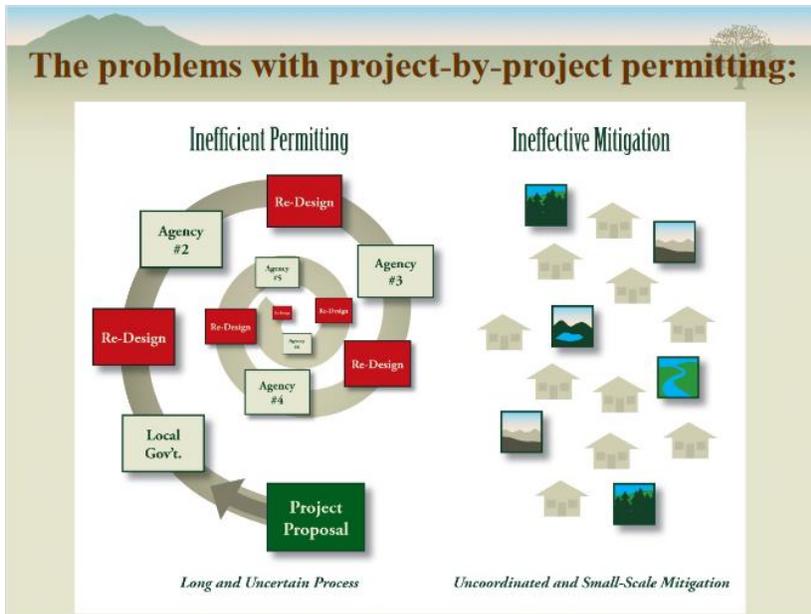


Figure 1. Courtesy - ICF for East Contra Costa County Habitat Conservancy

In California, researchers estimate that mitigation costs for transportation projects initiated between 2014 and 2019 ranged from two percent to twelve percent of total project costs – to a sum of roughly four billion dollars.<sup>10</sup> While the exact length and causes of delay from environmental review are varied, some reports suggest the current process may add 10 to 15 years to project delivery.<sup>11</sup> Continued cost escalations over the past two decades have prompted Caltrans to consider strategic planning for consolidated advance mitigation opportunities.

The delays, costs, and lack of effective conservation outcomes from traditional project-by-project mitigation has led to the growing trend of identifying mitigation needs and opportunities in advance of project development, known as advance mitigation planning, both in California and nationally.<sup>12</sup>

### Regional Advance Mitigation Planning (RAMP)

RAMP is a planning framework that represents an integrated and comprehensive approach to mitigating unavoidable biological resource impacts potentially caused by infrastructure or development projects. An alternative to project-by-project mitigation, RAMP aims to integrate regional-scale conservation into project proponents' efforts well in advance of detailed project-level planning. By focusing mitigation activities to areas that provide greater habitat and connectivity value, preserve highly functional

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*RAMP is a science-based approach to identify and implement advance mitigation actions to support regional conservation priorities and expedite project delivery.*

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<sup>10</sup> Sciara, G. C., Bjorkman, J., Stryjewski, E., & Thorne, J. H. (2017). Mitigating environmental impacts in advance: Evidence of cost and time savings for transportation projects. *Transportation Research Part D: Transport and Environment*, 50, 316-326.

<sup>11</sup> Sciara, G. C., Bjorkman, J., Lederman, J., Thorne, J. H., Schlotterbeck, M., & Wachs, M. (2015). Task 2 Report: Setting the Stage for Statewide Advance Mitigation in California.

<sup>12</sup> Metro Regional Advance Mitigation Needs and Feasibility Assessment, June 2018, prepared by ICF.

ecosystems, and reflect the conservation priorities of the region, RAMP seeks to better optimize mitigation spending and align mitigation projects with regulatory agency priorities.

RAMP incorporates both a regional geographical component and an advance time frame. The regional geographical component allows agencies to consider potential impacts of multiple planned development projects and the landscape and watershed health needs in the region. The advance time frame allows agencies to identify and implement regional mitigation opportunities that will satisfy anticipated mitigation requirements early in the project planning and the environmental review process, before projects are constructed, often years in advance.

RAMP aims to be faster, less expensive, and more effective than traditional project-by-project mitigation. The goal is for natural resource agencies and infrastructure agencies or project proponents to work together to integrate conservation data and estimate mitigation needs early in the projects' timelines for mutual benefit. For infrastructure agencies or developers, RAMP helps to potentially reduce potential mitigation needs and costs, avoid permitting and regulatory delays, and allow public mitigation dollars to stretch further.<sup>13</sup> For natural resource agencies and conservation organizations, RAMP requires a landscape-scale approach that better facilitates the early integration of mitigation considerations (such as avoidance and minimization) in project planning and design, that helps to ensure the durability and success of mitigation measures over time, transparency and consistency and facilitates investment in conservation priorities to create larger scale, connected and functional and resilient ecosystems. Further, RAMP catalyzes conservation actions such as protection, restoration or enhancement sooner, earlier in the development timeline, thereby avoiding conversion of valuable habitat to other uses.

RAMP itself is not a regulatory process and does not change CEQA in any way. By planning strategically on a larger scale and implementing mitigation in advance of project impacts or project delivery, RAMP allows both resource agencies and infrastructure agencies to work together to implement mitigation to be more cost effective, efficient, and successful.

### RAMP Foundations and Tools

RAMP is a planning framework that integrates infrastructure and development plans and projects with conservation information to satisfy regulatory requirements and to support regional planning and sustainability goals. It is an important strategy to advance Connect SoCal, a long-range plan that balances future mobility and housing needs with economic, environmental, and public health goals.

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*“As a result of [the Western Riverside MSCHP], we are achieving key quality of life goals: protecting our environment and delivering needed transportation projects. The plan has proven that growth and conservation can co-exist.” Anne Mayer, Executive Director, Riverside County Transportation Commission.*

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<sup>13</sup> Sciara, G. C., Bjorkman, J., Stryjewski, E., & Thorne, J. H. (2017). Mitigating environmental impacts in advance: Evidence of cost and time savings for transportation projects. Transportation Research Part D: Transport and Environment, 50, 316-326.

It is well aligned with strategic mitigation tools that have been developed over the past thirty years, such as Natural Communities Conservation Plans (NCCPs). The Federal Highway Administration’s Eco-Logical Approach and the Integrated Ecological Framework<sup>14</sup>, programmatic mitigation plans in federal transportation and water infrastructure authorization laws and the U.S. Fish and Wildlife Service mitigation policies<sup>15</sup> encourage and authorize strategies to integrate conservation early into infrastructure development for better infrastructure and environmental outcomes. Agencies regulating wetlands and Waters of the U.S. emphasize the importance of a watershed approach<sup>16</sup> to mitigation. Both state and federal policies support the use of advance mitigation to fulfill state and federal compensatory mitigation requirements. More recently, the California Natural Resources Agency identified “Institutionalize Advance Mitigation” as one of nine strategic actions to achieve the state’s goal of protecting 30 percent of California’s lands and waters by 2030.<sup>17</sup>

### Applicable regulations

Development projects, whether advanced by public infrastructure agencies or private interests, are subject to federal, state, and local environmental regulations. As mentioned before, the RAMP process does not alter existing regulations. Since the RAMP process facilitates integrating conservation information with predicted impacts for future projects, the RAMP process aims to enable agencies to comply with the mitigation hierarchy more efficiently and mitigation requirements resulting from environmental regulations. The following is a list of the most relevant federal and state policies governing mitigation.<sup>18</sup>

#### Federal Laws and Regulations

- National Environmental Policy Act (42 U.S.C. 4321 et seq.).
- Endangered Species Act of 1973 (16 U.S.C. 1531-1543).
- Clean Water Act (33 U.S.C. 1251-1543).
- U.S. Army Corps of Engineers (USACE)/US Environmental Protection Agency’s (USEPA) 2008 Compensatory Mitigation for Losses of Aquatic Resources (Compensatory Mitigation Rule, USACE/USEPA 2008).
- Magnuson-Stevens Fishery Conservation and Management Act (U.S.C. Section 1801 et seq.).
- Coastal Zone Management Act (16 U.S.C. 1415, et seq.).

#### State Laws and Regulations

- California Environmental Quality Act (P.R.C. 21000 et seq.).
- California Endangered Species Act (Fish and Game Code 2050 et seq.).

<sup>14</sup> [https://www.environment.fhwa.dot.gov/env\\_initiatives/eco-logical.aspx](https://www.environment.fhwa.dot.gov/env_initiatives/eco-logical.aspx)

<sup>15</sup> [USFWS mitigation policy, filed at OMB](#)

<sup>16</sup> [https://www.epa.gov/sites/default/files/2015-07/documents/watershed\\_approach\\_handout.pdf](https://www.epa.gov/sites/default/files/2015-07/documents/watershed_approach_handout.pdf)

<sup>17</sup> <https://www.californianature.ca.gov/pages/30x30> p. 4 in draft Pathways to 30x30 in California document

<sup>18</sup> Additional relevant statutes, regulations, policies, and guidelines are listed in the 2021 Statewide Advance Mitigation Initiative Memorandum of Understanding between Caltrans and regulatory agencies.

<https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/ser/2021-sami-mou-a11y.pdf>

- California Natural Community Conservation Plan Act (Fish and Game Code Section 2800 et seq.).
- California Coastal Act, as amended (P.R.C., Division 20, 3000, et seq.).
- Other California Fish and Game Codes
  - Sections 1601-1603: Lake and Streambed Alteration Agreement.
  - Sections 3503, 3503.5, and 3511(a)(1). These sections prevent unlawful take, possession, or needless destruction of the nest egg of any bird, including birds of prey and fully protected birds.
  - Sections 4150 and 4700(a)(1). These sections prevent the take or possession of non-game mammals and fully protected mammals.
  - Sections 1850-1861: Regional Conservation Assessments, RCISs and Mitigation Credit Agreements.
  - Sections 1797-1799.1: Conservation Bank and Mitigation Bank Applications and Fees.
- State Water Resources Control Board: State Policy for Water Quality Control--State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures).

### Advance Mitigation Frameworks, Strategies and Plans

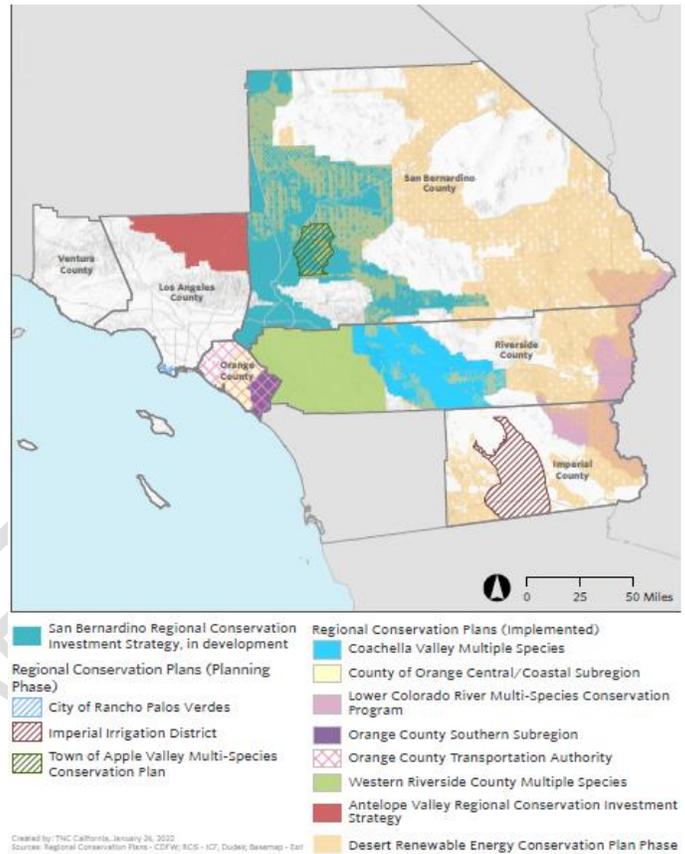
Advance mitigation planning is not a new idea. There are a host of frameworks, strategies and plans that enable advance mitigation through science-based integration of development and conservation data and planning strategies. The following strategies and plans are based on science, plan at a landscape scale and can be primary implementation mechanisms for RAMP mitigation actions.

### SPOTLIGHT RIVERSIDE COUNTY: HABITAT CONSERVATION PLANS/ADVANCE MITIGATION

Multi-species habitat conservation plans were launched in Southern California in the late 1990s/early 2000s to facilitate economic development and the conservation of threatened and endangered species and their habitats. Two of the first NCCPs/HCPs are in Riverside County: The Western Riverside MSHCP, administered by the Regional Conservation Authority (a subsidiary of the Riverside County Transportation Commission), and the Coachella Valley MSHCP, administered by the Coachella Valley Conservation Commission. Both plans were in response to the need to build housing, transportation, and other economic projects in an area that is a global biodiversity hotspot hosting species that are found nowhere else on Earth yet are in decline due to habitat fragmentation and loss. Today, the plans are in the implementation phase, protecting essential habitat while streamlining permitting for development projects. The Western Riverside MSHCP is the largest plan in the nation, protecting 146 native animals and plants and 33 endangered or threatened species, permanently conserving 500,000 acres of nature, while saving taxpayers more than \$500 million and expediting environmental permits for freeway and road projects. The Coachella Valley MSCHP protects 240,000 acres of open space and 27 species and expedites permits for future road projects. Both plans offer certainty for infrastructure agencies and the business community. The conservation projects preserve native natural communities, habitat linkages and wildlife corridors, and create systems of open space parks, trails and reserves for residents and tourists to enjoy. The parks and reserves also support healthy recreation, clean air, clean water and climate resilience.

*Habitat Conservation Plans/Natural Communities Conservation Plans*

Habitat Conservation Plans (HCPs), authorized under the federal Endangered Species Act, are designed to reduce conflicts between listed species and economic development by authorizing the limited and unintentional take of listed species and requiring conservation measures to minimize or mitigate the impacts at a regional scale.<sup>19</sup> Natural Communities Conservation Plans are authorized by California’s Natural Community Conservation Planning Act are similar to HCPs in that they provide for the regional protection of plants, animals and their habitats while allowing compatible and appropriate economic activity.<sup>20</sup> The NCCP Act is broader in its orientation and objectives than the California and federal Endangered Species Acts, as NCCPs take a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity for a suite of species, requiring that conservation actions contribute to the recovery of the covered species.



*Regional Conservation Plans in the SCAG Region*

In Southern California, there are four highly successful multispecies habitat conservation plans, combined NCCP/HCPs that provide long-term coverage for federal and state covered species, involving both federal and state wildlife agencies, and streamlining environmental permitting for transportation and other projects.

- Orange County (Central/Coastal) NCCP/HCP (1996)<sup>21</sup>
- Western Riverside Multiple Species Habitat Conservation Plan (2004)<sup>22</sup>
- Coachella Valley Multiple Species Habitat Conservation Plan (2008)<sup>23</sup>
- Orange County Transportation Authority NCCP/HCP (2017)<sup>24</sup>

NCCP/HCPs typically have plan boundaries that are county subregions, designed to cover areas of high biodiversity, threatened and endangered species and habitats, where anticipated infrastructure and development projects may have environmental conflicts. While NCCP/HCPs can take many years to

<sup>19</sup> <https://www.fws.gov/service/habitat-conservation-plans>

<sup>20</sup> <https://wildlife.ca.gov/Conservation/Planning/NCCP>

<sup>21</sup> <https://occonservation.org/about-ncc/>

<sup>22</sup> <https://www.wrc-rca.org/>

<sup>23</sup> <https://cvmshcp.org/>

<sup>24</sup> <https://www.octa.net/About-OC-Go/OC-Go-Environmental-Programs/Environmental-Mitigation-Program/>

develop and receive approval, once approved, the plans enable a turnkey permitting approval process and a funding structure that supports robust investments to implement science-based conservation reserve designs approved by wildlife agencies. Some NCCP/HCPs have agreements with agencies regulating wetlands and waters, allowing coverage for multiple resources and permits, a significant benefit for project proponents.

#### *Regional Conservation Investment Strategies*

Established by Assembly Bill 2087, a Regional Conservation Investment Strategy (RCIS) is a voluntary, non-regulatory regional planning process intended to result in higher-quality conservation outcomes and includes an advance mitigation tool, called Mitigation Credit Agreement (MCA). RCISs use a science-based approach to identify conservation and enhancement opportunities that, if implemented, will help California's declining and vulnerable species by protecting, creating, restoring and reconnecting habitat, and may contribute to species recovery and adaptation to climate change and resiliency. Any public agency can develop an RCIS and once approved, any entity can develop an MCA within the boundary of the RCIS to create advance mitigation credits by implementing the conservation or habitat enhancement actions identified in an RCIS. The credits may be used as compensatory mitigation for impacts under CEQA, CESA and the Lake and Streambed Alteration Program.<sup>25</sup> If other applicable natural resource agencies determine that an MCA meets relevant state or federal requirements under the federal ESA, the Clean Water Act, the Porter Cologne Act or other applicable regulations and policies, those agencies could elect to allow the MCA to create mitigation credits that can be used under those laws, regulations, and policies.

RCISs and associated MCAs differ from NCCP/HCPs in a number of ways; most significantly that MCAs are limited to generating advance mitigation investments for future use, helping to expedite project delivery. Project proponents must secure permits through the normal regulatory process.

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<sup>25</sup> Text adapted from CDFW's RCIS webpage: <https://wildlife.ca.gov/Conservation/Planning/Regional-Conservation>

#### SPOTLIGHT OCTA: M2 AND THE MITIGATION PROGRAM

In 2006, Orange County residents passed Measure M2 to extend the county's half-cent sales tax for transportation projects until 2041. The conservation community, OCTA and Caltrans collaborated to include an advance mitigation component, modeled after SANDAG's TransNet and Riverside County's Renewed Measure A. M2 pools impacts of the freeway improvement projects in the plan and allocates \$243.5 million (5 % of the cost of the projects) for larger scale mitigation with a focus on habitat protection, connectivity and resource preservation in exchange for streamlined project approvals. A greenprint developed by the Green Vision Coalition helped identify priority conservation lands to protect or restore. An Environmental Oversight Committee (EOC) oversees the Environmental Mitigation Program. In 2016, OCTA completed its NCCP/HCP for the mitigation lands. To date, OCTA has acquired 1,300 acres of open space lands, and restored about 350 acres of land. OCTA staff cite cost savings, strategic and meaningful conservation investments, wildlife agencies' expedited review of freeway projects, streamlined review of clean water act permits, productive partnerships and a legacy access program as key benefits of the program.

In the SCAG region, the Antelope Valley RCIS is approved, and the San Bernardino County RCIS is in development, sponsored by the San Bernardino County Transportation Authority.

*Mitigation and Conservation Banks*

Mitigation or conservation banks are privately- or publicly owned lands managed for natural resource values. In exchange for permanently protecting and managing the land, the bank operator can sell habitat, species, or aquatic resource credits to project proponents who need to satisfy legal requirements for compensating environmental impacts of projects.

A conservation bank generally protects threatened and endangered species and/or habitat. Credits are established for the specific sensitive species or habitat that occurs on the site. Agencies that typically participate in the regulation and approval of conservation banks are CDFW, USFWS and NMFS.

Mitigation banking relies on the same concept as conservation banking, but it includes aquatic resource creation, restoration, and enhancement undertaken to compensate for unavoidable impacts to aquatic resources. Mitigation banks are generally approved by the wildlife agencies, USACE, EPA, and regional water quality control boards using a coordinated review process through the Interagency Review Team. Where approved conservation banks or mitigation banks are available and have appropriate mitigation credits, project proponents or entities may purchase the credits. Where approved conservation banks or mitigation banks are not available, a RAMP program or any entity may establish or fund the establishment of one or more such banks.

*Programmatic Mitigation Plans*

Programmatic mitigation plans are authorized in federal transportation<sup>26</sup> and water resources development<sup>27</sup> statutes to address the potential impacts of transportation and water resources development projects to ecological resources, habitat, fish, and wildlife. A programmatic mitigation plan includes an assessment of the conditions of environmental resources in the plan area and potential opportunities to improve the overall quality of the resources through strategic mitigation for impacts of infrastructure projects and can be used to help identify opportunities for advance mitigation.

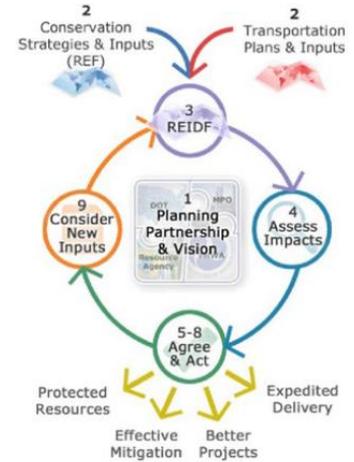
<sup>26</sup> 23 U.S.C. Sec. 169 (a) (SHC 800.9)  
<sup>27</sup> 33 U.S.C. Sec. 2283 (h)

### In Lieu Fee Programs

In-Lieu Fee programs, described in the U.S. Army Corps of Engineers/U.S. EPA 2008 mitigation rule, involve the restoration, establishment, enhancement and/or preservation of aquatic resources through funds paid to a governmental or non-profit natural resources management entity to satisfy compensatory mitigation requirements for Clean Water Act 404 permits. The U.S. Army Corps of Engineers’ Los Angeles District<sup>28</sup> approves in-lieu fees for the district.

### A Science-Based Integrated Planning Framework

RAMP integrates planned infrastructure or development projects and conservation planning to identify potential advance mitigation actions and sites that meet the regulatory requirements and achieve co-benefits. RAMP relies on science and methods to identify important conservation data and support the ecological health of landscapes and watersheds, and to determine estimated impacts of proposed transportation, water and energy infrastructure and other development projects. Conservation planning techniques are used to identify conservation values and direct advance mitigation investments to meet regulatory and broader conservation objectives that regulatory agencies support. Existing conservation plans developed locally can also help to direct mitigation investments to support implementation of those plans. Infrastructure assessments rely on the conservation planning to identify predicted impacts on sensitive species and habitats that help guide future mitigation assessments. Once integrated, further modeling and outreach can determine viable opportunities for advance mitigation that meet the regulatory requirements and generate support for projects that advance landscape scale and watershed health.



FHWA Integrated Ecological Framework

### RAMP Planning Steps

The RAMP process can be simplified into six steps as follows. For illustrative purposes, we use transportation as a model, but the framework can apply to other infrastructure such as water, energy projects, housing plans and projects. The methodology, first developed and published by UC Davis<sup>29</sup> has informed the methodology that Caltrans is currently using for the Advance Mitigation Program.<sup>30</sup> The stepwise process outlined here is intended to be done in coordination with the regulatory agencies to ensure the data, methods and outcomes for the conservation assessment and impacts assessment reflect their input and priorities.

<sup>28</sup> <https://www.spl.usace.army.mil/Missions/Regulatory/Mitigation.aspx>

<sup>29</sup> Thorne, James H; Bjorkman, Jacquelyn; & Huber, Patrick R. (2015). A Reference Manual for Caltrans Staff on Regional Advance Mitigation Impact Assessment Methods. UC Davis: Information Center for the Environment. Retrieved from: <http://escholarship.org/uc/item/76n8793q>

<sup>30</sup> See Caltrans Statewide Advance Mitigation Needs Assessment report methods, retrieved from <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/2020-q2-samna-report.pdf>

Determine the scope of the region for the analysis.

A critical feature of RAMP is the regional scope, allowing integrated analyses that helps identify and consider multiple infrastructure projects for advance mitigation, and incorporates the ecological health of ecoregions and watersheds to foster connected, diverse, and resilient lands and waters, and the benefits they provide to communities. The scale of a region can be ecological, such as ecoregions or watersheds, or jurisdictional, such as a sub-county, county or multiple counties.

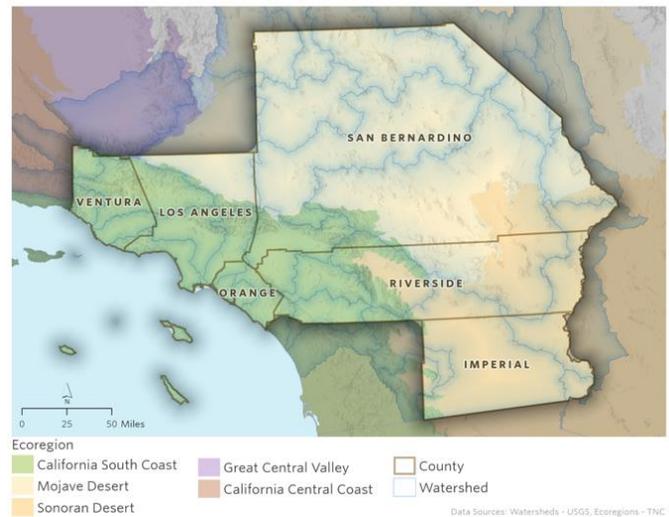
Regulatory agencies emphasize the importance of planning at ecoregional, sub-ecoregional and/or watershed scales to incorporate broader conservation goals such as habitat and aquatic connectivity and climate resilience, and for ease of identifying suitable mitigation sites.<sup>31</sup> Caltrans is developing the Regional Advance Mitigation Needs Assessments at ecoregional scales.

Assemble conservation information in the region. Assembling conservation information in the selected region into a conservation assessment will provide a picture of the ecological health of the region, stressors and opportunities for investment in advance mitigation strategies that support regional conservation goals. The conservation assessment serves two main purposes: it helps project proponents understand the existing environmental conditions and future conservation goals to develop projects' plans to avoid or minimize impacts, thereby reducing the need for compensatory mitigation, and it provides a foundation on which to estimate future projects' impacts. The information assembled typically includes information on:

- Federal and/or state listed species and special-status species
- Habitat connectivity corridors and landscape permeability
- Ecologically sensitive natural communities, including as waters and wetlands
- Existing conservation plans
- Co – benefit information such as carbon sequestration, climate resilience, water, recreational access, environmental justice

Counties, Ecoregions and Watersheds

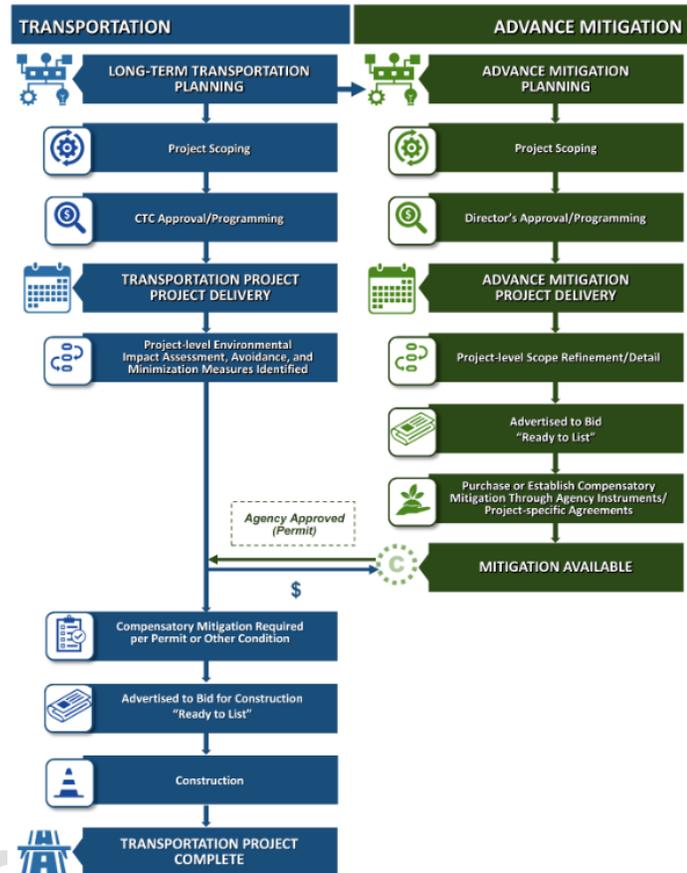
SCAG



<sup>31</sup> Ibid.

Identify planned infrastructure and/or development projects in a region.

Potential infrastructure or development projects to be considered for RAMP include those that are planned sufficiently far enough in the future to be able to take advantage of *advance* mitigation (see chart to the right to see the timing of advance mitigation with transportation project delivery); and could possibly require mitigation measures. For example, projects in a Regional Transportation Plan that add transit capacity on existing infrastructure or planning projects would not be included as they would not likely have habitat impacts. The projects need to be digitized in order to run the analysis. For selected projects a footprint is estimated by applying buffers using existing models.



*Timing of Advance Mitigation Process. Credit: Caltrans*

Estimate potential impacts and mitigation need.

The next step is to integrate the conservation information and the list of infrastructure projects to estimate potential impacts of planned projects on covered species and sensitive habitats. This is done by overlaying project footprints on species and habitat models and identifying a range of impacts to account for estimates in the model, resulting in a range of high to low potential impacts. Once the range of impacts is identified for the relevant species and habitats, one can then apply a mitigation ratio to identify potential mitigation need. For example, if the analysis finds that the projects collectively may impact 20 acres of a species' habitat, applying a mitigation ratio of 2:1 for mitigation would result in a mitigation need of 40 acres of that habitat. Importantly, this information is for planning purposes only to give order-of-magnitude mitigation estimates and not for expected permitting actions.

Collaborate and identify existing options or suitable mitigation sites.

Once the estimated mitigation need for species and habitats is known, there are a number of ways that one can identify and consider strategic mitigation options that support the advance mitigation needs and conservation goals. These include mitigation strategies, mitigation mechanisms, mitigation sites and specific mitigation actions that meet conservation priorities and provide project proponents the more efficient project delivery outcomes. RAMP prioritizes opting-in with existing strategic advance mitigation programs that contribute to ecosystem-level and regional conservation goals such as existing NCCP/HCPs, conservation and mitigation banks, in-lieu fee programs and Mitigation Credit Agreements.

If no such strategic advance mitigation plans or mechanisms exist, mitigation credits can be created by working with partners to protect, restore or enhance habitat that meet the predicted compensatory mitigation needs for a suite of future projects. Outreach is critical to identify potential partners who could act as suppliers of mitigation, such as mitigation bankers, land trusts, conservancies, habitat agencies, open space districts and local governments. Further analysis may be helpful to identify a portfolio of potential advance mitigation sites using techniques such as Marxan<sup>32</sup> reserve selection software to evaluate areas for potential biological suitability. See chart below for an illustration of the mitigation decision tree.

Implementation: Secure or generate mitigation credits for use in the future.

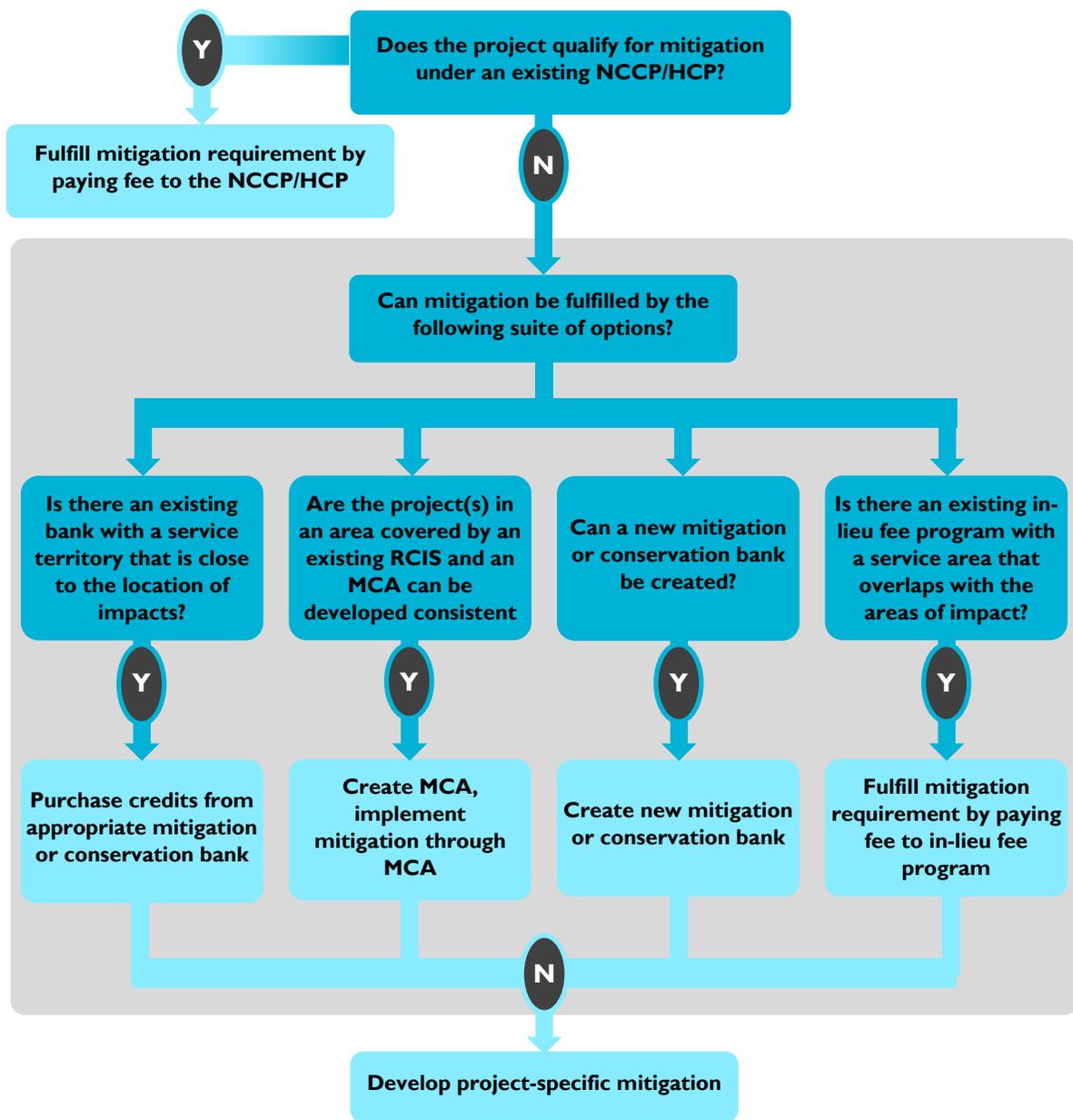
As mentioned, if a strategic advance mitigation option exists that enables project proponents to secure mitigation credits immediately, that is likely to be the most efficient option. Participating in an NCCP/HCP, purchasing credits from a bank, or purchasing/using available credits from an MCA will satisfy compensatory mitigation needs.

If no such option exists, project proponents can invest in advance mitigation actions consistent with regional conservation goals by using an approved RCIS to site mitigation actions in high priority conservation areas, thereby creating an MCA for a suite of advance mitigation actions, create mitigation or conservation banks, through mechanisms like a request for proposal.

To be considered RAMP investments, implementation strategies and mechanisms must be forms of advance mitigation, contribute to regional conservation priorities, implemented with the concurrence of applicable natural resource agencies, and will create mitigation credits or values before infrastructure or project impacts occur. In many cases, RAMP mitigation actions can be implemented by providing funding and support to appropriate partners, entering into agreements with the partners regarding how a mitigation action will be implemented, and enabling the partner to implement the mitigation. For example, RAMP managers or project proponents could issue “requests for proposals” that invite partner organizations and entities to submit proposals for habitat or aquatic resource conservation actions for future predicted mitigation needs that align with RAMP goals. RAMP managers or project proponents could create mitigation values or mitigation credits by contributing funding and support for large-scale conservation actions implemented by RAMP partners, including but not limited to habitat protection or wetland restoration actions, creating mitigation values or mitigation credits from only a portion or phase of the larger conservation action. This approach can both increase the efficiency of RAMP implementation and increase the ecological success of the large-scale conservation action and the RAMP mitigation action.

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<sup>32</sup> <https://marxansolutions.org/>



Mitigation Prioritization Decision Tree. Credit: East Bay RAMP Sub-Regional Assessment

### Science and Methods

The following outlines the methods for developing conservation assessments and estimating potential impacts of infrastructure projects, focusing on transportation given that there are established methods in current use. The basic approach for identifying estimated impacts is the intersection of modeled infrastructure project footprints and natural resource spatial layers, with co-benefit information providing information on impacts to and benefits of potential RAMP investments to help with prioritization.

## Conservation Assessments

Science-based conservation assessments include data and analysis that describes and maps the distribution of conservation values and co-benefits across a region. Once developed, a conservation assessment can provide an objective, science-based process, and suite of data on which to estimate future development projects' impacts and to provide a tool to assist RAMP stakeholders in prioritizing lands for restoration, protection and enhancement for advance mitigation purposes. Models exist for conservation assessments, such as conservation reserve designs in NCCP/HCPs, Caltrans' Regional Advance Mitigation Needs Assessments<sup>33</sup>, the Conservation Assessment of Orange County<sup>34</sup> created to support OCTA's M2 Environmental Mitigation Program, and Biodiversity in Los Angeles (BAILA)<sup>35</sup>.

Incorporated in conservation assessments are essential strategies to protect biodiversity. These strategies can guide development of conservation assessments and help identify priority mitigation actions. As described in the *Draft Pathways to 30x30 in California* report, those strategies include:

- Protect areas that are adjacent or linked to existing conserved areas to support large, interconnected landscapes and seascapes
- Ensure conservation of habitats that represent the full diversity of California's ecosystems, especially rare or remnant habitat types
- Restore degraded habitats, especially for rare ecosystems
- Target areas with high species richness, endemism (species only found in one place), and species rarity
- Prioritize places that support exceptional biocultural significance, which account for the interconnected nature of people and places.

OCTA's M2 Environmental Mitigation Program developed criteria to guide acquisition, restoration and management of mitigation properties<sup>36</sup>. The criteria include information for biological assessments,

## MITIGATION WIZARD

RAMP is a science-based process that relies on conservation and infrastructure data, models and approaches that align with regulatory agency policies and priorities. The methods require capacity, expertise and tools to conduct the analysis and process to determine mitigation demand, supply, opportunities and co-benefits. The [Mitigation Wizard](#) is a new, freely accessible tool embedded in the Bay Area Greenprint that was developed to enable RAMP opportunities in the San Francisco Bay Area. With regulatory and transportation agencies as advisors, the Mitigation Wizard is a web-based decision support tool that helps users identify the potential impacts of their projects on special-status species and sensitive habitats, and then evaluate potential conservation or restoration project areas to offset them. Users can then run the areas through the Bay Area Greenprint to understand projects' areas co-benefits, helping to make mitigation investments that support multiple benefits.

<sup>33</sup> <https://dot.ca.gov/programs/environmental-analysis/biology/advancemitigation>

<sup>34</sup> [http://www.octa.net/pdf/CBIReport\\_final.pdf](http://www.octa.net/pdf/CBIReport_final.pdf) (2009)

<sup>35</sup> [https://www.scienceforconservation.org/assets/downloads/BAILAreport\\_FINAL.pdf](https://www.scienceforconservation.org/assets/downloads/BAILAreport_FINAL.pdf)

<sup>36</sup> <https://www.fhbp.org/PDFs/Resources/Resources/M2/OCTA-M2-Evaluation-Criteria.pdf>

information to ensure alignment with land use and support from local governments, communities and regulatory agencies, information to help leverage co-benefits, and potential constraints.

At a basic level, data is assembled that represents biodiversity in the region, the conservation goals and objectives and existing conservation plans. Those data include: habitat, threatened and endangered species, special-status species, natural communities, habitat connectivity and climate resilience.

Regulatory agencies should be consulted when identifying data for a conservation assessment to ensure the assessment incorporates the agencies' relevant data, policies and priorities. Examples of data to support RAMP conservation assessments include:

*Biodiversity, habitats, species richness*

- California Department of Fish and Wildlife Areas of Conservation Emphasis II
- Threatened and Endangered Species (CDFW)
- High and Very High Species Biodiversity Areas (CDFW)
- Very High and High Species Biodiversity Areas (CDFW)
- US Fish and Wildlife Service Critical Habitat
- National Marine Fishery Service Critical Habitat'
- Audubon Society Important Bird Areas
- Data from NCCP/HCPs
- Wetlands (NWI) and Vernal Pools (CDFW)
- Individual mitigation species models based on land on cover (CDFW VEGCAMP, CWRH), known occurrences (CNDDDB) and observations (eBird, iNaturalist, GBIF, HerpMapper)
- Species requiring mitigation (TNC)
- Species biodiversity rank (CDFW)

*Habitat connectivity*

- Habitat connectivity and critical linkages (SC Wildlands, TNC)
- Fish passage barriers (CDFW)
- Regional Habitat Connectivity (TNC)
- Resilient Connected Network (TNC)
- Wildlife movement Barrier Priorities (CDFW)

*Plans and existing conditions*

- Land cover data (CDFW VEGCAMP, CWHR)
- Protected Areas and conservation easements (GIN)
- Farmland Mapping and Monitoring Program (DOC)
- Conservation plan density (Huber)
- Watersheds (USGS)
- Ecoregions (US EPA)
- Native American Reservations (SCAG)

### Co-benefits and Leveraged Opportunities

While RAMP focuses on actions to compensate for unavoidable impacts on special-status species, habitats, waters of the State, wetlands, and natural communities, RAMP investments to protect, restore or enhance resources can yield co-benefits that make RAMP investments attractive to communities and the regulated community. Examples of co-benefits include climate mitigation and resilience, water quality and supply, addressing past environmental harms to vulnerable populations such as Black, Indigenous and People of Color (BIPOC), access to parks and open space particularly for disadvantaged and underserved communities, public health benefits, and flood risk reduction. Multi-benefit conservation mapping tools, like greenprints, enable efficient and effective analysis for assessing the co-benefits of protecting, restoring or enhancing specific sites that have been identified as suitable for advance mitigation investments.

Water Resources: While RAMP incorporates compensatory mitigation for Waters of the State and U.S., wetlands and water quality, advance mitigation actions such as restoring riparian areas, protecting areas of high groundwater recharge and enhancing floodplains can yield co-benefits related to water availability, water quality, healthy freshwater habitats, and reduce climate risks to communities and ecosystems. Data that support water availability, conservation, quality and resilience goals include:

- Adjudicated groundwater basins (CA DWR)
- Hydrogeologically Vulnerable areas (CA State Water Board)
- Impaired waterways and waterbodies (U.S. EPA)
- Municipal drinking water supply watersheds (TNC)
- Critically Overdrafted Groundwater Basins (CA DWR)
- Priority Groundwater Basins (CA DWR)
- Water Stress (USGS)
- Water Quality Index (U.S EPA)
- Altered streams (USGS)
- Water quality monitoring sites (USGS)
- Groundwater recharge (USGS)
- Points of diversion (CA State Water Board)
- Runoff (USGS)

Climate mitigation and resilience: RAMP investments can reduce greenhouse gas emissions through carbon sequestration and avoided conversion, support community and ecological resilience and reduce climate risks. Data that support climate mitigation and resilience include:

#### *Carbon sequestration*

- Soil carbon (Hengl et al. 2017)
- Urban above-ground carbon (UC Davis)
- Wildland carbon (CARB)

#### *Resilient ecosystems*

- Refugia (UC Davis)

- Resilient Areas for Biodiversity (TNC)

*Resilient communities*

- Sea level rise (NOAA, TNC)
- 100 Year Floodplain (FEMA)
- Historic Wildfires (CAL FIRE)
- Fire Hazard Severity Zones (CAL FIRE)

Environmental Justice and Equity: Environmental Justice (EJ) is about equal and fair access to a healthy environment, with the goal of protecting underrepresented and poorer communities from incurring disproportionate negative environmental impacts. The SCAG region is demographically and economically diverse and displays the extremes in household income. The region includes heavily urban and entirely rural areas, as well as terrain that in some instances make achieving air quality goals challenging. A range of economic and social impacts such as health outcomes, education, employment, housing conditions, rates of incarceration and life expectancy vary vastly in this region based on race, income, and census tract. Institutional and system racism experienced by these communities continues to impact their access to more mobile, sustainable and prosperous futures in Southern California. The history of both the United States and California shows how race has played a role in the disparities and inequities that people of color experience today. Connect SoCal is designed to create region-wide benefits that are distributed equitably, while ensuring that any one group does not carry the burdens of development disproportionately. It is particularly important that Connect SoCal considers the consequences of transportation projects on low-income and minority communities, and avoids, minimizes or mitigates disproportionately high and adverse human health and environmental impacts on low-income and minority communities.<sup>37</sup>

RAMP can play a role in supporting EJ and Equity goals to the extent feasible and supported by the applicable resource agencies. RAMP processes can meaningfully involve vulnerable and underrepresented communities in advance mitigation decisions and projects; incorporate environmental justice and equity information early in impacts assessments to better allow for avoidance and minimization of impacts on low-income and minority communities; align advance mitigation investments to address EJ and equity needs such as access to open space, clean water and climate risk reduction; and prioritize location of advance mitigation projects close to the expected areas of impacts.

Models exist to incorporate EJ and equity into compensatory mitigation plans and projects. OCTA's criteria includes proximity to underserved areas and cultural and historical sites. The San Francisco Bay Conservation and Development Commission adopted policies<sup>38</sup> to better incorporate EJ and equity into mitigation decisions.

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<sup>37</sup> Adapted from SCAG's Environmental Justice Toolbox: [https://scag.ca.gov/sites/main/files/file-attachments/toolbox\\_environmentaljustice\\_final.pdf?1621573326](https://scag.ca.gov/sites/main/files/file-attachments/toolbox_environmentaljustice_final.pdf?1621573326)

<sup>38</sup> See <https://www.bcdc.ca.gov/cm/2019/1017BPA2-17SocialEquityEnvJusticeRec.pdf>

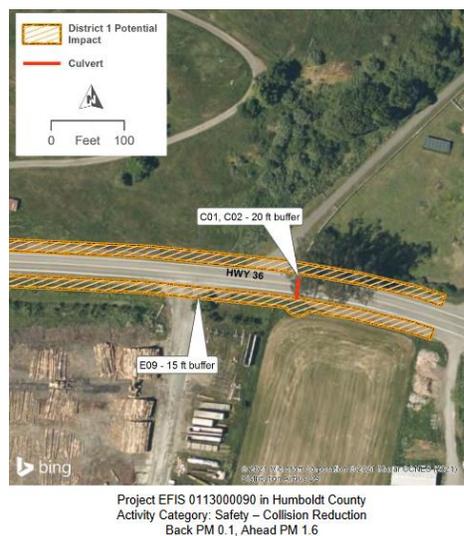
Data that support EJ and equity goals include:

- CalEnviroScreen Pollution Burden (CA EPA)
- Communities of Concern (SCAG)
- Disadvantaged Communities (CA OEHHA)
- Environmental Justice Areas (SCAG)
- Healthy Places Index (SCAG)
- Publicly accessible recreational lands (GIN)
- Water Quality Index (US EPA)
- Toxic Release Inventory Facilities (CA EPA)
- Trails (composite of county, state, national data)
- Park access equity (Trust for Public Land)
- Urban Heat Island (UC Davis)
- Sequestration of NO<sub>2</sub> and PM<sub>2.5</sub> by vegetation (Gopalakrishnan et al. 2018)
- Priority Landscapes for Tree Planting (TNC)
- Urban Heat Island Gap (TNC)

#### Infrastructure Assessments to estimate potential impacts

An important element of RAMP to guide advance mitigation investments for future projects is to estimate impacts to species, habitats, waters, wetlands, and natural communities that require mitigation. Predictive impact models – called transportation assessments -- are in use by transportation agencies, notably Caltrans, to provide an order-of-magnitude range of estimates for impacts on regulated resources. Agencies can then work to avoid and minimize potential impacts, reducing their mitigation obligation; if the impacts are unavoidable, agencies then can identify opportunities for advance mitigation that would address their future mitigation obligations. While the predictive models are most in use by transportation agencies, the approach can be adapted for other infrastructure projects and private development projects. The methods in use by Caltrans as described in Statewide Advance Mitigation Needs Assessment Report for SHOPP projects<sup>39</sup>, generally follow those described by Thorne, et. al (2015)<sup>40</sup>.

Once the scope of the region is determined, GIS files are developed of potential future projects that could possibly require mitigation. For each selected project, a footprint is estimated by applying two buffers to the project centerlines (for linear features) and center points (for features such as freeway interchanges). Project footprints are then developed using information such as location,



<sup>39</sup> <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/2020-q2-samna-report.pdf>

<sup>40</sup> Thorne, J. H, Bjorkman, J., Boynton, R. M, & Huber, P. R. (2015). 2015 Mitigation Needs Assessment for Transportation Projects for the Sacramento Valley Pilot Project for Regional Advance Mitigation Planning. UC Davis: Information Center for the Environment. Retrieved from <https://escholarship.org/uc/item/3cn8f3mz>

extent and type of project. The buffer widths are based on models developed by Thorne, et. al and adapted/ revised by Caltrans.<sup>41</sup>

The project footprints are overlaid with the conservation assessment/data including habitat and species models in GIS to estimate potential impacts from projects on habitats, species and natural communities. Results can be calculated for a range of potential impacts if more than one model is used as was done in the Bay Area Transportation Assessment.<sup>42</sup> These methods include the assumption that all resources within the footprints would be impacted by project construction. Because avoidance and minimization efforts will be used to reduce the overall impacts but cannot be easily spatialized, it is assumed that there is some degree of overestimation associated with the impact estimations. As noted, results should be considered for planning purposes only and not for permitting purposes.

Once the potential impacts of projects on habitats and species are developed, projected mitigation demand is then calculated. Mitigation needs often include a multiplier to the actual measured impacts. These ratios are species- and context-specific and determined by natural resources agencies during the normal environmental review process. Because these are not typically known in advance of environmental assessments of proposed projects, a generalized mitigation ratio (for example, 2:1) can be applied as a placeholder to help identify mitigation demand and can be adjusted.

Once the mitigation demand is determined, software tools like Marxan can be used to identify a portfolio of mitigation sites that meet predicted mitigation needs and conservation goals. Outreach to natural resource agencies, stakeholders and potential collaborators is also important to consider potential advance mitigation opportunities that align with agencies' priorities and policies and support potential partners' goals.

## SPOTLIGHT: TRANSPORTATION CORRIDOR AGENCIES

The Transportation Corridor Agencies (TCA) in Orange County has long been involved in mitigation to compensate for the impacts of the toll roads on habitats and species, and cites protecting open space areas, habitat connectivity and the wildlife within as one of the TCA's highest priorities. TCA was an early partner in and financial contributor the Orange County Central/Coastal NCCP/HCP that was approved in 1996 – one of the earliest NCCP/HCPs plans in the region. To date, TCA has conserved and restored over 2,000 acres of coastal sage scrub, wetlands, riparian and saltwater marsh at 17 different Orange County locations. It has also implemented wildlife-friendly undercrossings and fencing to protect mountain lions, deer and other species from being harmed on the roads. Today, the NCCP/HCP is managed by the [Natural Communities Coalition](#) which coordinates the land management, monitoring and research across the nearly 38,000-acre Reserve System. TCA continues to manage and restore open space and mitigation sites and monitors the use of the wildlife corridor projects.

See [TCA environment](#) for more information.

<sup>41</sup> <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/2020-q2-samna-report.pdf> see page 5-6

<sup>42</sup> Huber, P.R., 2019. *Bay Area Regional Advance Mitigation (RAMP): Impacts and Mitigation Needs Assessment Update*. Prepared for: The Nature Conservancy.

Data needed to support infrastructure assessments for potential impacts and to guide advance mitigation locations and activities include:

- GIS data that represent relevant projects to be assessed
- Conservation information included in the Conservation Assessment, such as habitat models, land cover data, species information, waters and wetlands data (see above for list).

## Partners and Collaborators

One of the benefits of RAMP is that it can broaden the opportunities for engagement with potential partners and collaborators who can help identify potential advance mitigation opportunities, reduce potential risks, and build broader support for potential advance mitigation projects. It can also increase transparency of actions. In many cases, the selection of RAMP implementation mechanisms and mitigation actions will be carried out under state or federal programs that require public review and comment. For example, the development of RCISs and MCAs includes requirement for public notice, review, and comment.

In addition to public engagement, RAMP can provide an opportunity for the public to learn about the program and its implementation. In fact, it is a best practice to pro-actively engage stakeholders and the public through committees or working groups. For example, OCTA has an Environmental Oversight Committee, the Western Riverside County Regional Conservation Agency has a Stakeholders Committee and a Board of Directors, and SANDAG has an Environmental Mitigation Program Working Group to help guide implementation of their respective advance mitigation programs.

In general, partners and collaborators can be organized around the functional workings of a RAMP initiative. Engagement would depend on the potential projects, natural resources, geographically based stakeholders and potential partners. They include:

- Those who need mitigation: Infrastructure agencies (transportation, energy and water), cities and counties (public works), housing developers
- Those who approve mitigation/the regulatory agencies: CDFW, USFWS, USACOE, USEPA, NMFS, Coastal Commission, Regional Water Boards.
- Those who supply and/or manage mitigation: habitat agencies, mitigation/conservation bankers, MCA sponsors, conservancies, land trusts, open space and park districts, cities and counties.
- Interested stakeholders: Local governments to ensure consistency with local land use, community members who care about local land use decisions

## Outreach conducted and feedback from partners and collaborators

SCAG and The Nature Conservancy staff interviewed potential partners and collaborators, with a focus on county transportation commissions (CTCs) given the potential opportunities and history of RAMP in the SCAG region and state. The interviews included:

- Ventura County Transportation Commission
- Riverside County Transportation Commission/Regional Conservation Authority
- Orange County Transportation Authority
- LA Metro
- San Bernardino County Transportation Commission
- Imperial County Transportation Commission
- Caltrans Districts 7 and 8
- Brightline West
- WRA/Land Veritas Mitigation Banking
- Transportation Corridor Agencies
- Friends of Harbors, Beaches and Parks

Comments and feedback from CTCs and Caltrans were largely positive toward RAMP and highlighted the potential benefits of RAMP, including:

- Addresses data gaps on conservation and potential impacts, providing input on land use, sharing data that is often hard to access and understand.
- Enhances cross-jurisdictional and cross-county collaboration and can help establish common approaches to achieving shared goals.
- Encourages continued collaboration between SCAG and CTCs to address mitigation at all scales, including project-by-project, at a county and regional where appropriate.
- Could provide incentives and more robust funding for advance mitigation.
- Provides solutions for reducing the impacts of projects.
- Increases information sharing, transparency and communications among agencies, partners, agencies and the public.
- Support for a multi-county approach, especially when collaborating across Caltrans Districts for development of conservation plans incorporating multiple species.
- Encourages collaboration with the environmental community and helps build support for projects.

Concerns expressed by CTCs and Caltrans about establishing a RAMP initiative in the region include:

- Potential duplication and/or conflicting mitigation efforts between regional, county, and local approaches.
- May hold a gap in direct application to local conditions.
- Timing on implementation of advance mitigation could be delayed or slowed based on an organization's priorities. More organizations involved can increase complexities.

Suggestions from CTCs and Caltrans on establishing a RAMP initiative in the region include:

- RAMP can be valuable across multiple sectors, not just transportation, and can help achieve the goals of Connect SoCal.

- There should be a menu of mitigation options and flexibility in approaches for counties – one size does not fit all.
- Be sure to focus on water resources in addition to biological resources.
- There should be transparent engagement with CTCs, partner agencies, and other infrastructure agencies.
- Consider different structural models depending on the scope of a RAMP initiative, including a joint powers authority.
- Consider pilot program to address specific needs where there currently is a gap in advance mitigation plans. For example, an initiative to address declining and potential listing of species and large habitats, such as mountain lions and Joshua trees (both currently candidates for listing).

Feedback from other organizations include:

- RAMP can bring private and public entities together toward a common goal.
- RAMP increases public awareness of environmental resources.
- Support for a multi-county approach, especially to address gaps in RAMP plans and advance mitigation mechanisms.
- Support for development of a credit system that could provide consistency across management of multiple mitigation banks.
- Strong interest in collaborating on advance mitigation, specifically multi-agency advance mitigation projects.
- Support for conservation assessments and greenprints to provide easy access to environmental, climate, environmental justice, and other data.

## Scope, Scale and Models

SCAG's region is vast, covering six counties, 191 cities and spanning over 25 million acres. The region includes geographic diversity, with five ecoregions and dozens of watersheds. Established plans in the region are largely organized by jurisdictions and managed by local governments, with the exceptions of Caltrans' Regional Advance Mitigation Needs Assessments and the Desert Renewable Energy Conservation Plan. While many plans have jurisdictional boundaries, conservation values and dynamics often transcend jurisdictional boundaries, such as habitat connectivity, wildlife corridors, ecological climate migration, large sensitive habitats, climate risks (wildfire, flooding, sea level rise). In addition, linear infrastructure such as roads, rail lines and transmission lines, travel through jurisdictions. Thus there may be a need to consider RAMP at a larger scale, to encourage collaboration among existing plans' agencies, share information, consider partnerships, identify gaps in advance mitigation plans and provide other support.

That said, there are limitations with scope and scale of advance mitigation activities due to the regulatory nature of compensatory mitigation and established policies. Compensatory mitigation must be designed to offset unavoidable adverse impacts on habitats, species, and aquatic resources.

Regulatory agencies support equivalence, or the principle that offsets should provide habitat, functions, values, and other attributes that are similar in type (“in-kind”) and proportionate to those affected by the project. There may be some instances where “out-of-kind” offsets may be appropriate, such as when offsets can benefit a habitat type of conservation values that are of higher significance than those affected by a project, and offsets demonstrably provide a greater contribution to landscape-level conservation goals.

Given the complexity of compensatory mitigation, mitigation principles have been suggested by organizations as best practices, and many have been embedded in policies. Principles such as landscape-level approach and context, mitigation hierarchy, larger scale, equivalency, durability, assurance, additionality, scientific, location and advance mitigation are often cited as important to ensure successful mitigation.<sup>43</sup>

Thus, the scope and scale of advance mitigation activities are guided by resource agency approvals and limitations but can also be flexible and designed to meet the goals of the needs.

### Models

The following are models can be instructive when considering a how SCAG can support RAMP in the SCAG region.

#### OCTA Measure M2, SANDAG TransNet:

- Type: established RAMP programs for a defined set of transportation projects through sales tax initiatives
- Administration: managed by transportation agencies, guided by an oversight committee, or working group, final decisions on mitigation rest with regulatory and transportation agencies
- Planning: conservation assessments, conservation reserve designs for MSHCP (OCTA transitioned to an NCCP/HCP, SANDAG prioritizes investing in the MSHCP but is not bound by it)
- Funding: sales tax for transportation, set-aside for mitigation in the measures; draw-down model for defined projects in the measures

Both OCTA<sup>44</sup> and SANDAG<sup>45</sup>'s advance mitigation programs were initiated by sales tax measures for the defined list of transportation projects. As mentioned earlier, OCTA set aside \$243.5 million representing 5% of the cost of the freeway improvement projects in the measure. SANDAG's TransNet measure identified \$850 million for mitigation: \$650 million for advance mitigation of regional and local transportation projects (determined by estimating the cost of mitigation for each project) and \$200 million for regional habitat acquisition, management and monitoring, based on expected cost savings (or economic benefit) from advance mitigation. Both programs and policies emphasized the benefits of buying land early at lower costs and in larger parcels and use it for future needs. Both programs achieved cost savings due to the flexibility advance funding provided them to time acquisitions for favorable real estate market conditions and avoid cost escalations, and to identify land acquisitions with

<sup>43</sup> See [NEBA Mitigation Principles](#), [TNC Mitigation Principles](#) and [USFWS ESA Compensatory Mitigation Policy 2016](#)

<sup>44</sup> <http://www.octa.net/About-OC-Go/OC-Go-Environmental-Programs/Environmental-Mitigation-Program/>

<sup>45</sup> <https://www.keepsandiegomoving.com/EMP-Group/EMP-intro.aspx>

high conservation values. Both programs take a comprehensive approach to compensatory mitigation and permitting, engaging regulatory agencies regulating species and terrestrial habitats and agencies regulating water, wetlands, and aquatic species – an important element for transportation agencies.

Western Riverside MCSHP and Coachella Valley MSHCP<sup>46</sup>:

- Type: Natural Communities Conservation Plans/Habitat Conservation Plans
- Administration: public agencies (Western Riverside County Regional Conservation Authority and Coachella Valley Conservation Commission – joint powers agency)
- Planning: Detailed science and conservation planning to identify a conservation reserve design and priority
- Funding: state and federal planning grants for development of the MSHCPs, development fees for permitting provided by project proponents, federal and state habitat conservation funding for plan implementation (unrelated to mitigation).

As mentioned above, NCCP/HCPs are federal and state habitat conservation plans designed to achieve multi-species landscape scale conservation goals while providing streamlined environmental permitting for development projects that participate in the plan. The SCAG region includes four approved MSHCPs. In addition to the two highlighted here, the OCTA NCCP/HCP is the outgrowth of the M2 Environmental Mitigation Program, and the Orange County (Central/Coastal) NCCP/HCP was approved in 1996. Due to the decades-long regulatory coverage and scientific and management complexities, the planning and development of NCCP/HCPs is a difficult process and takes many years to complete. Once approved, though, NCCP/HCPs are the most successful, highly efficient, and effective regional advance mitigation planning tools available.

Caltrans AMP:

- Type: Ongoing program of advance mitigation for state (SHOPP) and regional transportation (STIP) projects supported by a self-sustaining revolving fund, established by SB 1 (2017) and guided by SB 103 budget trailer bill (2017).
- Administration: Caltrans Advance Mitigation Program.
- Planning: Caltrans developed its planning process by guidelines, includes a Statewide Advance Mitigation Needs Assessment and a Regional Advance Mitigation Needs Assessment that incorporates conservation information and future transportation projects.
- Funding: SB 1 established the Advance Mitigation Fund in Caltrans, funded by no less than \$30 million/year of SHOPP and STIP funding for four years.

SB 1 established an Advance Mitigation Program at Caltrans with the primary goal of “...address[ing] long-term future biological mitigation needs resulting in improved environmental, economic and project delivery outcomes.” The purpose of the legislation is to: 1) accelerate transportation project delivery; 2) enhance communications between Caltrans and stakeholders to protect natural resources through project mitigation, to meet or exceed applicable environmental requirements, and to mitigate, to the

<sup>46</sup> <https://www.cvmshcp.org/>

maximum extent required by law, environmental impacts from transportation infrastructure projects; ensure Caltrans consults with the CA DFW on all aspects of the program, and to enhance communications with the other natural resource agencies and other stakeholders; and to ensure that the Advance Mitigation Account is self-sustaining.<sup>47</sup> Caltrans and all relevant regulatory and resource agencies have signed a Statewide Advance Mitigation MOU<sup>48</sup> outlining processes. To date, Caltrans has developed RAMNAs for 6 districts and more are in development. The first advance mitigation project that was approved for funding is in District 8 (San Bernardino County) for 42 desert tortoise credits, 1 wetland credit and 27 desert ephemeral wash credits at a cost of \$8.1 million, expected to benefit four future transportation projects.

The legislation enables regional transportation agencies to benefit from the program, but their role is currently limited. Caltrans identifies the Geographic Areas of Interest based on potential SHOPP advance mitigation needs and does not assess regional transportation projects for potential impacts, given the sheer volume of projects and staff capacity. Caltrans is including potential STIP projects from regional transportation agencies to be included in RAMNAs. Caltrans indicates it would offer to sell advance mitigation credits to other transportation agencies only if Caltrans is unable to use them, limiting the opportunities for shared mitigation projects. Given the complexity of the program and the early nature of implementation, Caltrans continues to iterate to deliver on the goals of the program. That said, Caltrans staff note that they are already seeing benefits in achieving the goals of the program through the planning process, collaboration internally and externally with partners and stakeholders.<sup>49</sup>

North Carolina Ecosystem Enhancement Program/Division of Mitigation for CWA 404:

- Type: State mitigation program for water resources mitigation.
- Administration: Division of Mitigation, NC Department of Environmental Quality
- Planning: Multi-scale watershed planning approach.
- Funding: State DOT funding established the initiative; today funding for mitigation actions are provided through In-Lieu Fee programs.

Prior to initiating advance mitigation, traditional project-by-project water resource mitigation obligations were shown to significantly delay projects undertaken by the North Carolina Department of Transportation (NCDOT). To address this issue, over 10 state and federal level resource agencies started to meet in 2001 to find a more programmatic approach to resolve mitigation requirements. The solution was an innovative 2003 partnership between the USACE, North Carolina Department of Environment and Natural Resources and NCDOT that established the Ecosystem Enhancement Program. Today, the Division of Mitigation Services (DMS) is a NC Department of Environmental Quality initiative that restores and protects streams, wetlands and riparian buffers while offsetting unavoidable environmental damage from economic development. DMS developed four In-Lieu Fee mitigation programs that private and public developers can use to meet state and federal compensatory mitigation requirements for water resources only: streams, wetlands, riparian buffers and nutrients. DMS uses

<sup>47</sup> [Caltrans AMP 2021 Report to the Legislature](#)

<sup>48</sup> [2021 Statewide Advance Mitigation MOU](#)

<sup>49</sup> Personal communication with Caltrans advance mitigation staff from Districts 7 and 8, 9/9/2021

receipts from the In-Lieu Fee programs to work with state and local partners and willing landowners to identify and concentrate mitigation resources in areas where they will have the greatest benefit to the watershed guided by a multi-scale watershed planning approach. NCDOT is a regular user of the DMS to advance their projects in a timely and cost-effective manner.<sup>50</sup>

Colorado Department of Transportation Shortgrass Prairie Initiative (2002- 2022):

- Type: program limited to advance programmatic clearance for 20 years of highway projects in large scale shortgrass prairie habitat for three listed species and 20 species in decline, to aid in their recovery to help prevent listing.
- Administration: CDOT and Colorado Division of Wildlife.
- Planning: Ecoregional planning by The Nature Conservancy.
- Funding: CDOT provided funding for advance mitigation, established an Environmental Revolving Fund, repaid by assessing transportation projects that receive a benefit.

The FHWA, Colorado Department of Transportation, the US FWS, Colorado Division of Wildlife and The Nature Conservancy came together to design an impact assessment and advance mitigation process to aid in the recovery of declining species on Colorado's Eastern Plains. The Initiative provided programmatic clearance for CDOT activities on the existing road network for twenty years, addressed 3 species and 20 species that were not listed as threatened or endangered, but were at threat of becoming listed in the future, and covered 90,000 acres of right-of-way in four of CDOT's six regions. The agencies invested resources on a comprehensive and proactive conservation plan (rather than a project-by-project approach) to help alleviate the need for further listings and improve project delivery certainty. Conservation experts and the CO Division of Wildlife identified habitat conservation sites based on prior eco-regional planning. Implementation mechanisms identified in the Memorandum of Agreement included Biological Assessments, Biological Opinions, HCPs, Candidate Conservation Agreements, Conservation Banks or Safe Harbor Agreements. The project resulted in programmatic clearance with 1:1 mitigation ratio, regulatory streamlining, cost savings and more effective habitat and species preservation.<sup>51</sup> CDOT provided funding for outside parties to acquire properties with the intent that the transportation projects would reimburse the state for mitigation credits as they were used. CDOT created an Environmental Revolving Fund which was repaid by assessing transportation projects that received a benefit from an advance mitigation project.

Regional Conservation Investment Strategies / Mitigation Credit Agreements

- Type: RCIS is a conservation investment strategy; an MCA is an advance mitigation instrument
- Administration: A public agency sponsors development of an RCIS; any entity (public or private) can develop an MCA.
- Planning: An RCIS is the planning context for conservation goals and objectives and integrates infrastructure and land use information.

<sup>50</sup> <https://deq.nc.gov/about/divisions/mitigation-services>

<sup>51</sup> <https://trid.trb.org/view/726668>

- Funding: Funding is available to prepare an RCIS through the Wildlife Conservation Board; project proponents would likely fund Mitigation Credit Agreements.

As mentioned earlier, an RCIS is a voluntary, non-regulatory conservation planning tool that identifies habitat needs, conservation values, goals, and objectives in a defined region. Once an RCIS is approved by CDFW, an entity can develop a Mitigation Credit Agreement and create advance mitigation credits by implementing the conservation or habitat enhancement actions identified in the RCIS. The credits may be used as compensatory mitigation for impacts under CEQA, CESA, and the Lake and Streambed Alteration Programs. In the SCAG region, the Antelope Valley RCIS is approved, and the San Bernardino County RCIS is under development, led by the San Bernardino County Transportation Authority. There are currently three MCAs under development in California. CDFW is expected to issue draft guidelines in the coming year.

## Funding and Financing

One of the benefits of RAMP is reduced costs of mitigation. Research from UC Davis summarizes the categories of potential cost savings which may be achieved through the RAMP approach, through: avoided mitigation costs (by acquiring land early avoiding escalating prices, or timing conservation actions with favorable real estate cycles); economies of scale (by bundling mitigation for larger conservation actions with fewer administrative actions); avoided procedural costs and delay.<sup>52</sup> Interviewees for this White Paper also aligned RAMP's role in enabling certainty of actions and reduced project risks with cost savings. Existing programs in Southern California have seen cost savings from RAMP approaches.

- OCTA anticipates specific transportation projects would have had to incur an additional \$700,000 to \$2.5 million (in 2018 dollars) in mitigation-related costs and unknown schedule risks had the environmental mitigation program not been in place.<sup>53</sup>
- Efficiencies generated from the Western Riverside County Multi Species Habitat Conservation Plan has resulted in an estimated \$390 million in savings part through expediting freeway and road projects by as many as five years and through efficiency in conservation actions.<sup>54</sup>
- In 2013, SANDAG reported that land acquisition costs per acre were roughly half the original estimates, and that mitigation requirements were fulfilled for all the high-priority projects included in the TRANSNET Ten Year Early Action Program in six years.<sup>55</sup>

The complexity of mitigation processes, data limitations, the variability of real estate cycles and market costs make it difficult or impossible to estimate generalized cost savings. That said, available reports on

<sup>52</sup> Task 3 Report: The Business Case for Advance Mitigation in California. (2015) Final Research Report UCD-ITS-RP-15-03. Sciara, Gian-Claudia; Stryjewski, Elizabeth; Bjorkman, Jacquelyn; Thorne, Jim; Schlotterbeck, Melanie.

[https://escholarship.org/content/qt1v80g85w/qt1v80g85w\\_noSplash\\_8487658cf7b79c3c63b3f22af987549c.pdf](https://escholarship.org/content/qt1v80g85w/qt1v80g85w_noSplash_8487658cf7b79c3c63b3f22af987549c.pdf)

<sup>53</sup> See page 36, OCTA Measure M2 Quarterly Progress Report, Q2 of FY2021-2022

<https://www.octa.net/pdf/M2FY21-22Q2Report.pdf>

<sup>54</sup> RCTC/RCA Workshop Presentation August 28, 2017.

<sup>55</sup> [https://www.keepsandiegomoving.com/Libraries/Lossan-doc/2285-EMP\\_Brochure-Dec2013\\_4WEB\\_1.sflb.ashx](https://www.keepsandiegomoving.com/Libraries/Lossan-doc/2285-EMP_Brochure-Dec2013_4WEB_1.sflb.ashx)

advance mitigation almost always cite cost savings (from elements such as avoided cost escalation, faster project delivery, economies of scale, reduced risk) as a major benefit of the approach.<sup>56</sup>

Robust funding availability is an important part of RAMP given its regional and advance features. Mitigation is typically included in the cost of a project and disbursed after environmental review and mitigation requirements are identified. RAMP requires no new funding – projects’ costs include estimated mitigation funding. Funding RAMP requires a *shifting* of mitigation dollars – from funding embedded in each project to aggregated funding and available in advance. A typical (e.g., non-RAMP) mitigation funding approach is for one project (vs. aggregated projects) and at the end of a project’s development timeline (vs. in advance). In addition, infrastructure and development projects typically have several funding sources with their own rules and restrictions making funding projects a complicated art. Thus, initiating mitigation actions to support estimated impacts for a suite of projects in advance of environmental review is difficult to do, especially with existing funding streams and funding processes. This is particularly relevant for transportation projects. As such, current processes do not support RAMP effectively or efficiently. As a UC Davis research report on RAMP for Caltrans notes, “Finding the financial means to achieve successful implementation of advance mitigation is challenging and requires adapting and developing appropriate strategies and modifying organizational and legal barriers that block the capabilities of existing institutions.”<sup>57</sup> That said, advancements over the recent years have created opportunities and solutions to make it easier, though more work needs to be done.

Funding needs for RAMP include three cost categories: planning and administration, capital costs for mitigation actions and stewardship of mitigation lands.

Planning and administration are important activities to ensure a strong planning framework for RAMP investments, efficient and effective administration and management of the activities or program. Depending on the scope of RAMP activities and management structure, planning and administration activities may include planning documentation development or updates as necessary (such as the conservation and impacts assessments), stakeholder engagement, financial projections and budgeting, database management, template and necessary agreement creation and consultant oversight.

The costs associated with mitigation actions are typically capital costs, which include the associated activities that are required for mitigation projects. The specific needs will be determined by the type of mitigation action that is most appropriate. For example, the elements will differ if purchasing credits at an existing mitigation or conservation bank or participating in an NCCP, or agency sponsored mitigation or conservation bank, or developing and implementing a Mitigation Credit Agreement. For mitigation approaches involving an agency-sponsored, partial or full-delivery bank, costs could include (but not limited to): purchase of land or conservation easements, restoration and enhancement costs, legal and real estate documents and fees, technical memoranda/reports on the site(s), development of restoration/engineering plans and management and monitoring plans.

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<sup>56</sup> Ibid.

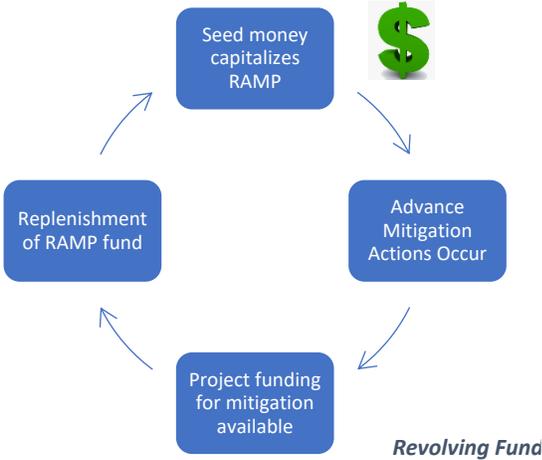
<sup>57</sup> Task 4 Report: Funding and Financial Mechanisms to Support Advance Mitigation. (2015) Final Research Report UCD-ITS-RP-15-04. Lederman, Jaimee; Wachs, Martin; Schlotterbeck, Melanie; Sciara, Gian-Claudia. <https://escholarship.org/uc/item/9pg390n3>

Compensatory mitigation requires stewarding the mitigation lands in perpetuity, often funded by an endowment. Without a long-term management and stewardship commitment, mitigation lands may become degraded through inappropriate uses, invasion of exotic species, wildfires, or other unanticipated events. The biological features that the mitigation sites were designed to protect can be lost without active stewardship, monitoring, and the means to implement adaptive management if needed. Endowments are the typical mechanism used to support long-term management. Income generated by endowments cover the costs of management tasks such as invasive species control programs, fence maintenance, signage, fire management, monitoring and reporting, adaptive management, and administrative expenses such as personnel, accounting, legal, and insurance. RAMP facilitates improved efficiency and lower costs, due to such factors as better understanding of needs, economies of scale, time savings, and less frequent need to make critical mitigation purchases under duress<sup>58</sup>.

**Funding Frameworks**

There are three primary approaches for funding RAMP that align with regional/multiple projects and advance features: revolving fund, one-time set aside for defined projects and programmed funds. It is important to note that advance mitigation investments must be for a suite of projects and cannot be tied to specific transportation projects because that would hinder multi-project planning and would preclude mitigation for anticipated impacts years before project implementation – in other words, an advance mitigation investment for one project would be considered pre-decisional.

The first funding approach, a self-sustaining revolving fund requires a capital investment into an account that is expended for future mitigation credits. Under this scenario, mitigation properties or credits are purchased initially using seed money, then, as project environmental documents are finalized and mitigation actions are agreed upon, the project funds would cover the cost of the mitigation. Those funds would be re-deposited in the fund to purchase more mitigation for future projects. This non-depleting fund allows a sustained approach to support advance planning for long-term mitigation and conservation work. Caltrans’ Advance Mitigation Program uses this approach with capital from SB 1 (from SHOPP and STIP) to infuse an Advance Mitigation Account with no less than \$30 million over four years.



The second funding approach, a one-time set aside for defined projects requires a source of funds that is available in advance for mitigation for a suite of projects. As the mitigation is implemented, that source is reduced until it is expended. OCTA’s Mitigation Program for M2 Freeway Projects and SANDAG’s TransNet Environmental Mitigation Program employ this framework. Both OCTA and SANDAG’s programs were established by voter approved sales tax measures, which included a set aside of roughly 5 percent of the cost of defined projects in the measures. The

<sup>58</sup> UC Davis Institute for Transportation Studies, 2014

funding was available early in the measures' program, allowing acquisition, restoration, and management actions to be implemented in advance of project development.

The third funding approach is programming funding from future projects and making it available well in advance of project development. This is similar to the one-time set aside in that there is a defined list of projects with estimated costs of mitigation identified for the suite of projects. Since mitigation funds typically are included as part of a project, this would not require more funding; it is essentially separating the mitigation cost from a suite of projects and programming those funds as a mitigation project to be expended in advance of transportation project delivery. Caltrans uses this technique of identifying advance mitigation as a project that follows the traditional project approval process.

### Potential Sources of Funding

Funding to support RAMP could come from a number of sources. Generally, though, mitigation projects, including advance mitigation, is funded either upstream or downstream by the project that is responsible for the impacts. Thus, infrastructure and development projects are the source of funding for mitigation, including advance mitigation. That said, there are many sources of funds for transportation, infrastructure and development projects, and each source has its own advantages and limitations. What follows is a general list of potential sources of funding for RAMP.

Transportation funding at all levels (local, regional, state, federal, private) are eligible for mitigation activities. However, the nature of funding advance mitigation for multiple future projects does not fit the regular mode of transportation funding approvals, so there are complications that need to be addressed. While many of the current programs have resolved some of the issues, complications continue to exist.

- Federal transportation funds are generally eligible for mitigation on a per-project, reimbursable basis making implementation of RAMP difficult. While existing federal transportation policies and statutes support RAMP eligibility, the mechanics and accounting/bookkeeping of the federal-aid highway process (again, per-project, reimbursable) prevents a solution that avoids the complications. After productive discussions with FHWA, Caltrans opted to fund advance mitigation projects using the state's Advance Mitigation Fund (state only), and projects that use the credits from an advance mitigation investment can reimburse the Advance Mitigation Fund with federal transportation funds. This way, the federal funds reimburse past investments, and the use is on a per-project, reimbursable basis that is consistent with current FHWA practices.
- State transportation programs that can be used for advance mitigation include the Advance Mitigation Program funds managed by Caltrans, for SHOPP and STIP projects, established by SB 1 (Beall, 2017). Regional and county transportation agencies can partner with Caltrans on mitigation projects by planning together and purchasing mitigation credits that Caltrans creates. In the SCAG region, Caltrans district staff often help with environmental clearances of regional projects, so coordination may be easier. Since mitigation is an eligible project expense, other state transportation accounts, such as Local Streets and Roads, Active Transportation Program, accounts that provide funding for rail and transit and other projects in SB1, could be used to

subsequently purchase established advance mitigation credits, or participate in an existing NCCP/HCP for example, on a per-project basis, or along the lines of a RAMP approach through bundling mitigation funds for multiple projects.

- Local transportation funds have been used to initiate regional advance mitigation programs through sales-tax measures as was done in Orange, San Diego, and Riverside Counties.
- Regional transportation funds can support advance mitigation planning and projects, and support collaboration and coordination with partners, collaborators, and agencies.

Water infrastructure funding can also be used to participate in advance mitigation planning and projects, as mitigation is an eligible expense for water infrastructure projects. Water agencies have developed and implemented advance mitigation programs and projects to create habitat enhancement and mitigation sites. California Department of Water Resources (DWR) has funded advance mitigation projects to support the Central Valley Flood Protection Plan<sup>59</sup>. Currently, DWR's Delta Ecosystem Enhancement Bulk Credit Program<sup>60</sup> enables Reclamation Districts to acquire mitigation bulk credits at Westervelt Ecological Services mitigation bank. In another example, Reclamation District 108 sponsored the Mid-Sacramento Valley RCIS to encourage the development of Mitigation Credit Agreements that provide high quality habitat for focal species, meet important mitigation needs for state and local flood infrastructure maintaining agencies, and support local farmers in a new restoration economy.<sup>61</sup>

While conservation funding is not allowed to be used for mitigation, there may be opportunities to jointly fund a project using mitigation and conservation funds. This would allow the purchase, restoration or enhancement action that alone may exceed mitigation needs but is considered a conservation priority. A diversity of funding sources could also help fund elements of projects using different funding sources that are aligned with those purposes. For example, certain funds can be used for endowments but others (e.g., bond funds) cannot. Having a diversity of funding sources can help address certain needs. That said, a diversity of funding sources requires transparent accounting to ensure that mitigation funds are spent on mitigation needs.

External Financing relies on non-governmental organizations or private-sector parties to provide initial funds for advance mitigation actions, either in direct coordination with governmental agencies or developers or on a speculative basis. It requires the financial participant to believe that there will be a ready market for the project or the mitigation credits arising from the project<sup>62</sup>. The visibility of mitigation demand is critical to provide information to understand the market for future credits. Private capital is most viable to create mitigation or conservation banks, in-lieu fee programs and Mitigation Credit Agreements, which involve selling credits (for banks and potentially MCAs) and paying fees (in-lieu fee and NCCP/HCP programs) based on a known or anticipated pipeline of projects. RAMP impact

<sup>59</sup> [Appendix B, Advance Mitigation, Central Valley Flood Protection Plan Conservation Strategy](#)

<sup>60</sup> [DWR Ecosystem Enhancement Advance Mitigation](#)

<sup>61</sup> [Mid-Sacramento Valley RCIS](#)

<sup>62</sup> "Alternative Procurement, Financing, and Delivery of Advance Mitigation for Public Infrastructure Projects" (2014). Lloyd, Barbara A. and Martling, James W., Caltrans' P3 Financial Advisory Team Members

assessments, RAMNAs, Sub-regional Assessments<sup>63</sup> (as have been conducted in the Bay Area) and RCISs help to provide that transparency.

## Authorities, Potential Roles and Responsibilities

SCAG, a joint powers authority covering six counties in Southern California, is designated under state law as a Regional Transportation Planning Agency and a Council of Governments and under federal law, as a Metropolitan Planning Organization. SCAG develops long-range regional transportation plans including the sustainable communities strategy and growth forecast components, regional housing needs allocations and a portion of the South Coast Air Quality management plans. The 86-member Regional Council, the governing body, represents cities and counties in the region, and includes representation from Native American tribes and Air Districts. In addition, the six County Transportation Commissions hold the primary responsibility for programming and implementing transportation projects, programs and services in their respective counties.<sup>64</sup> While SCAG has expertise in land use and infrastructure planning, data and tool development and provision, funding, collaboration and convening, and alignment with state and federal statutes, SCAG does not implement infrastructure or development projects – those are implemented by the CTCs, cities, infrastructure agencies and developers.

### Potential roles for SCAG in a RAMP Initiative

With the above in mind, it is important to consider potential roles and responsibilities for SCAG in a regional RAMP initiative that provides support, addresses existing gaps and needs, and adds value to existing partners and members (such as CTCs, Caltrans, cities and counties), as well as to habitat agencies, the mitigation community, environmental and EJ stakeholders, and others. Guided by feedback, the following are potential roles for SCAG in a RAMP initiative. SCAG could engage in one or more of the roles, depending on need, value to the effort and guidance and support from partners. In all of the roles listed below, SCAG would collaborate with the partners and collaborators to ensure the work helps deliver on the goals of RAMP.

**Information provider:** Consistent with SCAG’s robust and innovative data and tool development, availability and provisioning, SCAG could provide a central location (or “one stop shop” as one interviewee called it) to host and support data and information that is necessary and supportive of RAMP, including information for the conservation and impacts assessments, multi-benefit information such as a greenprint, and tracking existing and potential advance mitigation activity. It could also develop a tool similar to the mitigation wizard in the Bay Area to enable infrastructure planners to easily engage in mitigation planning. Other information such as funding opportunities and templates could be provided.

**Mitigation Planner:** Given SCAG’s expertise in long range and strategic planning, and support for infrastructure and conservation planning, SCAG could develop and maintain regional mitigation plans that include information on potential mitigation demand and supply that help to identify potential future mitigation needs and opportunities for the RAMP community.

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<sup>63</sup> [East Bay RAMP Sub-Regional Assessment](#) and [Santa Clara County Sub-Regional Assessment](#)

<sup>64</sup> Adapted from the [About Us](#) page on SCAG’s website.

Convener and coordinator: As the regional MPO and a joint powers authority composed of Southern California county and cities, SCAG hosts many working groups and collaborations with specific focus areas. The likelihood of successful RAMP outcomes is improved if existing and potential partners are engaged throughout the process. This engagement is particularly important to leverage the deep expertise that exists in the region from the many NCCP/HCPs and RAMP programs to share information, mentor emerging programs, catalyze new partnerships and potential initiatives, and provide guidance from lessons learned in the region. Critical to this effort would be efficient engagement with natural resource agencies for their guidance on the RAMP processes, data, and acceptance. Discussions could involve developing shared tools and information, identifying opportunities, supporting specific needs, exploring potential initiative or projects that transcend jurisdictional boundaries, and advocating for policies at the state and federal levels.

Hub for a mitigation marketplace: SCAG could host a ‘mitigation marketplace’ that connects those who need future mitigation (infrastructure, development) with potential suppliers of mitigation (bankers, habitat agencies, MCA sponsors, land trusts). Supporting the mitigation marketplace could be the mitigation planning, information and tools, collaboration with regulatory agencies, guidance on mechanisms and templates and access to funding.

Funder: While SCAG could fund any of the needed activities, it would be important to clearly identify the goals and objectives of a potential SCAG investment, and the gaps that such investment would close. Experience has shown that early access to robust funding is critical to ensure RAMP goals are met -- reduced costs for mitigation, larger more effective conservation, flexibility to invest during ideal market conditions, and expedited project delivery. An analysis of funding needs, sources and mechanisms would help identify opportunities, limitations, and barriers. Mitigation accounting and bookkeeping practices are important to ensure that funding is transparent and tracked to success metrics. Following the Caltrans AMP model, SCAG could establish a self-supporting revolving fund and provide seed funding to enable an ongoing program.

Uses of SCAG funding could include planning and engagement activities, advance mitigation and conservation actions. For example, funding could support existing programs in the region (such as NCCP/HCPs), capitalize RAMP projects (through mechanisms such as an MCA, banks), and close a funding gap for valuable acquisitions or restoration projects that are not entirely funded by mitigation requirements.

Mitigation sponsor: There may be opportunities for SCAG to take a more active role in advance mitigation if it is determined that there are gaps in mitigation plans, initiatives, projects or RAMP functionality in the region that could be addressed given SCAG’s expertise, access to funding, and other benefits. For example, if provided with further direction from the Regional Council, SCAG could work with partners to:

- Sponsor an RCIS that would enable MCAs in regions that are not covered by RAMP plans.
- Develop/sponsor in-lieu fee programs, MCAs or banks in areas that are lacking RAMP mechanisms.

- Pilot RAMP for emerging conservation and mitigation challenges, such as habitat connectivity and potential listings of wide-ranging species (e.g., mountain lion and monarch butterfly), or large-scale habitat (e.g., Joshua Trees), that may not be adequately addressed in existing plans and programs.

### Partner Roles

A RAMP initiative would serve to leverage existing expertise from around the region to provide value and uplift to existing programs and fill gaps where they exist in capacity, planning and implementation. Staff from habitat agencies (e.g., those who administer the NCCP/HCPs), Caltrans advance mitigation, environmental planning staff from other transportation agencies, utilities and water agencies, regulatory agencies, land managers, land use planners, the conservation community, developers – each has a valuable role and expertise to play. Involvement would depend on each partner and collaborator’s needs, expertise, and capacities to ensure efficient and effective engagement.

### Recommendations

While a number of regional advance mitigation planning plans and programs exist in the SCAG region, opportunities exist to address current gaps in RAMP coverage, planning tools, collaboration and coordination, capacity and funding. Given SCAG’s regional scope, its existing partnerships and relationships, its robust data and infrastructure planning expertise, and its commitment to project delivery and conservation outcomes, SCAG is well positioned to support RAMP in the region. It is important to note that there is no intention for SCAG to assume total responsibility for RAMP in the region. All activities supported by SCAG would be voluntary, and promote flexibility in options and actions. As noted by many experts, given the size and diversity of the region, one size does not fit all. As SCAG, partners and collaborators explore more deeply the possibility of a RAMP initiative in the region, specific tasks can be pursued that can help inform decisions as the conversation continues. To that end, recommendations for SCAG to consider as potential next steps include:

#### Finalize the draft Regional Advance Mitigation Program Policy Framework

The research and outreach presented in this white paper provides background information to support broader policymaking around SCAG’s goals and potential role in supporting Regional Advance Mitigation in the SCAG region. Early findings from the white paper were shared at SCAG Regional Advance Mitigation—Advisory Taskforce Group meetings alongside presentations from implementing agencies that were engaged as part of the white paper development process. As SCAG finalizes the Policy Framework, the white paper should continue to serve as a resource for understanding the opportunities and challenges of pursuing RAMP, including the data needs and resources SCAG should consider in establishing a science-based approach and data policies to guide the development of the Greenprint tool. The Policy Framework can also guide staff in considering which of the following potential next steps are most valuable to pursue by providing clear policy direction on SCAG’s goals and role in supporting RAMP.

### Identify the potential demand for advance mitigation

Initiate the planning process that will identify potential demand for advance mitigation in the region, including: 1) the resources (species, habitats, and natural communities) that may need compensatory mitigation in the future; 2) identified by county, ecoregion and watershed; and 3) advance mitigation plans and mechanisms that exist and current gaps. This would involve integrating a conservation assessment and an impacts assessment. In order to test this process, it may be prudent to limit the process by sector (e.g., transportation, or transportation and energy), by geography (e.g., a county not currently covered by a plan such as San Bernardino County to leverage its RCIS, an ecoregion or watershed) to test the approach and determine optimal scale. The result would give an order of magnitude mitigation demand and recommendations for potential RAMP projects.

### Evaluate regional network and collaborative opportunities

Evaluate regional network and collaborative opportunities through a study that would identify recommendations for potential RAMP initiative partnerships, structures, models, stakeholder engagement options, and methods. There should be careful consideration for the role of regulatory agencies in the effort given their deep expertise in conservation challenges and priorities, mitigation policies and process, and their position as decision makers and approvers of mitigation.

### Explore addressing gaps in RAMP plans and mechanisms

Identify gaps in RAMP plans and mechanisms and explore opportunities to close those gaps by supporting implementation agencies in developing new or partnership efforts. NCCP/HCPs, RCISs, RAMNAs (for Caltrans), in-lieu fee programs and mitigation/conservation banks currently exist in the region. Where there are gaps, consider supporting the development of plans such as RCISs to enable advance mitigation in the region.

### Financial assessment and modeling

Develop a paper on options for funding and financing RAMP in the SCAG region. The scope of this white paper was limited to identifying funding approaches and potential sources of funding for RAMP in the region. Further exploration is needed to identify potential funding needs, financial modeling for the funding approaches and a potential cost model that reflects the wide-ranging real estate values in the region. The complexities associated with these assessments and modeling are significant; limiting the scope to areas of interest and promising needs may be prudent.

### Consider supporting pilot project based on emerging needs

Research and conversations conducted to inform this white paper yielded many interesting ideas, one of which was to consider implementing a pilot project that may address a critical emerging need in the region that existing plans and programs are not currently equipped to handle: the possibility that wide ranging species – mountain lions and/or monarch butterflies, or Joshua Trees that exist on vast geographies in the region, may be listed as threatened or endangered. Early mitigation actions that protect such species could assist project proponents to get ahead of potential mitigation requirements and support conservation goals. A pilot project to support the health of such iconic species may also support public education goals on the benefits of RAMP. It would be important to assess interest from member agencies and transportation partners in leading a pilot supported by SCAG and to leverage

existing RAMP plans (such as San Bernardino RCIS) to test the processes and mechanisms, and secure early successes.

DRAFT

## Draft RAMP Policy Framework Stakeholder Engagement Summary

Since the April 26<sup>th</sup> meeting of the RAMP-ATG, SCAG staff have engaged with stakeholders in the business, environmental, and public sectors to receive feedback on the Draft RAMP Policy Framework

### Business and Development Stakeholders

SCAG executive staff conducted several meetings virtually and in person with stakeholders from the business and development community. They also provided written feedback in the form of a red-lined version of the Draft RAMP Policy Framework, which is included in the attachments. Specific feedback included:

- Remove references to SoCal Greenprint.
- Include caveat that RAMP is not intended to be considered “best available scientific data,” and remove other references to “best available scientific data.”
- Include new process for continued or new Advisory Task Group
- Limit RAMP and Greenprint to lands planned for agricultural or open space and mitigation for agricultural and biological resource impacts
- Remove language describing connection to Connect SoCal’s goal to support reduction of per capita vehicle miles travelled.
- Change Goal #3 to limit RAMP to mitigation for transportation related infrastructure.
- Change Goal #5 to limit potential gap assessment studies to requests from local lead agencies and partner agencies.
- Strike Goal #6: *“Pursue partnerships and collaborative resource development with state agencies and other MPOs to leverage funding and align efforts beyond SCAG’s jurisdictional boundaries.”*

Additionally, The Tejon Ranch Company sent a comment letter (attached) requesting exclusion of Antelope Valley Regional Conservation Investment Strategy (AVRCIS) data from the SoCal Greenprint. Short of exclusion, they request that the dataset would be prefaced with a May 3, 2022 letter from the California Department of Fish and Wildlife clarifying the role of the RCIS.

### Private Sector Meeting Attendees:

Name	Title	Agency
Adam Wood	Chief Administrator	Building Industry Legal Defense Foundation (BILD)
Carlos Rodriguez	Chief Executive Officer	Building Industry Association Baldy View Chapter
Chris Wilson	Senior Policy Manager	Los Angeles County Business Federation (BizFed)

Greg McWilliams	Chairman	California Business Properties Association
Jeff Montejano	Chief Executive Officer	Building Industry of Southern California
Jennifer Hernandez	Partner	Holland & Knight
Mike Roos	Founder and Chief Consultant	Mike Roos and Company
Richard Lambros	Managing Director	Southern California Leadership Council

### Environmental Stakeholders

On August 17<sup>th</sup>, 2022, SCAG executive and planning staff met with stakeholders from the environmental field, representing conservation nonprofits, public agencies, and universities. Attendees provided the following feedback:

#### *RAMP White Paper and Policy Framework*

- Concerns about decision to create Policy Framework prior to the SoCal Greenprint. Data should be basis to build policy rather than let policy determine which data is relevant.
- Emphasized that housing and conservation are not competing interests, especially with infill development.
- RAMP would be a good option for LA Metro.
- RAMP and Greenprint allow for an alignment of efforts that leverages state and federal conservation dollars.

#### *RAMP Data Needs*

- Important to include data on lands not currently conserved, otherwise it would be redundant with existing maps and does not meet the requirements of the Connect SoCal Mitigation Measure.
- Inclusion of equity and environmental justice data is important because it is not currently easily available.
- Need accurate data to fulfill Executive Order N-82-20 to protect 30% of California's natural lands and coastal waters by 2030.
- The initial datasets that were posted were very promising, wide sweeping, and touched a lot of important topics.
- Recommendation to use 500-year floodplain data instead of 100-year flood data, and metric for impervious surface cover reduction.

*Stakeholder Engagement*

- Concerns that SCAG is prioritizing business community over other stakeholders.
- Encourage more engagement with tribal communities, AQMD, Coastal Commission, Municipal Water District and Caltrans.

*SoCal Greenprint*

- Concerns about the precedent that pausing or weakening the SoCal Greenprint could have on future sustainability initiatives, especially in the face of a climate emergency.
- SoCal Greenprint will help users integrate protection of habitat and open space into land use plans avoid potential litigation by addressing issues early in the process.

**Meeting Attendees:**

<b>Name</b>	<b>Title</b>	<b>Organization</b>
Aaron Echols	Restoration Ecologist	Inland Empire Resource Conservation District
Adrienne Calbreath	Public Programs Supervisor	LA Conservation Corps
Andy Shrader	Executive Director, Environmental Affairs, Health & Sustainability Policy	Office of LA Councilmember Paul Koretz
Arthur Levine	Applied Research Fellow	Robert Redford Conservancy at Pitzer College
Brad Jenkins	President	California Native Plant Society
Brenda Gallegos	Program Associate, Conservation	Hispanic Access
Brenda Rubio	Project Associate, Climate Initiative	Trust for Public Land
Chase Engelhardt	Housing and Transportation Specialist	Climate Resolve
Chris Chavez	Deputy Policy Director	Coalition for Clean Air
Claire Schlotterbeck	Executive Director	Hills for Everyone
Dan Silver	Chief Executive Officer	Endangered Habitats League
Daniel Rossman	Southern California Mountains Landscape Director	The Wilderness Society
Devon Provo	Policy Manager	Accelerate Resilience LA

Elizabeth Reid-Wainscoat	Urban Wildlands Campaigner	Center for Biological Diversity
Hugh Coxe	Project Manager	Trust for Public Land
Jack Eidt	Executive Director, Co-Founder	SoCal 350 Climate Action
John Howell	Chief Executive Officer	Arroyos & Foothills Conservancy
Julie Coffey	Staff Research Associate	UC Irvine Eco Preserve
Marcia Hanscom	Chapter Leader	Sierra Club Angeles Chapter
Marven Norman	Policy Coordinator	Center for Community Action and Environmental Justice
Melanie Schlotterbeck	Green Vision Coordinator	Friends of Harbors, Beaches and Parks
Melanie Winter	Director	The River Project
Patricia Martz	President	California Cultural Resources Preservation Alliance
Paul Waggoner	Community Engagement Coordinator	Banning Ranch Conservancy
Rebecca Crowe	Vice President	California Native Plant Society
Robin Smith	Chair	Sierra Club Angeles Chapter
Sarah Wright	Community Engagement Specialist	UC Riverside Center for Social Innovation
Susan Phillips	Professor of Environmental Analysis	Pitzer College
Susie Onate	Board Member	Newport Bay Conservancy
Travis Longcore	Professor	UCLA Institute of Environment and Sustainability
Victor Leipzig	Past President	Sea and Sage Audubon Society

### Public Sector Stakeholders

On October 12, 2022, SCAG executive and planning staff met with public sector stakeholders from transportation agencies, COGs, city and county planning departments, and federal resource agencies. Some staff from private entities attended as well, however they did not contribute to the discussion.

After the meeting, SCAG received a letter from Orange County Transportation Authority (OCTA) requesting the opportunity to review and comment on the final RAMP Policy Framework before submittal to the ATG, Energy and Environment Committee and Regional Council for approval. The letter is included in the attachments.

Attendees to the workshop provided the following feedback:

*RAMP White Paper and Policy Framework*

- Expand White Paper and Policy Framework to include how RAMP could be used towards development projects other than transportation, such as housing and energy infrastructure
- Show best practices and lessons learned from other RAMPS
- There needs to be a full understanding of mitigation needs in the region and what the conservation would go towards

*Proposed SoCal Greenprint Technical Advisory Committee*

- More than one city from each county should be included in the TAC
- Include appropriate representation from different subregions. For example, City of Los Angeles has multiple subregions within one jurisdiction
- The previously proposed TAC makeup looks equitable for the region, however including TCA would give Orange County an additional seat, which is not equitable for the other counties. Instead, TCA can provide feedback to OCTA via their local Technical Advisory Committee.
- The TAC should evaluate including broad scale vs. parcel scale data

*RAMP Data Needs*

- Some datasets in the Greenprint Proposed Data Layer List are old. There should be a policy to keep data updated and to evaluate if some should be replaced by alternate datasets
- Datasets that don't apply to the SCAG region should be eliminated
- Evaluate if datasets that deal with similar topics are conflicting or overlapping
- Some of the current data focuses on areas of analysis explored by state agencies. Need to evaluate if datasets are duplicative, or can rely on state data.

**Meeting Attendees**

<b>Name</b>	<b>Title</b>	<b>Agency</b>
Aaron Hake	Deputy Executive Director	RCTC/RCA
Amanda Fagan	Director of Planning & Sustainability	VCTC
Amy Bodek	Director of Regional Planning	Los Angeles County Department of Regional Planning

Angel Garfio	Associate Transportation Analyst	OCTA
Brianne Logasa	Management Analyst	SGVCOG
Chris Wilson	Senior Policy Manager	BizFed
Francis Appiah	Senior Environmental Planner	Caltrans, District 7
Frank Yokoyama	Councilmember, CEHD Chair	City of Cerritos
Gail Shiomoto-Lohr	Regional Planning Consultant	City of Mission Viejo
Irene Takako Farr	Associate	Better World Group
Jennifer Savage	Assistant to the City Manager	City of San Clemente
John Taylor	Fish and Wildlife Biologist	US Fish and Wildlife
Josh Lee	Deputy Director of Planning	SBCTA/SBCOG
Jude Miranda	Transportation Planner	Caltrans
Justin Equina	Senior Planner	City of Irvine
Lesley Hill	Project Manager	OCTA
Lori Huddleston	Transportation Planning Manager	Metro
Marnie Primmer	Executive Director	OCCOG
Mike Howard	Senior Biologist	Dudek
Peter Satin	Regional Planner	CVAG
Sally Brown	Fish and Wildlife Biologist	USFWS
Suzanne Peterson	Senior Analyst	WRCOG
Thuy Hua	Supervising Planner	Los Angeles County Department of Regional Planning
Valarie McFall	Acting CEO	Transportation Corridor Agencies
Wayne Morell	Director of Planning	City of Santa Fe Springs

**From:** Richard Lambros <[rlambros@southerncaliforniagroup.com](mailto:rlambros@southerncaliforniagroup.com)>

**Date:** November 8, 2022 at 4:35:16 PM PST

**To:** Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>, Darin Chidsey <[chidsey@scag.ca.gov](mailto:chidsey@scag.ca.gov)>

**Cc:** "Jan Harnik ([jharnik@dc.rr.com](mailto:jharnik@dc.rr.com))" <[jharnik@dc.rr.com](mailto:jharnik@dc.rr.com)>, [supervisor.hagman@bos.sbcounty.gov](mailto:supervisor.hagman@bos.sbcounty.gov), "Mike Roos ([mike@mroosco.com](mailto:mike@mroosco.com))" <[mike@mroosco.com](mailto:mike@mroosco.com)>, Jeff Montejano <[jmontejano@biasc.org](mailto:jmontejano@biasc.org)>, "Lucy Dunn ([ldunn@ocbc.org](mailto:ldunn@ocbc.org))" <[ldunn@ocbc.org](mailto:ldunn@ocbc.org)>, Tracy Hernandez <[Tracy.Hernandez@bizfed.org](mailto:Tracy.Hernandez@bizfed.org)>, Carlos Rodriguez <[carlos@biabuild.com](mailto:carlos@biabuild.com)>, "Jennifer Hernandez ([jennifer.hernandez@hklaw.com](mailto:jennifer.hernandez@hklaw.com))" <[jennifer.hernandez@hklaw.com](mailto:jennifer.hernandez@hklaw.com)>, [awood@biasc.org](mailto:awood@biasc.org)

**Subject:** SoCal Business Coalition Recommendations and Redline regarding RAMP & Greenprint

Kome and Darin,

On behalf of the Southern California Leadership Council (SCLC), the Building Industry Association of Southern California (BIASC), and the entire membership of our SoCal Business Coalition, we are pleased to provide the attached Redline document which outlines our recommended approach for addressing RAMP and Greenprint. The document provides a Redline showing our proposed changes (in “track change” format) to the SCAG Draft RAMP Policy Framework that was presented to the ATG at their last meeting. In addition to the Redline version, we have also provided a “clean” version of this document, which does not include the track change format.

As you will see, this Redline document is consistent with approaches that have been shared with you in prior discussions with either the SoCal Business Coalition or BIASC. However, this document comprehensively brings together all of our collective thoughts and recommendations so you can see them easily in one clean and all-inclusive format that captures our shared recommendations and collective position on these important issues.

Thank you for your consideration of our recommendations and we look forward to discussing them with you at our meeting on Thursday.

Best,

Rich

**Richard J. Lambros** | Managing Director

**Southern California Leadership Council**

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Final Draft Regional Advanced Mitigation Program Policy Framework

Background

As the SCAG region’s population and economy continue to grow, new housing units, employment facilities, water, energy, and transportation infrastructure are needed to accommodate the nearly two million residents that are forecasted to call Southern California home by 2050.<sup>4</sup> With an over 10 million additional jobs forecast in the region by 2050<sup>3</sup>, strategies that expedite transportation infrastructure delivery are critical to keep people and goods moving.

Framing this regional growth are the diverse natural and agricultural landscapes of Southern California. These invaluable assets ensure a robust economy, clean drinking water, improved air quality, and essential recreation activities for all of the region’s residents. In addition to desert, mountain and coastal habitats, some of the highest concentrations of native plant and animal species on the planet are found within our region. Recognized as part of the California Floristic Province, Southern California is one of the planet’s top twenty-five biodiversity hot spots.<sup>3</sup>

Given the sensitive natural habitats of the Southern California region, many essential development projects will have environmental impacts that require compensatory mitigation due to federal mandates under the Clean Water Act, Endangered Species Act, Federal Wild and Scenic Rivers Act, as well as state requirements under the California Environmental Quality Act (CEQA), California Endangered Species Act, California Wild and Scenic Rivers Act, and the Habitat Restoration and Enhancement Act.

Addressing environmental impacts can be accomplished in a number of ways, as defined in Title 14, Section 15370 of the California Code of Regulations (commonly known as the “CEQA Guidelines”):

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action;
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment;
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
- (e) Compensating for the impact by replacing or providing substitute resources or environment.

Mitigating environmental impacts can often be expensive and increase total project costs significantly. Alongside mitigation, uncertainty in timing can also contribute to significant project costs. For transportation investments broadly, “the permitting process under federal and state legislation constitutes a major component of the project development and delivery process for transportation projects. Over \$3.3 billion is spent annually on compensatory mitigation under the Clean Water Act (CWA) and Endangered Species Act programs.”<sup>4</sup>

Traditionally, environmental mitigation has been handled by lead agencies during the CEQA process on a project-by-project basis, “usually near the end of a project’s environmental review...where permitting delays can occur when appropriate mitigation measures cannot be easily identified and agreed upon, and the cost of mitigation often increases between the time the project is planned and funded and the time mitigation land is acquired. As a result, infrastructure agencies end up paying top dollar to satisfy

mitigation requirements.”<sup>5</sup> The practice of identifying mitigation measures at the end of a project’s environmental review often results in delays in project delivery and uncertainty in the development process. This is often due to the costs incurred to conduct biological studies after project plans have been created, especially in instances where impacts are discerned that were not foreseen and mitigation costs increase unexpectedly. A national study identified that nearly two thirds of departments of transportation (DOTs) surveyed had experienced delays from environmental issues, often of 12 months or more.<sup>6</sup>

In California, researchers estimate that mitigation costs for transportation projects initiated between 2014 and 2019 ranged from two percent to twelve percent of total project costs – to a sum of roughly four billion dollars.<sup>7</sup> While the exact length and causes of delay from environmental review are varied, some reports suggest the current process may add 10 to 15 years to project delivery.<sup>8</sup> Continued cost escalations over the past two decades have prompted Caltrans to consider strategic planning for consolidated advance mitigation opportunities.

## Policy Framework for Advance Mitigation

### Regional Advance Mitigation Program & Advisory Task Group

California state law allows agencies to establish voluntary advanced mitigation programs in selected areas, providing an opportunity for infrastructure project ~~leads~~lead agencies to identify potential impacts early in the planning stages and work with regulatory agencies to reduce permitting costs, improve certainty, and expedite project delivery.<sup>9</sup> Regional advance mitigation programs (RAMP) allow state and federal agencies to consider the environmental impacts and mitigation needs of multiple planned infrastructure projects and urban development all at once, and satisfy those mitigation requirements early in the project planning and environmental review process. In cases where compensatory mitigation is needed, advanced mitigation can help agencies purchase larger parcels for mitigation at a lower unit cost to offset impacts<sup>10</sup>. Further, RAMP can result in better collaboration between regulatory and infrastructure agencies, better project delivery, and better mitigation outcomes.<sup>11</sup>

Regional advance mitigation also presents opportunities to improve quality of life in the region, as it relies on a science-based approach to anticipate and identify mitigation needs for multiple development projects early in the planning process, facilitating the prioritization of sites for conservation and/or restoration with the highest ecological benefits and providing mitigation efficiencies to transportation, land use and other development projects. This approach contrasts with project-by-project mitigation, which “often overlooks regional conservation needs and ecosystem-scale impacts to sensitive species and habitat, thereby missing critical opportunities for efficient, reliable, and biologically relevant mitigation. Additionally, the opportunity for greater benefits to water and air quality and public health are lost.”<sup>12</sup>

There are many established advanced mitigation programs in various locales within the SCAG region, and project applicants in these areas can take advantage of advanced mitigation benefits if they choose. Appendix A of this outline includes a summary of some RAMP programs in the SCAG region. Areas without established programs do not have these efficiencies in the environmental review process. A large percentage of the SCAG region’s land area is not covered by an existing program. As a result,

environmental impacts for discretionary projects in these areas would need to be mitigated on a project-by-project basis.

Recognizing the opportunities that a RAMP can present to reduce project costs and improve certainty for project delivery, Connect SoCal and its corresponding Program Environmental Impact Report (PEIR) direct SCAG to collaborate with stakeholders to establish a RAMP initiative to help preserve habitat and offset biological impacts of transportation and other development projects. Such a RAMP initiative is meant to recognize and where appropriate complement existing RAMP programs and related habitat conservation programs such as habitat conservation plans in the SCAG region, and encourage not add new sub-regional programs or expanded biological resource analytical methods, impacts or required mitigation for plans or projects that have already received initial or final approval by a lead agency.

While SCAG is required by the PEIR to establish a RAMP initiative and facilitate regional interest in developing RAMPs, SCAG will not create its own RAMP, supersede existing RAMP programs, ~~or~~ require any local jurisdiction or agency to participate in any local or regional RAMP program, local or regionwide. To help define potential advanced mitigation efforts, or make or support a determination that any RAMP criteria, component or content is the Connect SoCal plan and PEIR also direct SCAG to develop the SoCal Greenprint mapping tool to help municipalities, conservation groups, developers and researchers prioritize lands for conservation based on the "best available scientific data:" for any purpose inclusive of the California Environmental Quality Act (CEQA). The intended purpose of SCAG's RAMP Policy Framework is to assist SCAG member agencies in securing public funding, expedite the implementation of approved transportation infrastructure projects approved in the 2020 Connect SoCal Regional Transportation Improvement Plan/Sustainable Communities Strategy (Connect SoCal), and help member agencies (at the jurisdictional level) to secure public funding and/or streamline CEQA approvals for new housing, economic development, and infrastructure projects. Thus, SCAG will continue to support local control over land use decisions and avoid creating any impediment that can be used by any party to interfere therewith. Any development and use of local, sub-regional or inter-jurisdictional RAMPs is entirely voluntary by the agency(ies) and stakeholder sponsors of such RAMPs.

The Regional Council's directives do not require creation of a "Greenprint" concurrent with the RAMP Policy Framework, and as such, Greenprint will be separately considered and is not included in RAMP.

To increase clarity and further guide this work, SCAG's Regional Council voted on October 7, 2021, for staff to develop a white paper and work with a Regional Advance Mitigation Planning Advisory Task Group (RAMP-ATG) on establishing a policy framework for advanced mitigation in the SCAG region to ensure the SoCal Greenprint tool is aligned with policy objectives. The white paper (attached as Appendix E) provides background information and context that has contributed to the development of this policy framework. Early findings were shared at RAMP-ATG meetings alongside presentations from implementing agencies that were engaged in the white paper development. The white paper provides research ~~to support broader policymaking around SCAG's goals and potential role in supporting information related to advanced mitigation in the SCAG region and informed the context, opportunities and challenges and data needs identified below.~~

## Regional Policy Foundation: Connect SoCal Goals and PEIR Requirements

### Connect SoCal Goals

As discussed, Connect SoCal and its PEIR provide for a RAMP planning initiative to support implementing agencies in establishing or supplement the region's established advanced mitigation programs, mitigation banks, and other approaches to more effectively address impacts for transportation projects ~~that support reduction of per capita vehicle miles traveled.~~ The initiative would also support implementing agencies in the long-term management and stewardship of mitigated properties. SCAG can support partner implementing agencies to establish advanced mitigation programs that reflect local priorities, expand regional growth opportunities, and advance regional conservation goals.

Importantly, a jurisdiction's participation in a RAMP initiative established by Connect SoCal and its PEIR is voluntary. Cities, counties, and transportation agencies retain authority for decisions on future development, and there is no obligation for a jurisdiction to change its land use policies or infrastructure priorities to be consistent with a future RAMP. Similarly, project ~~leads~~lead agencies do not have to participate in a RAMP and can opt for a project-by-project environmental review process as appropriate.

The RAMP planning initiative is part of SCAG's comprehensive effort to implement ~~the vision outlined in~~ Connect SoCal ~~to advance, which includes goals of improving~~ the region's economic vitality, ~~improve~~ improving the region's mobility options, and allowing the region to grow in a sustainable way that builds healthy and vibrant communities. ~~#RAMP~~ is intended to advance several of Connect SoCal's specified goals, namely to:

- Enhance the preservation, security, and resilience of the regional transportation system; by helping to identify mitigation opportunities for impacts to biological resources so that such opportunities and their costs can be identified and budgeted for earlier in the transportation project permitting and funding process; and
- ~~Reduce greenhouse gas emissions and improve air quality;~~
- ~~Support healthy and equitable communities;~~
- ~~Adapt to a changing climate and support an integrated regional development pattern and transportation network; and~~
- Promote conservation of natural and agricultural lands and restoration of habitats.<sup>13</sup>
- ~~Connect SoCal also includes specific strategies to support implementing the region's adopted Sustainable Communities Strategy (SCS). Several strategies are directly tied to supporting related greenhouse gas (GHG) reductions while others support the broader Plan goals. The RAMP initiative can help implement several "Green Region" SCS strategies, including:~~
  - ~~Preserve, enhance and restore regional wildlife connectivity;~~
  - ~~Reduce consumption of resource areas, including agricultural land; and~~
  - ~~Support local policies for renewable energy production, reduction of urban heat islands and carbon sequestration;~~
  - ~~Promote more resource efficient development focused on conservation, recycling and reclamation;~~
  - ~~Identify ways to improve access to public park space.<sup>14</sup>~~

Natural and Farm Lands Conservation and Climate Resolution 21-628-1

Connect SoCal also includes a Natural and Farm Lands Conservation ~~Technical Report that outlines an integrated land use and conservation planning approach that seeks to protect the environment and reduce GHG emissions while meeting the needs of current and future populations. Policies in the Technical Report direct SCAG Appendix, which includes content intended~~ to:

- Promote best practices in advanced mitigation;
- Facilitate partnerships and collaboration;
- Provide incentives for jurisdictions to work across county lines;
- Expand data sharing amongst partner agencies;
- Align support for local actors with funding opportunities;
- Support innovative land use policies;
- Improve natural corridor connectivity;
- Encourage urban greening and green infrastructure; and
- Connect the benefits of natural lands to public health – including air quality, recreation, and carbon sequestration.<sup>45</sup>

~~Within the Plan, specific next steps are included to further a regional conservation strategy, including development of the SoCal Greenprint regional mapping tool that can help stakeholders identify the areas with the highest potential conservation value and encourage advance mitigation programs.<sup>46</sup>~~

Connect SoCal’s policy goals and next steps related to the RAMP initiative were reaffirmed by the Regional Council in Resolution 21-628-1, which was adopted unanimously on January 7, 2021 and recognized a climate emergency in the SCAG region. The Resolution committed SCAG to “develop a regional advanced mitigation program (RAMP) as envisioned in Connect SoCal for regionally significant transportation projects to mitigate environmental impacts.”<sup>47</sup>

### PEIR Mitigation Measures

Establishing a RAMP planning initiative fulfills a portion of the required mitigation measures of the PEIR, which state that SCAG will support advanced mitigation efforts in the region (SMM AG-2) ~~through the establishment of data tools (i.e. the SoCal Greenprint) that can provide an easily accessible and SMM BIO-2) as a resource to help municipalities, conservation groups, developers and researchers prioritize identify higher value agricultural and biological resource locations in lands available for voluntary conservation based on the best available scientific data (SMM BIO-2). As a result, the RAMP initiative is both a project feature (as described above) and part of SCAG’s through~~ mitigation measure ~~obligations. acquisitions or agreements to mitigate for the agricultural and biological resource impacts of implementing Connect SoCal’s transportation, housing, job-creation, infrastructure, and other development activities. RAMP will apply to lands designated as open space (e.g., grazing and recreation) and agricultural (e.g. cultivation) in local General Plans.~~

Importantly, these mitigation measures apply only to SCAG. Nothing in the PEIR supersedes or applies to existing regulations pertaining to land use and policies of individual local jurisdictions, who fully retain their local authority to approve, deny or condition projects. Indeed, SCAG has no authority to impose these mitigation measures on jurisdictions; as a result, mitigation measures implemented by local jurisdictions in their own processing of projects are fully subject to a lead agency’s independent

discretion. Lead agencies are under no obligation, legal or otherwise, to use measures identified in the PEIR. The determination of significance and identification of appropriate mitigation under CEQA is solely the responsibility of the lead agency.

The specific PEIR mitigation measures referencing the need to establish a RAMP initiative are highlighted below:

- SMM AG-2: SCAG shall develop a Regional Greenprint, which is a strategic web-based conservation tool that provides the best available scientific data and scenario visualizations to help cities, counties and transportation agencies make better land use and transportation infrastructure decisions and conserve natural and farm lands. SCAG shall use the Greenprint to identify priority conservation areas and work with [County Transportation Commissions] CTCs to develop advanced mitigation programs or include them in future transportation measures by **(1) funding pilot programs that encourage advance mitigation including data and replicable processes, (2) participating in state-level efforts that would support regional advanced mitigation planning in the SCAG region, and (3) supporting the inclusion of advance mitigation programs at county level transportation measures.**
- SMM BIO-2: SCAG shall continue to develop a regional conservation strategy in coordination with local jurisdictions and other stakeholders, including the county transportation commissions. The conservation strategy will build upon existing efforts including those at the sub-regional and local levels to identify potential priority conservation areas. **SCAG will also collaborate with stakeholders to establish a new Regional Advanced Mitigation Program (RAMP) initiative to preserve habitat. The RAMP would establish and/or supplement regional conservation and mitigation banks and/or other approaches to offset impacts of transportation and other development projects.** To assist in defining the RAMP, SCAG shall lead a multi-year effort to...develop new regional tools, like the Regional Data Platform and Regional Greenprint that will provide an easily accessible resource to help municipalities, conservation groups, developers and researchers prioritize lands for conservation based on best available scientific data. The Regional Greenprint effort shall also produce a whitepaper on the RAMP initiative, which includes approaches for the RAMP in the SCAG region, needed science and analysis, models, challenges and opportunities and recommendations.

~~It bears noting that, notwithstanding inclusion of any particular data set in the Greenprint tool or the qualitative characterization of the data set, a public agency acting as the “lead agency” for a project subject to CEQA has wide latitude and discretion to make its own conclusions on the quality of data and information (including scientific or technical assessments) as part of its consideration of the project. (See 14 Cal. Code Regs. § 15151.) Nothing in the mitigation measures or Greenprint tools is meant or intended to limit or restrict a public agency’s discretion in reviewing projects.<sup>48</sup>~~

SCAG continues to pursue the development of a regional conservation strategy through regular convenings of its Natural & Working Lands Regional Planning Working Group, and through interviews and other engagements with stakeholders. The RAMP planning initiative is an important element of this strategy and, as guided by the RAMP policy framework, supports the region in achieving Connect SoCal’s goals.

### RAMP Opportunity & Challenge Areas

To identify opportunities and challenges associated with developing and launching a RAMP planning initiative for the expansive SCAG region, interviews were conducted with local transportation agencies with project mitigation needs, as well as with other stakeholders involved in related programs. These interviews were conducted from April through December 2021 to gather initial feedback on potential program needs and benefits, and continued through Spring 2022 to inform the RAMP white paper.

Interviewees conveyed that a RAMP planning initiative could help address data gaps and facilitate data sharing between land use authorities and transportation entities. A RAMP planning initiative could also enhance cross-jurisdictional and cross-county collaboration to address mitigation project-by-project and at a county scale. Further, SCAG could foster local action by identifying incentives to spur advanced mitigation, and also provide solutions for reducing project impacts. SCAG could also incorporate an analysis of future mitigation needs and provide a menu of mitigation options and approaches for each county, rather than a one-size-fits-all approach, as specific project needs differ across the region and within each county. Importantly, a RAMP initiative could foster engagement with the California Coastal Commission, US Army Corps of Engineers, and Water Board to incorporate a focus on water resources in addition to biological resources. Overall, transparent engagement with CTCs, partner agencies, utilities, and communities would be important for the program’s success. Concerns included that a RAMP initiative could have potential duplication and/or conflicting mitigation efforts between regional, county, and local approaches, and that a RAMP initiative also may have gaps in direct application to local conditions.

In addition to interviewing CTCs across the SCAG region, SCAG staff engaged with other partners experienced in mitigation. These included Caltrans Districts #7 and #8, Brightline West, as well as Land Veritas – the largest mitigation bank in California. Feedback from these entities included that establishment of a RAMP planning initiative could bring private and public entities together towards a common goal and increase public awareness of environmental resources. These organizations also expressed support for a multi-county approach, especially when collaborating across Caltrans Districts for development of multi-species regional plans. They also encouraged development of a credit system that could provide consistency across management of multiple mitigation banks. Finally, they were interested in collaborating on advanced mitigation, specifically multi-agency advance mitigation projects.

### Goals for Regional Advanced Mitigation

Considering the potential advantages and concerns for expanding regional advanced mitigation planning in Southern California, SCAG’s RAMP initiative shall aim to foster collaboration between programs across the region and support local implementing agencies to:

1. Facilitate infrastructure development and associated co-benefits, including but not limited to creating jobs, maximizing taxpayer funds, and supporting the building of housing;
2. Expedite project delivery;
3. Improve predictability for project funding;
4. Examine potential environmental impacts at the early stages of project development, ~~utilizing the SoCal Greenprint tool,~~ to help expedite the CEQA process;
5. Reduce costs, risks, and permitting time for responsible development;
6. Improve and reinforce regulatory agency partnerships;

7. Balance future growth and economic development with conservation and resilience; and
8. Achieve meaningful, regional-scale conservation outcomes and co-benefits, including but not limited to landscape and community resilience, ~~emissions reduction~~, improved water and air quality, wildlife corridors and connectivity, and recreation opportunities.

To implement these goals, SCAG will seek to:

1. Be a resource for local partners to consider actions in a regional context;
2. Focus this policy on the transportation sector and related infrastructure, and consider future policy opportunities to expedite and streamline mitigation needs for other sectors including housing, energy and utilities;
3. Identify ways to support implementing agencies to establish or supplement regional conservation and mitigation banks and other approaches to more effectively address impacts for projects that support reduction of per capita vehicle miles traveled of transportation and related infrastructure projects;
4. Support implementing agencies ~~in the~~ with data sharing, information and other resources helpful to their long-term management and stewardship of conserved properties;
5. ~~Initiate~~ When requested by local lead agencies or other partner agencies, undertake studies to assess gaps where programs do not exist, and ascertain best ways ~~to collaborate with partner agencies and permitting entities~~ to address those gaps, including by supporting implementation agencies in developing new or partnership efforts;
- ~~6. Pursue partnerships and collaborative resource development with state agencies and other MPOs to leverage funding and align efforts beyond SCAG's jurisdictional boundaries;~~
- ~~7.6.~~ Be a data resource with widely accessible data tools ~~to assist in defining RAMPs that can provide the best available scientific data~~ to help municipalities and transportation agencies make better land use and transportation infrastructure decisions and conserve natural and farm lands, consistent with Connect SoCal's PEIR Mitigation Measure AMM AG-2 and SMM BIO-2; ~~and~~
- ~~8. Identify potential partnerships to foster the long-term maintenance of the SoCal Greenprint tool;~~
- ~~9.7.~~ Use a science-based methodology to support implementing agencies' development of various RAMP initiatives across the region; and
- ~~10.8.~~ Develop a process for monitoring and measuring outcomes from RAMP efforts.

These goals and actions are intended to advance policies established in Connect SoCal, support proactive implementation of required mitigation measures in the PEIR and focus SCAG's role on serving as an "information provider" and "convener and coordinator" as described in the RAMP white paper. Any expansion of SCAG's role as a "mitigation planner," "marketplace," "funder" or "sponsor," also described in the white paper, would require additional consideration and action by the Regional Council.

## Data Needs & Resources to Support RAMP Science Based Approach

Utilizing a science-based approach to understand the comprehensive biological and resource needs of a given area to discern potential impacts from development projects at the early planning stages is an essential element of regional advanced mitigation. As shared through interviews with CTCs and other practitioners, data access and information sharing is a key benefit of a RAMP planning initiative. As noted by a Federal Highway Administration (FHWA) funded study looking at advanced mitigation nationwide, “improved environmental information is needed on the front end of the project delivery process. Under the current process, state DOTs retrieve environmental data from a variety of sources and then assess environmental impacts and constraints. A central data clearinghouse—similar to those that MPOs developed in the [US Environmental Protection Agency’s] Eco-Logical grants—could improve assessment processes and mitigation outcomes.” <sup>49</sup> Neither the RAMP as a whole, or any component sub-part, is or is intended to be considered "best available scientific data" for CEQA or any other purpose.

Consistent with Connect SoCal’s PEIR Mitigation Measure AMM AG-2 and SMM BIO-2, SCAG is ~~obligated separately working~~ to develop a web-based data tool, referred to as SoCal Greenprint ~~tool to assist in defining a RAMPs that provide the best available scientific data to help municipalities and transportation agencies make better land use and transportation infrastructure decisions and conserve natural and farm lands. The SoCal Greenprint. A Greenprint tool will provide an easily accessible web mapping resource to help other regional stakeholders as well, including conservation groups, developers, and researchers prioritize lands for conservation. However, the SoCal Greenprint tool, and the data layers within, is not a strategic conservation plan; rather, this tool is an information resource that is primarily intended for use by partner agencies as well as SCAG to support their conservation planning efforts.~~

~~To ensure that data provided through the tool aligns with advanced mitigation opportunities and fulfillment of the Connect SoCal PEIR mitigation measures, establishment of the SoCal Greenprint tool will adhere to data policies described below, and to governance standards, user guidelines, data selection criteria, and data parameters that will be developed by staff with input and consultation from a technical advisory committee (described below) and initially presented to the Energy & Environment Committee (EEC) and by SCAG staff has been placed on "pause" by the Regional Council as an addendum to this policy framework no later than December 31, 2022. The technical advisory committee will be comprised of at least one, and is not part of the RAMP. Going forward, SCAG staff representative from: each county transportation commission in the SCAG region, the Transportation Corridor Agencies, Caltrans, each county government in the SCAG region, and one city government within each county in the SCAG region. This technical advisory committee shall be open to the public and seek input from will commence the development community, non-governmental conservation groups, regional conservation agencies, researchers, and other stakeholders of a Greenprint tool with a purpose, scope, and utility, and through a process, in compliance with Appendix A of this document titled, “The SoCal Greenprint – Next Steps” and with Regional Council review and approval as also set forth in Appendix A.~~

### Data Policies

1. ~~SCAG will continue to promote data-driven decision making, government transparency, and data as a public engagement tool to accelerate progress toward achieving regional planning goals consistent with policies included in the agency’s final Future Communities Framework;~~

- ~~2. Data included in the SoCal Greenprint tool must be publicly available, meaning that existing datasets are available online or can be accessed if requested and/or licensed;~~
- ~~3. Data included in the SoCal Greenprint tool must be created by a government agency, funded by a government agency, vetted by a government agency, used by a government agency, or developed in partnership with a government agency;~~
- ~~4. Data available through the SoCal Greenprint tool will not be identified, qualified, or defined as constraints on future development or growth, or in any way endorsed by the regional council as official policy of the agency;~~
- ~~5. Publicly available data that is made accessible through the SoCal Greenprint are not adopted by SCAG and are not an expression of regional policy;~~
- ~~6. The SoCal Greenprint will utilize the best available scientific data, consistent with Connect SoCal's PEIR Mitigation Measure AMM AG 2 and SMM BIO 2, as outlined in approved governance standards;~~
- ~~7. Governance standards shall include a timeline and process for periodically updating datasets will be established to ensure continuous use of the best available scientific data;~~
- ~~8. SCAG will seek feedback broadly on all proposed data layers for inclusion in the tool to identify, investigate, and address valid data security concerns;~~
- ~~9. Data elements will be regionally comprehensive to the extent feasible, and data depicted will not be altered from their original source;~~
- ~~10. Data elements will have geographic and thematic breadth necessary to support conservation assessments and consider co-benefits that support the broader goals of Connect SoCal, including consideration of the expressed local planning needs for data related to: agriculture and working lands; built environment; environmental justice, equity and inclusion; habitat and biodiversity; vulnerabilities and resilience; water resources; and context;~~
- ~~11. SCAG will endeavor to increase the availability of civic data and information to reduce costs and increase the efficiency of public services; and~~
- ~~12. SCAG will support development and use of data tools to increase opportunities for public engagement and advocacy to inform local and regional policy.~~

4. — Data available through the SoCal Greenprint tool will not be identified, qualified, or defined as constraints on future development or growth, or in any way endorsed by the regional council as official policy of the agency;

5. — Publicly available data that is made accessible through the SoCal Greenprint are not adopted by SCAG and are not an expression of regional policy;

6. — The SoCal Greenprint will utilize the best available scientific data, consistent with Connect SoCal's PEIR Mitigation Measure AMM AG-2 and SMM BIO-2, as outlined in approved governance standards;

7. — Governance standards shall include

a timeline and process for periodically updating datasets will be established to ensure continuous use of the best available scientific data;

8. — SCAG will seek feedback broadly on all proposed data layers for inclusion in the tool to identify, investigate, and address valid data security concerns;

9. — Data elements will be regionally comprehensive to the extent feasible, and data depicted will not be altered from their original source;

10. — Data elements will have geographic and thematic breadth necessary to support conservation assessments and consider co-benefits that support the broader goals of Connect SoCal, including consideration of the expressed local planning needs for data related to: agriculture and working lands; built environment; environmental justice, equity and inclusion; habitat and biodiversity; vulnerabilities and resilience; water resources; and context;

11. — SCAG will endeavor to increase the availability of civic data and information to reduce costs and increase the efficiency of public services; and

12. — SCAG will support development and use of data tools to increase opportunities for public engagement and advocacy to inform local and regional policy.

### **Mitigation Banks**

A conservation or mitigation bank is privately or publicly owned land managed for its natural resource values. In exchange for permanently protecting, managing, and monitoring the land, the bank sponsor is allowed to sell or transfer habitat credits to permittees who need to satisfy legal requirements and compensate for the environmental impacts of developmental projects (CDFW). There are several mitigation banks in the SCAG region:

I. Soquel Canyon Mitigation Bank, City of Chino Hills

The Soquel Canyon Mitigation Bank, an over 300-acre property located predominantly within the City of Chino Hills, San Bernardino County and includes a few acres located in Orange County. The bank is owned by Land Veritas, a California-based mitigation bank owner. The southern boundary of the bank, the Chino Hills State Park, is an open space area that straddles the junction of San Bernardino, Orange, Riverside and Los Angeles Counties and is a critical link in the Puente-Chino Hills biological corridor.

II. Peterson Ranch Mitigation Bank, Los Angeles County

The Petersen Ranch Mitigation Bank, covering over 4,000 acres within the boundaries of the proposed San Andreas Rift Zone Significant Ecological Area in Los Angeles County, is the largest bank in California and one of the largest banks in the United States. The bank is owned by Land Veritas and offers compensatory mitigation across a large part of Southern California.

III. Santa Paula Creek Mitigation Bank, Ventura County

The Santa Paula Creek Mitigation Bank includes over 200 acres across Northern Ventura and Los Angeles counties and was the first mitigation bank of its kind in the area, established in 2011. The bank's service area covers the combined watersheds of the Santa Clara and Ventura Rivers. Property was previously owned by Santa Paula Water Works LTD and then purchased by SPC Environmental Holdings, Inc.

IV. Chiquita Canyon Conservation Bank, Orange County

The Chiquita Canyon Conservation Bank covers 1,182 acres in Orange County, just east of the City of Mission Viejo. The bank was established in 1996 with Foothill/Eastern Transportation Corridor Agency as its sponsor.

V. The Barry Jones Wetlands Mitigation Bank is located in western Riverside County and incorporates the 33-acre Skunk Hollow Vernal Pool Preserve, the second largest vernal pool in the state, along with 107 acres of the pool's upland watershed. The bank was established in 1997 and is managed by the Center for Natural Lands Management.<sup>24</sup>

VI. Black Mountain Conservation Bank, San Bernardino

The Black Mountain Conservation Bank, located in the western Mojave Desert of San Bernardino County, spans over 1,940 acres. The bank was established in 2018 and is managed by Wildlands, a conservation and mitigation bank.<sup>25</sup>

VII. Cajon Creek Habitat Conservation Management Area, San Bernardino

The Cajon Creek Conservation Bank was first established in 1996 and was expanded to cover over 1,300 acres in 2017. The bank, managed by Vulcan Materials Company, is located in Cajon Wash and Lytle Creek in San Bernardino County.<sup>26</sup>

VIII. Mojave Desert Tortoise Conservation Bank, San Bernardino County

The Mojave Desert Tortoise Conservation Bank covers 4,658 acres or preserved habitat and includes 8 sites across San Bernardino County. The bank was authorized in May 2020 and is one of the largest tortoise conservation banks in the state.<sup>27</sup>

IX. Riverpark Mitigation Bank, Riverside County

Riverpark Mitigation Bank serves western Riverside and portions of San Bernardino Counties and is located at the southern terminus of the California State Water Project that moves water to Southern California from the San Francisco Bay Delta. The bank is sited in one of the priority areas designated by the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP).<sup>28</sup>

**Regional Conservation Plans**

Local agencies throughout the region have worked together to form Regional Conservation Plans (RCPs) that can span multiple jurisdictions, recognizing that important habitats do not routinely line up with jurisdictional borders. Additionally, RCPs efficiently address mitigation mandates pursuant to CEQA by anticipating transportation projects and “banking” potentially threatened endangered-species habitats. Multiple Species Habitat Plans (MSHCPs) allow the county, its cities and special districts to more effectively make local land use decisions regarding development, while adhering to state and federal endangered species acts regulations and environmental mandates. Under an MSHCP, wildlife agencies grant authorization for public and private development that is potentially detrimental to individual species, in return for assembling and managing a coordinated Conservation Area. Similar to the MSHCP, Natural Communities Conservation Plan/Habitat Conservation Plans (NCCP/HCP) acquire and manage large conservation areas that can be made up of several distinct jurisdictions. An NCCP/HCP takes a broad-based ecosystem approach, focusing on the long-term protection of wildlife and plant species while also allowing for development. There are five established RCPs in the SCAG region:

I. Coachella Valley MSHCP

This plan aims to preserve 240,000 acres of natural habitat and 27 plant and animal species in the Coachella Valley region of Riverside County. Since receiving its state and federal permits in 2008, about 40% of the land (89,000 acres) has been acquired. A major amendment is that includes the entire City of Desert Hot Springs was approved in August 2016.

II. Lower Colorado River MSCP

Established in 2005, this program is a multi-state plan to balance use of the Colorado River’s water resources and conservation of native species and their habitats along the lower Colorado River in compliance with the Endangered Species Act. The program area covers over 400 miles of the lower

Colorado River across Arizona, Nevada, and California and aims to preserve over 8,100 acres of habitat, produce over 1.2 million native fish, and benefit at least 27 species, most of which are state or federally listed as endangered, threatened, or sensitive.

III. Orange County Central-Coastal NCCP/HCP

Approved in 1996, this plan was one of the first regional HCPs in the country. The planning area covers 208,000 acres, protecting habitats for 39 species, six of which are federally listed endangered species. Participating organizations include seven cities, the County of Orange, Irvine Company, Metropolitan Water District, the Transportation Corridor Agencies and UC Irvine.

IV. OCTA Measure 2 NCCP/HCP

Approved in 2017, this plan protects threatened plant and wildlife species and covers routine maintenance for preserve areas. It is funded by OCTA's Measure M2 Environmental Freeway Mitigation Program. An extension of Measure M (1990), Measure M2 is a voter-approved half-cent sales tax increase to fund transportation improvements. Over thirty years, the Environmental Mitigation Program will allocate about \$300 million to acquire natural lands and fund habitat restoration projects, while enabling a more streamlined approval process for freeway improvement projects. Since the initial funding round in 2010, 1,300 acres of natural lands have been acquired and twelve restoration projects have been funded. The total land in the planning area is 510,000 acres.

V. Western Riverside MSHCP

Half a million acres of land are designated for conservation under this plan, the largest habitat conservation plan in the United States. When the MSHCP was enacted in 2008, nearly 70 percent of the land already had public or quasi-public status. Since then, the Regional Conservation Authority (RCA), the plan's facilitating agency, has been active in acquiring the remaining 153,000 acres. To date, 42 percent of the total land has been acquired.

***Regional Conservation Investment Strategies***

Established by Assembly Bill 2087, the California Department of Fish and Wildlife created the Regional Conservation Investment Strategy (RCIS) program in 2017 to encourage regional approaches for advance mitigation and conservation. The program is a voluntary, non-regulatory conservation assessment and strategy to benefit species and habitats of concern and to provide a more efficient and effective approaches to mitigation and conservation. An RCIS can be used as the basis for advance mitigation and have the benefit of streamlining. There is one approved RCIS in the SCAG region:

VI. Antelope Valley Regional Conservation Investment Strategy

Approved in 2021 by the California Department of Fish and Wildlife, the Antelope Valley RCIS (AVRCIS) covers over 707,000 acres in northern Los Angeles County. The AVRCIS ~~uses the best available science to~~ identify/identifies conservation goals and objectives, conservation actions, habitat enhancement actions,

and conservation priorities. It is a voluntary non-regulatory conservation strategy intended to guide conservation investments and advance mitigation, as well as help species and their habitats adapt to climate change and other pressures, in the AVRCIS area.

DRAFT

## APPENDIX – A

### The SoCal Greenprint – Next Steps

1. Mission and Scope: The SoCal Greenprint is required by Connect SoCal's Program EIR only as a tool for prioritizing higher value agriculture and biological resource mitigation for the implementation of transportation, housing, economic development, and other infrastructure needs included in Connect SoCal (RTP/SCS), and only to the extent it does not adversely affect local land use decisions as exemplified by General Plans and/or Housing Elements.
2. The SoCal Greenprint will be implemented by a representative committee consisting of SCAG Regional Council members, and (i) local government representatives, (ii) market rate developers, (iii) affordable housing developers, (iv) business employers, (v) water/wastewater districts, and (vi) environmentalists; for the sole purpose of achieving the Mission and Scope detailed above.
3. The Committee will be appointed by the SCAG Regional Council following a solicitation process. In addition to Regional Council members, no more than 2 representatives can be appointed for each sub-category. Committee members appointed into the six sub-categories shall be selected for professional expertise in their field.
4. The Committee will work with SCAG staff to identify three qualifying consultants that have at least ten years of experience in preparing Environmental Impact Reports within the SCAG region. One of these three candidates will be selected by the Regional Council to identify candidate datasets for the SoCal Greenprint from commonly used datasets within adopted Environmental Impact Reports prepared by SCAG members as of 2020.
5. Only data sets created and maintained by a public agency, in a process that includes public notice and comment, are eligible for inclusion in the SoCal Greenprint.
6. The selected Consultant shall provide a "Draft Comprehensive Report" to the Committee on proposed datasets that will be used to identify "biological and agricultural resource values" and shall thereby also report to the Committee on the lands these datasets would include into the SoCal Greenprint that otherwise would not be included because of their status as lands "not approved or planned for development" in unincorporated county areas. For purposes of this section, land is considered "approved" or "planned for development" if (i) a project has been approved, (ii) a project application has been filed, (iii) the land is designated in the General Plan for future development, or (iv) a landowner has identified plans to apply for future development approvals inclusive of General Plan and/or zoning amendments. Landowners within the proposed geographic boundaries of the SoCal Greenprint must receive at least a 90-days advance notice of potential inclusion within the SoCal Greenprint and shall receive a copy of the Draft Comprehensive Report. Transmittal to Landowners and the Committee shall occur concurrently in electronic and/or hard copy format.

7. Following receipt and review of the Draft Comprehensive Report, the Committee will receive public feedback and then commission the Consultant to finalize the Comprehensive Report, classifying potential "best available scientific data" for each SCAG county. The proposed datasets shall not be posted online until such time as the Board of Supervisors of each County reviews and approves, by Resolution, the datasets and geographic boundaries in which the datasets will be used. In all cases, locations where development is approved or planned, as identified by each County, shall be excluded from these geographic boundaries.
8. The Committee will report to the Regional Council and must receive their affirmative approval to undertake finalization of the (i) mission and scope of the SoCal Greenprint, (ii) the selection of the Consultant, (iii) the proposed schedule for presenting the SoCal Greenprint to each County for review, and acceptance/rejection by each County Board of Supervisors.
9. Once approved by a County Board of Supervisors, the SoCal Greenprint datasets applicable to the agreed upon unincorporated County areas will be posted on the SCAG website as a resource to help prioritize preservation of higher value biological and agricultural preservation areas in lands not approved or planned for development.

DRAFT



AFFILIATED AGENCIES

Orange County  
Transit District

Local Transportation  
Authority

Service Authority for  
Freeway Emergencies

Consolidated Transportation  
Service Agency

Congestion Management  
Agency

October 27, 2022

Ms. Maggie Aguilar  
Southern California Association of Governments  
Office of Regional Council Support  
818 W. 7<sup>th</sup> Street, 12<sup>th</sup> Floor  
Los Angeles, CA 90017

Subject: Public Sector Stakeholder Regional Advanced Mitigation Program  
Workshop - October 13, 2022

Dear Ms. Aguilar:

Thank you for keeping the Orange County Transportation Authority (OCTA) apprised of your progress on the Regional Advanced Mitigation Program (RAMP) policy framework and providing a status update on the SoCal Greenprint tool at the Public Sector Stakeholder Workshop held on October 13, 2022. We look forward to the release of meeting minutes and associated results of action items the Southern California Association of Governments (SCAG) will address, including the composition of Technical Advisory Committee members.

In efforts to provide further input, we ask that you provide OCTA with an opportunity to review and comment on the final draft RAMP policy framework before submittal to the Advisory Task Group, Energy and Environment Committee, and Regional Council for approval.

Throughout the development of SCAG's draft RAMP policy framework and SoCal Greenprint tool, OCTA staff would be happy to collaborate on any matters discussed herein.

If you have any questions or comments, please feel free to contact me at (714) 560-5741 or at [kmortazavi@octa.net](mailto:kmortazavi@octa.net).

Sincerely,

Kia Mortazavi  
Executive Director of Planning

KM:ag

Orange County Transportation Authority  
550 South Main Street / P.O. Box 14184 / Orange / California 92863-1584 / (714) 560-OCTA (6282)

Commented [DP1]: @Angel Garcia - how is the lett transmitted to SCAG? Via snailmail or email? Should accordingly.

Attachment: Attachment 5 - Public Comment; Orange County Transit Authority (OCTA) (Draft RAMP Policy Framework and Stakeholder



**TEJON RANCH**  
C O M P A N Y

September 23, 2022

**VIA ELECTRONIC MAIL**

[scaggreenregion@scag.ca.gov](mailto:scaggreenregion@scag.ca.gov)

Southern California Association of Government  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

Dear Members of the Board, Committee Members, and Staff:

This letter is sent as a follow-up to Tejon Ranch Company's letters dated August 18, 2021, October 5, 2021, and December 9, 2021, and in response to the Greenprint's Science and Strategic Advisors request for feedback on the proposed data layers for inclusion in the SoCal Greenprint tool. Tejon Ranch continues to object to the inclusion of the Antelope Valley Regional Conservation Investment Strategy ("AVRCIS") as a dataset source in the proposed SoCal Greenprint and seeks to offer further clarification.

The RCIS program was undertaken with good intent, authorized by the State Legislature as a voluntary and non-binding conservation assessment available for public use with no legal or regulatory effect. This legislative intent was recently confirmed as a consistent position of the California Department of Fish and Wildlife ("Department"). Attached herein is a copy of a May 3, 2022, letter that Tejon Ranch received from the Director of the Department. The letter clarifies the Department's view on the intended use of a Regional Conservation Investment Strategy and describes how weaponization of the AVRCIS in challenging the Centennial project is an example of misuse of the RCIS program. The Department's letter makes several important points, for example:

- An RCIS is not to affect the authority or discretion of any public agency and shall not be binding upon public agencies other than parties to a mitigation credit agreement.
- An RCIS does not alter existing land use authority, standards for issuance of permits and approvals, standards under the California Environmental Quality Act, or whether a project or project impacts are authorized or prohibited.
- The development of RCISs does not create, modify, or impose regulatory requirements or standards, regulate land use, establish land use designations, or affect the land use authority of a public agency.
- The Department does not support any RCIS being used as evidence to support a challenge to local agency actions.
- The Department does not support good faith, collaborative efforts in a voluntary venue like RCIS being raised by others in a confrontational venue like California Environmental Quality Act litigation to advocate what is or is not "best available science."

P.O. Box 1000 | 4436 Lebec Road  
Tejon Ranch, CA 93243  
661 248 3000 | 661 248 3100 F  
[www.tejonranch.com](http://www.tejonranch.com)

Tejon Ranch Co. (NYSE:TRC) – a diversified real estate development and agribusiness company.

- An RCIS should not be weaponized for litigation.

The California State Legislature envisioned an RCIS to be a voluntary and non-regulatory, regional conservation strategy that does not alter existing land use authority, standards for issuance of permits and approvals, standards under the California Environmental Quality Act, or whether a project or project impacts are authorized or prohibited. In practice, though, the AVRCIS was used as a weapon in California Environmental Quality Act (CEQA) litigation in efforts to challenge the local land use authority of approved projects within the Economic Opportunity Areas designated for development within the Antelope Valley Area Plan and the Los Angeles County General Plan.

In the spirit of the intent which launched the Greenprint process originally, I respectfully ask that SCAG ensure the Greenprint's integrity by remaining consistent with the Antelope Valley Area Plan and the Los Angeles County General Plan. SCAG should exclude the AVRCIS entirely as a Greenprint data set due to the clearly demonstrated ill intent of its preparers including the Center for Biological Diversity and the California Native Plant Society among others. Short of exclusion, we request that SCAG fully respect Los Angeles County's lawfully enacted plans and the clear intent of the California Legislature by including the enclosed May 3, 2022 letter from the California Department of Fish and Wildlife as a preface to the AVRCIS in the Greenprint data set.

Thank you for your consideration of this important issue.

Sincerely,



Marc W. Hardy  
Senior Vice President, General Counsel

Attachment



State of California – Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
 Director's Office  
 P.O. Box 944209  
 Sacramento, CA 94244-2090  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
 CHARLTON H. BONHAM, Director



Attachment: Attachment 6 - Public Comment; Tejon Ranch (Draft RAMP Policy Framework and Stakeholder Engagement Summary)

May 3, 2022

Gregory S. Bielli  
 President & Chief Executive Officer  
 Tejon Ranch  
 4436 Lebec Road  
 Tejon Ranch, CA 93243

Dear Mr. Bielli:

The California Department of Fish and Wildlife (Department) and Tejon Ranch (Ranch) have a long history of working together. The list of issues between the Department and Ranch covers topics from landscape scale conservation to wildlife connectivity, from permitting responsible development and housing to stewardship of one of the state's largest conservation agreements. Another issue of interest to both of us is the appropriate implementation of a relatively new program at the Department that allows for the creation of Regional Conservation Investment Strategies (RCISs).

This new law and program encourage a voluntary, non-regulatory process intended to result in higher-quality conservation outcomes and includes an advance mitigation tool. This program uses a science-based approach to identify conservation opportunities and consists of three components: regional conservation assessments (RCAs), regional conservation investment strategies (RCISs), and mitigation credit agreements (MCAs.). These tools are broadly supported across the state, and while we are in the beginning phases of implementing the program, transportation, infrastructure, and local government leaders around the state are embracing this program to both conserve natural resources and create regulatory certainty for industries.

I thank you for your appreciation of the value of RCISs when used consistent with Fish and Game Code sections 1850-1861 and the RCIS Guidelines the Department published in 2017 and amended in September 2018.

The Department acknowledges that one RCIS effort has generated significant negative feedback from the Ranch. This one example is the Antelope Valley RCIS. The purpose of my letter to you is to clarify the Department's view on RCIS.

Gregory S. Bielli  
President & Chief Executive Officer  
Tejon Ranch  
May 3, 2022  
Page 2

First, the development of an RCIS is purely voluntary. The Department cannot compel any public entity to pursue an RCIS, nor can it prevent any public agency, or other individuals or entities working with a public agency, from pursuing and proposing an RCIS.

Second, RCIS is a non-regulatory and non-binding conservation assessment. Nothing in law allows the Department or any other state or local agency to use an RCIS as a regulatory requirement against an entity like the Ranch. Indeed, the statute expressly states that an RCIS “shall not affect the authority or discretion of any public agency and shall not be binding upon public agencies other than parties to a mitigation credit agreement.” (Fish & G. Code, § 1855, subd. (a).) The statute goes on to clarify that an RCIS does not alter existing land use authority, standards for issuance of permits and approvals, standards under the California Environmental Quality Act, or whether a project or project impacts are authorized or prohibited. (Fish & G. Code, § 1855, subd. (a)-(b).)

The Department is aware that various parties in litigation concerning Los Angeles County’s approval of its Antelope Valley Area Plan, Los Angeles County’s approval of the Centennial Specific Plan, and transportation projects have sought to introduce the Antelope Valley RCIS as evidence to support their challenges to local agency actions. To the best of our knowledge, in each of these cases the court has appropriately determined that the Antelope Valley RCIS is not an obstacle to discretionary land use decisions by local agencies.

To be very clear, the Department does not support any RCIS being used in this manner. As noted above, the development of RCISs does not create, modify, or impose regulatory requirements or standards, regulate land use, establish land use designations, or affect the land use authority of a public agency. We are concerned that transporting a voluntary, incentive-based program as evidence into a judicial proceeding will have the consequence of chilling future interest in the very tool the Department seeks to make available around the state to increase conservation outcomes.

At the request of the Ranch, the Department helped ensure that the public agency proposing the Antelope Valley RCIS did not include any Ranch lands within the RCIS boundaries. The Department further acknowledges that there can be differences of opinions about what constitutes “best available science” in natural resources management and planning, and that this question has arisen in the context of the Antelope Valley RCIS. Looking ahead, the Department does not support good faith, collaborative efforts in a voluntary

Gregory S. Bielli  
President & Chief Executive Officer  
Tejon Ranch  
May 3, 2022  
Page 3

venue like RCIS being raised by others in a confrontational venue like California Environmental Quality Act litigation to advocate what is or is not "best available science." An RCIS should not be weaponized for litigation. These were not the goals of Assembly Bill 2087 and Senate Bill 103 in creating the program.

I thank you for raising your concerns directly with me regarding the Antelope Valley RCIS. Notwithstanding those concerns, I trust you can appreciate the broader success and support across the state for new voluntary based efforts to create regulatory certainty and conserve our great natural resources in California. Please stay in touch so that we can continue the collaboration between Tejon Ranch and the California Department of Fish and Wildlife.

Sincerely,



Charlton H. Bonham  
Director