

NATURAL COMMUNITY CONSERVATION PLANNING/
COASTAL SAGE SCRUB

Enrollment Agreement

The Natural Community Conservation Planning/Coastal Sage Scrub (NCCP/CSS) project is a voluntary program and a collaborative effort with local governmental and landowners sponsored by the California Resources Agency and its Department of Fish and Game with the cooperation of the U.S. Fish and Wildlife Service. The NCCP/CSS will focus on coastal sage scrub habitat and three target species within it. The NCCP goal is to conserve long-term viable populations of the State's native animal and plant species, and their habitats, in landscape units large enough to ensure their continued existence while allowing compatible and appropriate development and growth, as set forth in Section 2800 et seq. of the California Fish and Game Code.

The San Joaquin Hills Transportation Corridor Agency, the Foothill/Eastern Transportation Corridor Agency (collectively "TCA's") and the California Department of Fish and Game agree that:

1. No activity on the proposed alignments of the Eastern Transportation Corridor or the Southern Segment of the Foothill Transportation Corridor that would cause disturbance of the coastal sage scrub vegetation will occur during the planning period described herein other than (i) actions mandated for public safety by a government agency having jurisdiction to impose such requirements and (ii) activities which are necessary or appropriate as part of the CEQA or NEPA evaluation or engineering design for the projects. The Eastern Transportation Corridor and the Southern Segment of the Foothill Transportation Corridor are referred to as the "Enrolled Lands".
2. The TCA's will cooperate with local agencies and owners of land to survey the Enrolled Lands, or cooperate in joint surveys, using guidelines approved by the Scientific Review Panel (SRP), unless the property has already been exempted by the Department of Fish and Game, and will deliver survey data to the SRP by the SRP's deadline dates and in SRP-approved formats.

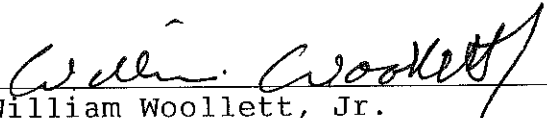
3. The TCA's will join in a collaborative planning process that will lead to preparation of guidelines and standards required by Sections 2800 et seq. of the California Fish and Game Code and in addition will fully comply with regulatory controls of the CEQA/EIR process in present state law. The purpose of the planning guidelines is to achieve the following objectives:
 - a. Reconcile potential conflicts between the conservation of coastal sage scrub habitat, as defined on the basis of surveys of target species, and planned development or other actions that could impair long-term habitat functions.
 - b. Help coordinate the NCCP program with provisions of federal and state law, such as critical habitat, habitat conservation, and recovery plan requirements, as applicable.
 - c. Provide for the review of NCCP plans pursuant to the program EIR provisions of CEQA to define programmatic impact assessment, alternatives analysis, and mitigation measures for future individual projects or actions within the NCCP plan area with regard to potential impacts on coastal sage habitat and associated species.
 - d. Provide assurance against additional mitigation requirements being imposed for the target species except upon a showing of significant unforeseen circumstances.
 - e. Establish procedures for incidental take permits to become applicable if any target species designated in the NCCP later becomes a candidate species or a listed species.
 - f. Conserve long-term viable coastal sage scrub habitat and its target species, in landscape units large enough to ensure their continued existence.
 - g. Establish procedures for coordination of public and private NCCP/CSS efforts, plan

preparation and review, and set dates for completion of each phase of the program.

4. The collaborative planning period begins on May 1, 1992, for properties enrolled prior to that date, and on the date of enrollment for later properties. The planning period terminates on October 31, 1993 or upon approval of an NCCP, whichever is earlier. The Department of Fish and Game will define and pursue implementation of the NCCP/CSS program expeditiously, including the formulation of process guidelines and subregions as early as possible.
5. Any enrollee may terminate its obligations under this agreement 30 days after Department approval of the NCCP planning sub-region applicable to the enrolled property or NCCP planning process guidelines pursuant to paragraph 3, or 30 days after August 1, 1992, if no guidelines or subregions have been approved by that date. The Department may terminate its obligation with any enrollee who fails to comply with the provisions of this enrollment process. In the event that the Department of Fish and Game proposes to terminate this obligation, the Department will provide the enrollee with written notice of the alleged defaults in the enrollee's compliance with the enrollment agreement and will establish a reasonable time to cure any such alleged default.

Authorized Signatures:

Foothill/Eastern Transportation
Corridor Agency




William Woollett, Jr.
Chief Executive Officer

4/28/92

Date

San Joaquin Hills Transportation
Corridor Agency

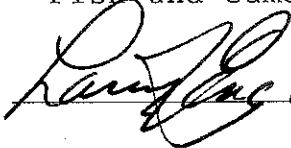


William Woollett, Jr.
Chief Executive Officer

7/20/92

Date

California Department of
Fish and Game



Nancy Lee NCCP Program Manager

9-3-92

Date

OR1:RDT:790