

ENROLLMENT FORM

NATURAL COMMUNITY CONSERVATION PLANNING/ COASTAL SAGE SCRUB

Enrollment for Cities and Counties

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).

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.

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- 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 jurisdiction CARLSBAD
agrees to the following.

1. To assist in the formation of subregional coastal sage scrub natural community conservation plans by:
 - a. Cooperating with other local governments and with landowners to undertake field studies on CSS within their jurisdictions.
 - b. Cooperating with other local governments and with landowners to prepare and process NCCP's for subregions established under the NCCP program.
 - c. 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.
 - d. Including information on the NCCP program with materials and advice provided to potential project applicants & 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 by completing the "Enrollment Agreement for Landowners and Land Management Agencies" form and submitting it to the Department of Fish and Game NCCP Program Coordinator.
 - b. Ensuring that its employees are aware of the NCCP program and of the jurisdiction's commitment to it.
 - c. Coordinating existing fire prevention & brush & weed abatement policies with the Department & USFWS to ensure that the coastal sage scrub community is not unnecessarily impacted.

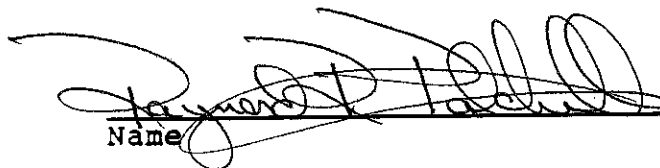
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- d. Requiring that any proposed projects provide full disclosure of the amount of coastal sage scrub habitat on the project site and the potential impacts to it.
- e. Monitoring cumulative loss/impact of the coastal sage scrub natural community within 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 EIR's circulated after the release of the 1992 Survey Guidelines include, to the maximum extent feasible, surveys prepared in a manner compatible with Scientific Review Panel (SRP) survey guidelines for the selected target species and ensure that these field data will be provided to the Department in a form useable by the SRP.
- g. Requiring analysis of project impacts to coastal sage scrub habitat and other contiguous 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 environmental documentation in areas where no prior environmental review has been completed under CEQA for grading, grubbing and similar activities proposed in coastal sage scrub natural communities except as required for ongoing agricultural operations.
- j. Consulting with the Department and USFWS and to strongly consider their recommended mitigation measures for projects affecting coastal sage scrub processed during the NCCP planning period.

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

A jurisdiction may terminate its commitments under this agreement within 30 days following agreement on subregions and the establishment of the Department's NCCP process guidelines or within 30 days following August 1, 1992 if no process guidelines have been completed by that date.

Authorized Signature:


Name _____ Date 6-29-92

CITY MANAGER

Title

CARLSBAD, CA.

City or County

CARLSBAD NCCP ENROLLMENT
SUPPLEMENTAL ENROLLMENT AGREEMENT

The State recognizes that important multi-species planning efforts were underway at the time NCCP law (AB 2172) was adopted and seeks to qualify the output of these efforts as meeting the objective of the NCCP process and the guidelines for preparing NCCPs. The City of Carlsbad has been in the process of preparing a Citywide, multi-species Habitat Management Plan (HMP) since November 1990, and it is anticipated that the HMP will be completed in early 1993. In addition, the City, Fish and Game, Fish and Wildlife Service and the Fieldstone Company have agreed to the preparation of a pre-listing Habitat Conservation Plan (HCP) for impacts to Coastal Sage Scrub Habitat as a result of the Rancho Santa Fe Road Realignment project and Fieldstone development in the southeast quadrant of the City. The HCP is well underway and should be completed before the end of 1992. Based on the foregoing, the City and the State agree to the following regarding the City's enrollment in the NCCP process. ll

City Agrees:

1. To all conditions contained in the NCCP enrollment form for cities and counties.
2. That the HMP will provide particular attention to the protection of Coastal Sage Scrub habitat and will require mitigation for any loss.
3. To fully cooperate with the State and other governmental agencies in making the boundaries of the HMP consistent with the formation of subregional NCCP boundaries.

State Agrees:

1. That the NCCP Program shall not cause the completion of the HMP or HCP to be delayed or to significantly require redesign of the Plan process or program implementation.
2. To recognize that the scientific survey methods employed by the City's biological consultants in the preparation of the HMP and HCP and the preserve design criteria developed by them represent up-to-date scientific theory and practice. Prior to their use in the HMP & HCP, these methods and criteria were reviewed and agreed to by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. The City shall not later be required to redo the HMP or HCP based on a strict application of the Scientific Review Panel's survey guidelines. ll

3. That the California Department of Fish and Game will continue to be an active participant in the development of the HMP and HCP

AUTHORIZED SIGNATURES:

CITY OF CARLSBAD


RAYMOND R. PATCHETT
City Manager

CALIFORNIA DEPARTMENT OF
FISH AND GAME


NAME

NCCP Program Manager
TITLE

CALIFORNIA RESOURCES AGENCY

NAME

TITLE