

Suggested Content for Presentation on MSCS

Basic Information

1. What is the MSCS? A framework for the CALFED Program's compliance with ESA, CESA, and the NCCP Act

2. What does it do?

Provides substantive content for programmatic compliance with federal and state endangered species laws

Provides process for project-specific compliance with federal and state endangered species laws

3. What is the geographic scope? Scope includes the MSCS "focus area, the "service areas," the "watershed program area," and the "outer bay region"

4. What information does the MSCS contain?
 - * List of 243 evaluated species
 - List of 18 habitat types and 2 fish groups
 - Goals for each of the evaluated species, habitat types and fish group
 - Brief reprise of CALFED Program elements
 - Evaluation of impacts created by CALFED Program elements on evaluated species, habitats, and fish groups
 - Conservation measures to: (1) mitigate for impacts from Program on species and habitats; and (2) further enhance species and habitats conditions to reach applicable species/habitats goals
 - Discussion of how MSCS relates to other non-CALFED species programs
 - Explanation of programmatic endangered species compliance
 - Framework for project-specific endangered species compliance

5. How does MSCS relate to the ERP?

ERP helps improve the baseline condition of species and habitats. MSCS builds on the goals/accomplishments of the ERP by specifying conservation measures (both mitigating and enhancing kind) for endangered species impacts that are synergistic with the ERP

[This issue may be the focus of questions re: the ERP isn't intended to mitigate for other elements of CALFED Program]

6. Which species are covered?

Species that will be "covered species" under the MSCS are those that will be not be "jeopardized" under ESA and those that will be "adequately conserved" under the NCCP Act

The wildlife agencies will determine which species are "covered" following receipt of responses to comments on the PEIS/PEIR and the MSCS

Specific Issues

1. Relationship of Programmatic MSCS to Project-specific Endangered Species Compliance

Chapter 7 of MSCS describes process whereby project proponent will prepare an "Action-Specific Implementation Plan" or ASIP to document endangered species issues for project.

ASIP will be based on content in MSCS, with refinements for any necessary site-specific information

Single ASIP for a particular project will be submitted to both federal and state wildlife agencies for their use in evaluating compliance with federal and state endangered species laws

MSCS Team has developed a draft guidance for required content of ASIPs

MSCS Team in process of preparing draft ASIPs for different elements of South Delta Bundle -- what can we say here?

2. Relationship of Project-specific Endangered Species Compliance to Project-specific CEQA/NEPA Compliance

Project proponents can develop the biological impacts section of their project-specific NEPA/CEQA document based on the data and information collected in the Programmatic MSCS

Assessment of project-specific biological impacts will draw on programmatic assessment in Chapter 5 of MSCS

Mitigation measures for project-specific biological impacts will draw on suggested conservation measures in MSCS Attachment 5

3. Efficiency Benefits of MSCS

[Chris Beale is preparing a Gantt chart to reflect how various fed/state time lines for endangered species laws + NEPA and CEQA can run concurrently, thereby saving processing time. We should try to incorporate this into future presentations]