

ENROLLMENT FORM

NATURAL COMMUNITY CONSERVATION PLANNING/ COASTAL SAGE SCRUB

Local Jurisdiction Enrollment Agreement

The Natural Community Conservation Planning/Coastal Sage Scrub (NCCP/CSS) project is a voluntary program and a collaborative effort with local government 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 (USFWS). 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 Natural Community Conservation Act of 1991).

The City of Poway has signed letters of agreement with adjacent jurisdictions agreeing to coordinate open space planning efforts as part of the North County Wildlife Forum and the Central County Wildlife Forum.

Local jurisdictions agree to join in the collaborative planning process that will lead to preparation of guidelines and standards required by the Natural Community Conservation Act. 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 environmental impact report (EIR) provisions of the California Environmental Quality Act (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 purposes set forth in the plan 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 designated species, in landscape units large enough to ensure their continued existence.
- g. Establish procedures for coordinating public and private NCCP/CSS efforts, plan preparation and review, and set dates for completion of each phase of the program.

Local jurisdictions participating in the NCCP/CSS collaborative planning process agree to meet the following standards during the planning period. [For jurisdictions joining the process prior to May 1, 1992, the planning period will begin on the date of enrollment and will terminate on October 31, 1993. For jurisdictions joining the process after May 1, 1992, the planning period will last for 18 months following the date on which they join.]

As a participating local jurisdiction the City of Poway agrees to the following.

1. To assist in the formation of subregional coastal sage scrub natural community conservation plans by:
 - a. Participating as a member agency of the City of San Diego Metropolitan Sewerage System and as an official member of the City of San Diego Multiple Species Conservation Program (MSCP) Working Group to develop, coordinate, complete, and implement the MSCP.
 - b. Cooperating with other local governments and with landowners to undertake field studies on CSS within their jurisdictions.
 - c. Cooperating with other local governments and with landowners to prepare and process NCCP's for subregions established under the NCCP program.
 - d. Utilizing regulatory authority to the extent authorized by law to support the Natural Communities Conservation Planning (NCCP) Program as envisioned by Fish & Game Code Sections 2800 - 2880.
 - e. Including information on the NCCP program with materials and advice provided to potential project applicants and encourage landowners to enroll their lands.
2. To be sensitive to the potential impacts of proposed activities on coastal sage scrub during the NCCP planning period by:
 - a. Enrolling, to the maximum extent feasible, publicly-owned lands into the NCCP program.
 - b. Ensuring that its employees are aware of the NCCP program and of the jurisdiction's commitment to it.
 - c. Coordinating existing fire prevention and brush and weed abatement policies with the California Department of Fish and Game and the US Fish and Wildlife Service to ensure that the coastal sage scrub habitat community is not unnecessarily impacted, while complying with applicable public health and safety laws.

- d. Requiring that any proposed projects provide full disclosure of the amount of coastal sage scrub habitat on the project site and the potential impacts of the project to the habitat.
 - e. Monitoring through the CEQA review process, cumulative loss/impact of the coastal sage scrub natural community within its jurisdiction and reporting these losses/impacts to the Department of Fish and Game on a quarterly basis.
 - f. Requiring, where coastal sage scrub is likely to be impacted, that draft negative declarations and draft EIR's circulated include biological surveys prepared in a manner compatible with the MSCP biological Survey standards used by the City of San Diego.
 - g. Requiring, through the CEQA review process, where applicable, analysis of project impacts to coastal sage scrub habitat and other continuous natural areas such as riparian areas that constitute essential habitat corridors linking coastal sage scrub areas.
 - h. Assessing and making appropriate findings as part of the CEQA review process regarding whether: a) projects will have significant unmitigated impact on coastal sage scrub habitat; and b) projects will have the potential to preclude the ability to prepare an effective subregional NCCP.
 - i. Requiring, through the CEQA and City Grading Ordinance processes, environmental review and documentation in areas where no prior environmental review and documentation has been completed for grading, clearing, brushing, grubbing and similar activities proposed in coastal sage scrub natural communities, where applicable, except as required for ongoing agricultural operations.
 - j. Consulting with the California Department of Fish and Game and the US Fish and Wildlife Service during the MSCP/NCCP planning period regarding the scope and extent of mitigation for projects affecting existing coastal sage scrub habitat.
3. The State agrees to the following regarding the City of Poway's landowner enrollment in the NCCP program:
- a. The State recognizes and accepts the City of San Diego MSCP as a functional equivalent of the NCCP.
 - b. The State recognizes that the survey methods and the preserve design criteria developed by Ogden Environmental and Energy Services in preparation of the City of San Diego MSCP plan represent up-to-date scientific theory and practice and that, prior to their use in the Multiple Species Conservation Program (MSCP), these methods and criteria were reviewed and agreed to by the US Fish and Wildlife Service and the California Department of Fish and Game. The State agrees that these survey methods and

criteria are acceptable in lieu of the State's Scientific Review Panel guidelines and, therefore, that the City of Poway will not be required to apply the State's Scientific Review Panel guidelines for completion or implementation of its portion of the MSCP plan or enrollment in the NCCP program.

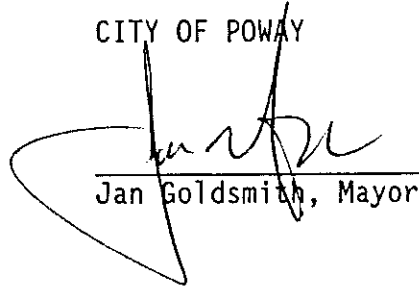
- c. The State agrees that the California Department of Fish and Game will continue to be an active participant in the City of San Diego Multiple Species Conservation Program, which the City of Poway fully supports as an active and participating member agency.

The commitment of the City of Poway jurisdiction to maintain these standards is only for the duration of the collaborative planning period.

The City of Poway may terminate its commitments under this agreement within 30 days following agreement on subregions and within 30 days following August 1, 1992 if no process guidelines have been completed by that date.

Authorized Signatures:

CITY OF POWAY



Jan Goldsmith, Mayor

Date

Signature, Title

CALIFORNIA DEPARTMENT OF FISH AND GAME

Name

Date

Signature, Title