

# **Appendix O**

## **Memorandum of Understanding for Cooperation in HCP Planning**

# Appendix O

**MEMORANDUM OF UNDERSTANDING  
AMONG THE  
U.S. DEPARTMENT OF THE INTERIOR – BUREAU OF LAND MANAGEMENT,  
THE COUNTY OF SAN DIEGO,  
THE CITY OF SAN DIEGO,  
THE U.S. DEPARTMENT OF THE INTERIOR – FISH AND WILDLIFE SERVICE,  
THE CALIFORNIA DEPARTMENT OF FISH AND GAME,  
AND IN COOPERATION WITH THE SAN DIEGO ASSOCIATION OF  
GOVERNMENTS FOR  
COOPERATION IN HABITAT CONSERVATION PLANNING AND MANAGEMENT**

## I. PREAMBLE

The U.S. Department of Interior -Bureau of Land Management (BLM), the County of San Diego (County), the City of San Diego (City), and in cooperation with the San Diego Association of Governments (SANDAG), share a common interest with the California Department of Fish & Game (CDFG) and the U.S. Department of the Interior -Fish & Wildlife Service (FWS) in sustaining the integrity of biological and natural resource systems and the human and economic values they support. Efforts to coordinate conservation programs among local and Federal agencies in California are well established. In 1991, The Agreement on Biological Diversity created an Executive Council on Biological Diversity. The signing of this agreement by twenty-seven Federal, State, and local representatives (including BLM, CDFG, and FWS) exemplifies California's commitment to cooperative ecosystem management. The agreement establishes a framework by which State and Federal resource managers, local governments, and the public can discuss and establish collaborative conservation planning and management programs on a bioregional or local scale. The State of California's Natural Community Conservation Planning (NCCP) Program is a mechanism for implementing this framework as well.

BLM manages over 17 million acres in California and is actively involved in managing its lands to accomplish these shared goals. The majority of these lands are located in Southern California. Currently, BLM has recently concluded its land use planning efforts in the South Coast Planning Area located in San Diego, Riverside, San Bernardino, Los Angeles, and Orange Counties. Roughly, 80,000 acres of BLM lands are located in western San Diego County and are included in the South Coast Resource Management Plan (RMP). Another 100,000 acres of BLM lands are located in the eastern portion of the County and are covered under BLM's Eastern San Diego County Management Framework Plan (MFP), completed in 1981.

The County, the City, and SANDAG are also actively involved in several multi-habitat conservation programs to accomplish these shared goals. The three programs are

designed to protect key habitat areas and wildlife corridors and to meet the requirements of the Federal and State Endangered Species Acts in a manner that addresses land use and economic objectives of the San Diego region. Lands which contain the remaining critical biological resources are being identified and plans are being developed to design conservation areas and wildlife corridors.

Each program is individually tailored to a specific geographic area, yet is being coordinated to avoid duplication and will be linked together to create a regional habitat conservation system.

The three programs referenced above are the County's Multiple Habitat Conservation/Open Space Program (MHC/OSP), the City's Multiple Species Conservation Program (MSCP), and SANDAG's North County Multiple Habitat Conservation Program (MHCP), all of which are consistent with the NCCP Program.

## II. PURPOSE OF THE AGREEMENT

This Memorandum of Understanding (MOU) establishes a partnership between BLM, the County, the City, CDFG, and FWS in cooperation with SANDAG, to cooperate in planning and managing publicly-owned lands within the San Diego region for the purpose of conserving the area's rich and unique biological diversity and maintaining its economic viability. It seeks to develop a proactive, coordinated approach for assessing wildlife value of publicly-owned lands and the relation of these lands to the long-term needs of the area's native plants and animals. The MOU also seeks to design and implement a strategy for incorporating publicly-owned lands with high wildlife value within the planned regional habitat conservation system. The strategy will be developed within the framework of the existing legal authorities of the parties to this MOU.

## III. POLICIES

A. The signatory parties agree to make maintenance and management of the area's unique biological diversity a principal goal in the design and implementation of their respective habitat conservation programs. Furthermore, BLM agrees to work with local government representatives to assure the development of a coordinated approach for incorporating those lands managed by BLM within the regional habitat conservation programs.

B. BLM agrees to coordinate with the other signatory parties regarding assessment of the wildlife values of those lands managed by BLM within San Diego County. These lands amount to approximately 180,000 acres. The County, the City, and SANDAG agree to provide BLM with information regarding types of vegetation and quality of vegetation on lands managed by BLM in their respective habitat conservation program areas. BLM agrees to apply this information as appropriate to provide an assessment of wildlife habitat values on the lands it manages within San Diego County. In addition, BLM agrees to use this information to aid in its determination of the relation of BLM lands to the long-term protection of the San Diego region's native plant and animal

species and the adequacy of BLM's management prescriptions for meeting these objectives.

C. Using its Geographic Information System(GIS) database, SANDAG agrees to map biological, land use, and ownership information on all lands in the San Diego region, including those managed by BLM within that region. SANDAG agrees to provide digital files and hard copy maps to BLM upon request. BLM agrees to provide SANDAG digital files on the lands BLM manages in the South Coast planning area. Separate protocols for updating and revising the data base are being prepared by the County and the City for the lands within their respective planning areas.

D. Where BLM, State, regional and/or local land management prescriptions are found to be inconsistent with existing or proposed conservation objectives, the parties will work collaboratively to resolve these inconsistencies. If significant changes are found to be necessary, BLM will consider modifying its plans in compliance with the Bureau's planning regulations (43 CFR 1600). Modifications to State, regional, and/or local plans shall also be considered where significant changes are found to be warranted. Whether or not change is needed to a particular State, regional, and/or local plan shall be decided by the agency that has administrative authority over that plan.

E. An integral part of habitat conservation planning strategies revolves around the creation of a regional interconnected habitat conservation system. The system is intended to protect key habitat areas and corridors within the San Diego region. BLM agrees to work with the County, the City, SANDAG, CDFG, and FWS in identifying the lands it manages for inclusion within the region's habitat conservation system. While these and other publicly owned lands will provide the initial system framework, it is understood that contributions to the system will be derived from privately owned lands as well. The County, the City, and SANDAG are committed to pursuing multiple funding sources to provide a balance between public and private contributions. BLM, CDFG, and FWS agree to work with the other signatory agencies in identifying and pursuing Federal funding sources, including funding from the Federal Land and Water Conservation Trust Fund (LWCTF).

F. A variety of other techniques are available for acquiring key habitat areas and corridors. BLM, CDFG, and FWS agree to work with the other signatory parties to incorporate those techniques available to them in the acquisition strategies being designed by the County, the City, and MSCP Policy Committee. Aside from the LWCF, other techniques potentially available to BLM, CDFG, and FWS include land acquisitions through exchanges, the Federal Recreation & Public Purposes Act (R&PP), and donations. While lands acquired by BLM must be retained by BLM, they will be managed by BLM to conform with the habitat conservation plans of the other signatory parties. In addition to acquisition strategies, the signatory parties also agree to design strategies for effectively and efficiently managing the lands acquired through their respective acquisition efforts. This may entail the development and use of cooperative management agreements between the signatory parties and/or other agencies.

#### IV. MODIFICATIONS

This MOU is to remain in effect until modification by the parties in writing; it is negotiable at the option of any of the parties.

IN WITNESS HEREOF, this MOU is executed by action of the following signatories:

USDI - BUREAU OF LAND MANAGEMENT

CALIFORNIA EXECUTIVE COUNCIL ON BIOLOGICAL DIVERSITY

US FISH AND WILDLIFE SERVICE

CALIFORNIA DEPARTMENT OF FISH AND GAME

CITY OF SAN DIEGO

COUNTY OF SAN DIEGO

Signed July 1994

#### **COOPERATING AGENCY: SAN DIEGO ASSOCIATION OF GOVERNMENTS**

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and is hereby authorized and empowered to execute, for and on behalf of said City, a memorandum of understanding among the U.S. Department of the Interior -Bureau of Land Management, the County of San Diego, the U.S. Department of the Interior -Fish and wildlife Service, the California Department of Fish and Game, and the San Diego Association of Governments (in a coordinating role), to cooperate in planning and managing publicly-owned lands within the San Diego region for conservation of the region's rich and unique biological diversity and maintenance of its economic viability, under the terms and conditions set forth in the Memorandum of Understanding, on file in the office of the City Clerk as well as any reasonably necessary amendments or modifications thereto which do not increase this project's scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and Memorandum of Understanding.

#### MEMORANDUM OF UNDERSTANDING WITH BUREAU OF LAND MANAGEMENT

WHEREAS, the Bureau of Land Management manages approximately 180,000 acres in the San Diego region; and

WHEREAS, many, if not all, of these acres may have habitat value and thus warrant inclusion in a habitat preserve system; and

WHEREAS, the cities and County of San Diego are in the process of identifying a habitat preserve system; and

WHEREAS, the BLM agrees to make the maintenance and enhancement of the region's biological diversity a principal goal in the design and implementation of their - management strategy;

NOW THEREFORE BE IT RESOLVED that the Executive Director is authorized to sign the Memorandum of Understanding for Cooperation in Habitat Conservation Planning and Management.