

**Board of County Commissioners
Matters from Planning and Development
Permit No.: MSC2016-0033**

Staff Report

Meeting Date: June 21, 2016
Submitting Dept: Teton County Planning and Development

Presenter: Hamilton Smith
Subject: Focal Species Habitat
Mapping Study RFP

Statement / Purpose:

To request approval of a Request for Proposals (RFP) for the Focal Species Habitat Mapping Study, and authorization to advertise the RFP.

Background / Description (Pros & Cons):

The Jackson/Teton County Comprehensive Plan calls for the protection of native species populations through a system of regulations and requirements that are based on relative value of habitat. Teton County has completed a Geographic Information System (GIS) digital layer of designated vegetation and non-vegetation cover-types on all lands in Teton County. The intent of the Study is to use the work produced out of this proposal in a broader effort to update the Town and County Land Development Regulations regarding habitat protection. Policy 1.1.a of the Comprehensive Plan states the following:

"Protecting wildlife requires protecting wildlife habitat and wildlife movement corridors. Our Natural Resource Overlay (NRO) that protects wildlife habitat and wildlife movement corridors will consider the importance and abundance of habitat types and be based on a set of focal species that indicate the health of all native species and includes culturally and economically significant species. The most abundant and visible wildlife species are not necessarily indicative of overall ecosystem health. Likewise, while a habitat may be important, it may also be abundant and therefore only relatively critical, while another important habitat may be declining and/or disappearing due to development and climate change and therefore absolutely critical. As our NRO and other programs to protect wildlife habitat from the impacts of development and transportation evolve, they should be updated to reflect the best available data on the relative critical value of different habitat types for identified focal species."

In May of 2013 an RFP was prepared by Planning staff with a similar goal, to implement the habitat protection mission of the Comprehensive Plan through the gathering of available datasets from research on native wildlife within Teton County. A consultant was chosen and a contract signed to essentially fund novel research in the area of community ecology, a data driven analysis to determine areas on the landscape with habitat significance for numerous species. Much of the funding for the project ended up being dedicated to the data collection and standardization process, as well as the analytical framework to derive the vegetative and landscape variables that were significant in predicting species distribution. The project was completed, but it is lacking certain necessary components that make it usable and replicable.

In support of this RFP, Teton County Planning and Development intends to use the results of the Study as the basis for updating the Environmental Standards in the Land Development Regulations (LDRs), as well as creating a tiered Natural Resources Overlay, as envisioned in the Comprehensive Plan. The current Natural Resources Overlay is based on criteria and associated data that is now nearly 25 years old. The Natural Resources Technical Advisory Board (NRTAB), Planning staff, and Wyoming Game and Fish (WGFD) have used a defensible and replicable strategy to develop a new suite of species from which important habitat associations will be developed to inform a future Natural Resources Overlay (NRO) map and natural resource protection standards. Where data is not readily available, the chosen contractor can rely on peer-reviewed results from scientific literature, or expert opinion, to define important habitat relationships, such that the project will not struggle with the challenges met by the initial contractor to derive new landscape/habitat associations from point locations.

There are two alternatives to funding the Focal Species Habitat Mapping Study. The Board can decide to fall back on the results of the Biota study, with the understanding that local agency/peer reviewers, including WGFD, were not in support of the project's methodology and results. The second alternative is to update the LDR Environmental Standards based on

the existing NRO mapping and protection of crucial winter range/migration corridors/nesting areas for the six individual species currently protected under the LDRs, which is not in alignment with the vision of the Comprehensive Plan, to move to a system of habitat protection.

Statement of Strategic Intent addressed by this item (Identify BCC goals accomplished/addressed):

This application supports the County strategic intent of Environmental Stewardship by implementing the Comprehensive Plan to create land use policies that protect wildlife habitat, air and water quality.

Attachments:

Attachment 1: Focal Species Habitat Mapping Project for Teton County, Wyoming Request for Proposals

Attachment 2: Public Comment

Fiscal Impact:

The estimated budget for completion of the Focal Species Mapping Study is \$45,000.

Staff Impact:

Senior Planner Hamilton Smith will provide project oversight. A portion of this time is already allotted for through participation in the Natural Resources Technical Advisory Board meetings. Additional time is estimated to be 4-5 hours on a monthly basis, which will be required through the 6-month duration of the study.

Legal Review:

As of the date of this report, Deputy County Attorney Erin Weisman is reviewing the RFP. No comments have yet to be received.

Recommendation:

Staff recommends that the Board of County Commissioners approve the Request for Proposals for the Focal Species Habitat Mapping Study and authorize staff to advertise the RFP.

Suggested Motion:

Move to approve the Request for Proposals for the Focal Species Habitat Mapping Study and authorize staff to advertise the RFP.



REQUEST FOR PROPOSALS

Focal Species Habitat Mapping Project for Teton County, Wyoming

June 1, 2016

I. Purpose

The objective of this project is to create a transparent, and replicable framework to identify, describe, rank and map important wildlife habitats and movement corridors, which will inform Teton County Commissioners and planners as they amend and apply land development regulations. The approach will reflect the relative values of important habitat types for focal species using objectively collected observational data, and the best available science. The methodology will be able to incorporate new data that meets established standards as it is developed, to refine the species maps. The analytical, decision-informing system and maps will allow Teton County to fulfill its stewardship obligation to best protect important wildlife habitat and movement corridors as set forth in the Teton County Comprehensive Plan.

Teton County intends to enter into a contract with a professional consultant to develop a GIS map and description of the relative value of different important habitat types for identified focal species in Teton County (Appendix I). The final product will inform a future Natural Resources Overlay (NRO) map and natural resource protection standards.

II. Background

The Jackson/Teton County Comprehensive Plan calls for the protection of native species populations through a system of regulations and requirements that are based on relative value of habitat. Teton County has completed a Geographic Information System (GIS) digital layer of designated vegetation and non-vegetation cover-types on all lands in Teton County, Wyoming, excluding most large acreages under federal ownership. Teton County intends to use the work produced out of this proposal in a broader effort to update the Town and County Land Development Regulations regarding habitat protection. Policy 1.1.a of the Comprehensive Plan states the following:

“Protecting wildlife requires protecting wildlife habitat and wildlife movement corridors. Our Natural Resource Overlay (NRO) that protects wildlife habitat and wildlife movement corridors will consider the importance and abundance of habitat types and be based on a set of focal species that indicate the health of all native species and includes culturally and economically significant species. The most abundant and visible wildlife species are not necessarily indicative of overall ecosystem health. Likewise, while a habitat may be important, it may also be abundant and therefore only relatively critical, while another important habitat may be declining and/or disappearing due to development and climate change and therefore absolutely critical. As our NRO and other programs to protect wildlife habitat from the impacts of development and transportation evolve, they should be updated to reflect the best available data on the relative critical value of different habitat types for identified focal species.”

Peer review is requested throughout each of the three significant phases of this study as identified by Tasks. For the purposes of consistency where indicated in the procedural steps outlined in this RFP peer review shall include Teton County Planning Department (TCPD) staff, NRTAB, Wyoming Game and Fish Department (WGFD), and other academic and scientific professionals as determined by TCPD staff.

III. Scope of Work and Services

Task A. Identify Important Habitat Characteristics of Focal Species

1. Using the provided list of focal species (Appendix I), the Consultant will confirm the ability to work with the preliminary list, and identify any important changes to the list designated in the RFP. The Consultant will

identify focal species important habitat through referenced published literature, referenced expert knowledge, or derived correlations from available datasets. Where sufficient data is readily available, the consultant will analyze the data in a scientific, statistical, repeatable manner. Results will first be validated using proven, accepted statistical validation techniques, only secondarily or when rigorous scientific analysis is not possible due to the lack of available data, will identified important habitat be validated by expert opinion. Habitat descriptors will be a function of vegetative covertype associations and abiotic factors including but not limited to slope, aspect, or elevation. Important habitat will capture a variety of essential natural history requirements for a given species or suite of species, including but not limited to reproductive habitat, migration corridors, and crucial winter range. The consultant will develop text and a spreadsheet table describing the ecological function of the important habitat described for each focal species habitat overlay.

2. Task A Deliverable is a narrative for each of the identified focal species describing important habitat and associated habitat descriptor variables, such that important habitat distribution maps can be generated in a GIS format as described in Task B. The spreadsheet table describing ecological function of important habitat for each focal species will be included as GIS metadata. This information will be peer reviewed.

Task B. Map Important Habitat for each identified focal species

1. The consultant will develop a GIS layer of critical habitat distribution within Teton County for each identified focal species, using clearly defined methods with reference to source literature supporting the chosen methodology.
2. Task B Deliverables will be a GIS layer illustrating important habitat distribution within Teton County for each focal species, and a spreadsheet table describing important habitat ecological function by species.
 - a. All GIS layers will include thorough metadata documentation.
 - b. Where point data is available, distribution of focal species important habitat will be determined using that point data and an assessment of important habitat map accuracy. A list of known available datasets is described in Appendix A.

Task B deliverable products will be submitted to the planning department for peer review. Individual GIS layers will be utilized in Task C only after approval through this internal review process.

Task C. Assessment of Relative Value of Important Habitat

There is a broad, landscape context within which focal species persist in Teton County. The abundance, connectivity and ecological health of discrete important habitat types are important factors that inform the relative value of important habitats. Task C of this project requires the Consultant to evaluate species-specific important habitat in a broader context of habitat availability, threats to habitat sustainability, and habitat connectivity.

1. The consultant shall develop a framework to determine relative value of important habitat. A methodology for this component of the study will be presented in the proposal. The project final output is envisioned to utilize the consolidation of all focal species habitat map layers for illustration of the relative critical value of different habitat types. A weighting system will be described *a priori* in order to assign ranking values to special factors that influence focal species use of the landscape. Examples of focal species important habitat attributes to incorporate into the weighting schema include:
 - a. Overlapping important habitat for multiple focal species
 - b. A habitat or habitat feature for a single species of concern
 - c. A crucial migration corridor
 - d. Rare or declining vegetation type associated with focal species' distribution
 - e. Landscape metrics such as habitat patch size, proximity, edge/ecotone abundance
2. Task C Deliverables include:
 - a. GIS map layer(s) illustrating the consolidated focal species important habitats, as attributed through the application of weighting schema as described in the Task C methodology to represent the relative habitat value.
 - b. Seven (7) copies of the Draft final report to the Teton County Planning Department that compiles and presents focal species relative habitat analysis, methodologies, along with attendant GIS map layer(s), text, and if applicable tabular information in spreadsheet format defining selection

methodology and delineating important habitat relative values. This report Draft will be peer reviewed.

- c. Draft Final Report findings, following peer review and incorporation of peer review edits, will be presented to County Elected Officials.
- d. Seven (7) copies of the Final Report will be submitted, and will include comprehensive description of methods, results and discussions for each of the Tasks outlined in this RFP. Final reports will be provided in both digital and hard copy to the Planning Department. The digital delivery will include all GIS layers in either Shapefile or MapInfo Table format, with associated metadata.
- e. The final report will include a description of how additional important habitat layers or revisions to the Final Report layers can be improved or updated in the future. The vision of this study is to achieve a GIS platform that can be refined and improved with time, in iterative steps within a pre-established framework.

Project Timeline and Correspondence

The applicant will include a project timeline for completion of Tasks A through C with their submittal. As a guideline the Board of County Commissioners expects a Focal Species Habitat Study can be conducted in approximately 6 months from the date the contract is awarded.

Monthly written progress reports to the County project manager will be required related to completion of Task Deliverables, general progress, and perceived conflicts with ability to meet the defined Contract budgetary and/or timeline parameters.

IV. Estimated Cost of Services

The County has a placeholder of \$45,000 budgeted for this item. The Consultant shall provide a detailed breakdown of services by task with hours, personnel, and cost of each task, including a total estimated cost of services. If cost of project proposed exceeds the budget amount, the consultant shall provide both a rationale for why it exceeds the budget and a revised scope that would meet the allotted budget specifying what would be eliminated from the scope of work and services described above. The Consultant shall invoice the County for each deliverable and the County shall pay the Consultant once each stated deliverable within each task is submitted to the Planning Department and found to be sufficient.

V. Insurance Requirements

A. Insurance

The Consultant shall provide at its own expense the following insurance for its business entity and its employees in connection with the work required under this contract:

1. Worker's Compensation: Statutory.
2. General Public and Auto Liability: \$1,000,000 each occurrence and aggregate.

B. Liability

The Consultant shall indemnify and hold harmless the County against all forms of liability, claims, damages, demands, and including attorney fees, of every kind and nature and attributable to bodily injury, sickness, disease, or death, or to damage or destruction of property resulting from or in any manner arising out of or in connection with the performance of work under this contract.

VI. Employment Discrimination Prohibited

During the performance of a contract awarded pursuant to this "Request for Proposals," the Consultant agrees to not discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin. The Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices

setting forth the provisions of this nondiscrimination clause. The Consultant, in all solicitations or advertisements for employees placed by or on behalf of the Consultant, will state that the Consultant is an equal opportunity employer. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for meeting these requirements.

VII. Proposal Content

At a minimum, proposals shall contain the following information:

- A. Understanding:** Consultant's understanding of project intent and scope, required services and work product;
- B. Consultant Qualifications:** Qualifications of the Consultant, including a current company profile, qualifications of specific individuals who will provide the services and work product required for this project, conservation ecology and corridor ecology credentials, their availability and time commitment, and examples of similar completed work and client references;
- C. Insurance:** Required coverage (Workers' compensation, General public and auto liability);
- D. Timeline:** for completion of work including key milestones;
- E. Fee for Services:** with breakdown by tasks, budget time and cost per task/deliverable, and including all expenses including costs related to meetings with Planning Staff, NRTAB and electeds;
- F. Conditions and Additional Services:** Specific contract and performance conditions, including hourly rates for additional services; and,
- G. Exceptions:** Any exceptions to the requirements of this Request for Proposals.

VIII. Special Provisions

- A. Fee for Services and Payments:** Invoicing and Payment terms shall be in accordance with the provisions of the Teton County Policies Handbook, Bid/Contract, Services – Contracting.
- B. Award of Contract:** The County shall select a Consultant and award a contract based upon the following criteria:
 1. Demonstrated understanding of project scope and scope of Consultant services;
 2. Qualifications to perform required services;
 3. Cost basis, fee for services, and terms of payment;
 4. References of provider, and years in business;
 5. Ability to meet time requirements and proposed work plan; and
 6. Adequate insurance (verified with insurance required in bid specification).
 7. Defensible and reproducible product
 8. Preference in the selection will be given to applicants with expertise in Teton County, Wyoming, and consistent with Wyoming's statutory requirements to give preference to Wyoming bidders.

The County may negotiate with two or more respondents. After negotiation with selected respondents, the County shall select the one that, in its opinion, has made the best overall presentation and cost projections. If the County determines that only one respondent meets the qualifications, it may enter into negotiations with that respondent.

- C. Reservation of Rights:** Teton County reserves the right to reject any and all proposals, to waive irregularities in proposals received, to reject non-conforming, non-responsive or conditional proposals, and to accept the proposal that in the County's sole judgment best serves the interests of Teton County, Wyoming.

D. **Proposal Delivery:** Proposals must be received at the Teton County Planning & Development Department by

4:00 pm, TBD, 2016

Proposals received after this time and date will be returned unopened. It is the responsibility of the respondent to ensure the proposal arrives on time. Please provide seven bound copies and one electronic copy of the proposal. Mail or deliver proposals to:

Hamilton Smith
Teton County Planning & Development Department
P.O. Box 1727
200 S. Willow
Jackson, WY 83001

Fee for Services proposal shall be firm for 6 months, beginning **TBD, 2016**

E. **Required Compliance:** The respondent awarded the contract shall be required to comply with all Teton County, State of Wyoming, and Federal requirements related to the contract.

Please direct any questions or requests for additional information regarding this Request for Proposals to Hamilton Smith at the Teton County Planning & Development Department, (307) 733-3959.

Appendix I. Focal Species List

Moose
Mule deer
Elk
Snake River fine-spotted cutthroat trout
Western toad
Great blue heron
Trumpeter swan
Northern goshawk
Northern harrier
Bald eagle
Great gray owl
Greater sage-grouse
Willow flycatcher
Common yellowthroat
Brewer's sparrow
Sage thrasher
Western Meadowlark



Dear Teton County Board of Commissioners,

The Jackson Hole Conservation Alliance believes that we have a responsibility to craft and enforce land use rules that promote walkable neighborhoods surrounded by protected open space, working agricultural lands, and connected wildlife habitat.

The upcoming update to our community's natural resources regulations provides an opportunity to advance this vision. In order to seize this opportunity and craft robust natural resource regulations based on facts and data, it's important to accurately assess and map habitats in our county that are important to species conservation.

County planning staff's proposed action to call for a proposal to create a transparent, science-based framework to identify, describe and map important wildlife habitat and migration corridors is a necessary step toward developing our natural resource regulations.

This Focal Habitat Feature project will help us understand what habitats are important and where they are located in our private lands. We understand that staff have taken this approach with significant consultation from our local Wyoming Game & Fish agency biologists. This will help ensure that good data and science are incorporated into this request for proposal.

Further, we understand that this proposal will also include ideas for how this framework may be updated as new data become available.

The Alliance supports this request from planning staff and kindly asks that you instruct and allow staff to move ahead on this project. This project when complete will represent an important resource that helps our planners develop robust natural resource regulations.

Thank you for your consideration of this request and please let us know if we can be of any help with this matter moving forward,

Craig M. Benjamin

Craig M. Benjamin
Executive Director