

Amendment to

Planning Agreement No. 2810-2008-003-05

by and among

**Orange County Transportation Authority,
California Department of Transportation,
California Department of Fish and Wildlife, and
United States Fish and Wildlife Service**

regarding the

**Orange County Transportation Authority/
California Department of Transportation
Natural Community Conservation Plan/
Habitat Conservation Plan (NCCP/HCP)**

December 31, 2013

This Amendment to the Planning Agreement regarding the Orange County Transportation Authority ("OCTA") Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), which is a joint document, is made and entered into by and between the OCTA, the California Department of Transportation ("Caltrans"), the California Department of Fish and Wildlife ("DFW"), and the United States Fish and Wildlife Service ("USFWS"). These entities are referred to collectively as "Parties" and each individually as a "Party." This Amendment to the Planning Agreement is made with reference to the following Recitals.

Recitals

- A. The Parties have entered into a Planning Agreement regarding the OCTA Multiple Species Conservation Program Plans ("Planning Agreement").
- B. The terms used in this Amendment will have the meanings set forth in Section 1 of the Planning Agreement.
- C. The Effective Date of the Planning Agreement is January 21, 2010. Pursuant to Section 8.5 of the Planning Agreement, the Planning Agreement will automatically terminate four (4) years from the Effective Date unless it is extended by an amendment or terminated pursuant to Section 8.7 of the Planning Agreement.
- D. The Parties now desire by this Amendment to extend the Duration of the Planning Agreement for an additional twelve (12) months, to January 21, 2015.

Terms and Conditions

1. The Duration of the Planning Agreement is hereby extended for an additional twelve (12) months beyond the current termination date. This additional twelve-month term shall be referred to as the "First Extension Period."
2. All other terms and conditions of the Planning Agreement shall remain in full force and effect during the First Extension Period.
3. This Amendment will take effect on the date that it is executed by the OCTA, Caltrans, DFW, and USFWS.
4. Any modifications to this Amendment must be in writing and signed by all Parties.

IN WITNESS THEREOF, the Parties have executed this Amendment to the Planning Agreement on the dates set forth below.

ORANGE COUNTY TRANSPORTATION AUTHORITY

APPROVED AS TO FORM:

Date: 03-27-2014

Date: DECEMBER 31, 2013

By: [Signature]
Darrell Johnson
Chief Executive Officer

By: [Signature]
Kennard R. Smart, Jr.
General Counsel

APPROVAL RECOMMENDED

Date: 1-10-14

By: [Signature]
Kia Mortazavi
Executive Director, Planning

CALIFORNIA DEPARTMENT OF TRANSPORTATION

APPROVED AS TO FORM AND CONTENT:

Date: 4/11/14

Date: 4-14-2014

By: [Signature]
Ryan Chamberlain
D12 Distric Director

By: [Signature]
Glenn Mueller
Assistant Chief Counsel

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

UNITED STATE FISH AND WILDLIFE SERVICE

Date: 5-12-14

JAN 28 2014

By: [Signature]
Sandy Morey
Deputy Director
Ecosystem Conservation Division

Date: _____
By: [Signature]
Jim Bartel
Field Supervisor

Scott A. Sobiech

[Signature]