

## Notice of Public Availability

From: Erinn Wilson  
California Department of Fish and Game  
South Coast Region  
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San Diego Ca, 92123

Subject: **Notice of Public Availability of Proposed Planning Agreement**

The California Department of Fish and Game (CDFG) is considering the entry into a Planning Agreement under the Natural Community Conservation Planning Act (NCCPA) (as amended in 2002 by SB107 and SB2052) with the Orange County Transportation Authority (OCTA), the California Department of Transportation (Caltrans) and the United States Fish and Wildlife Service (FWS). This notice announces the availability of the proposed Planning Agreement for public review and comment for twenty-one (21) days, pursuant to section 2810, subdivision (d) of the NCCPA as revised by SB107.

The NCCPA encourages broad-based planning to protect and conserve the state's wildlife heritage while allowing appropriate development and growth. CDFG is authorized to approve natural community conservation plans (NCCPs) pursuant to the NCCPA, and to enter into agreements with other public agencies or private entities for the conservation of species and habitats.

The OCTA, the local sponsor of the plan, is a multi-modal transportation agency formed in 1991 to serve Orange County through the consolidation of seven transportation agencies. Caltrans, also a plan sponsor, is the owner and operator of the state highway system. Caltrans is the lead agency for construction and rehabilitation projects undertaken on the State highway system. The plan will be both an NCCP and a Habitat Conservation Plan (HCP) pursuant to Section 10 of the federal Endangered Species Act. The OCTA intends to design and implement an NCCP/HCP that describes the measures that it will perform in order to conserve biological resources while undertaking public infrastructure projects.

The primary purpose of the Planning Agreement is to define the goals and obligations in the development of an NCCP/HCP. Among other things, it also provides a preliminary list of the natural communities, and of the endangered, threatened, candidate, or other species that are found, or may be found, in those communities in order to provide an initial focus for the NCCP/HCP. The execution of the Planning Agreement is not an approval of the NCCP/HCP, but rather an agreement among CDFG, FWS, OCTA, and Caltrans to a process for the development of the proposed NCCP/HCP.

CDFG invites the public to review and comment on the proposed Planning Agreement. The document can be viewed on the internet at CDFG's website at [www.dfg.ca.gov/habcon/nccp/status.html](http://www.dfg.ca.gov/habcon/nccp/status.html) or the OCTA's website at [www.octa.net/environmental](http://www.octa.net/environmental). Upon request, a paper copy also can be sent by mail or facsimile by contacting Erinn Wilson at (714) 968-0953 or picked up in person at the South Coast Regional Office of CDFG at the address at the top of this Notice.

All comments should be sent to the address listed at the top of this Notice. The period for public review and comment will close twenty-one (21) days after the date of this Notice. Comments received on or before April 30, 2009 will be reviewed.

Date: April 9, 2009

Signature [signed on April 9, 2009]  
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