

NATURAL COMMUNITY CONSERVATION PLANNING/
COASTAL SAGE SCRUB

Enrollment Agreement

for Landowners and Land Management Agencies

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. 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.

Landowners or land-management agencies enrolling in the NCCP/CSS process agree that:

1. No activity on the enrolled property (see attachments) that would cause disturbance of the coastal sage scrub vegetation will occur during the planning period other than (a) actions mandated for public safety by a government agency having jurisdiction to impose such requirements and (b) soils tests that are performed under the observation of a biologist to ensure that minimal coastal sage scrub habitat and no target species are disturbed.
2. Landowners and land-management agencies will survey their enrollment land, 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 format.
3. Landowners and land-management agencies 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 coordinating 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 sub-regions 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 sub-regions 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 obli-

gation, 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:


Signature

Executive V.P. of
Managing General Partner
Title

North Peak Partners, L. P., a
California limited partnership

5-1-92
Date


Signature

Program Manager
Title

California Department of
Fish and Game

5/25/92
Date