

6.0 MSHCP Implementation Structure



- MSHCP Conservation Area management or assembly or preclude achieving Covered Species Conservation and goals; and
- G. Minor extension of cut or fill slopes outside of the right-of-way limits analyzed in the MSHCP for covered roadways, to accommodate construction in rolling or mountainous terrain.
- H. Updates/corrections to the vegetation map and/or species occurrence data:

➤ Procedure

Any Party may propose Minor Amendments to the MSHCP or the IA by providing written notice to all other Parties. Such notice shall include a description of the proposed Minor Amendment, an explanation of the reason for the proposed Minor Amendment, an analysis of its environmental effects including any impacts to the Conservation of Covered Species and a description of why that Party believes the effects of the proposed Minor Amendment: **(1)** are not significantly different from, and **are** biologically equivalent to, the terms in the MSHCP as originally adopted; **(2)** substantially conform to the terms in the MSHCP as originally adopted; and **(3)** will not significantly reduce the ability to acquire the Additional Reserve Lands. The Wildlife Agencies shall submit any comments on the proposed Minor Amendments in writing within sixty (60) days of receipt of such notice. Any Party can institute the informal meet and confer process set forth in Section 23.6 of the IA to resolve disagreements concerning Minor Amendments. For Minor Amendments proposed for Cajalco Raod Improvements, State Route 79 Road Improvements and the San Jacinto River Project, as identified in *Section 7.0* of this document, the Wildlife Agencies must concur within sixty (60) days of receipt of such notice. If the Wildlife Agencies do not concur with the analysis supporting the Minor Amendment, the project will be subject to a Major Amendment. If the Wildlife Agencies concur, or if they fail to respond within the 60-day period, the project will be permitted as a Covered Activity.

6.10.3 Major Amendments

Major Amendments are those proposed changes to the MSHCP and the Permits that are not Modifications or Minor Amendments. Major Amendments to the MSHCP shall require a subsequent amendment to the IA and the Permits, and public notice as required by applicable laws and regulations. The RCA shall submit any proposed Major Amendments to the Wildlife Agencies.

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➤ List of Major Amendments

Major amendments are, but are not limited to, any of the following:

- A. All amendments not contemplated in the IA as Modifications or Minor Amendments to the MSHCP, except subsequent minor changes which are not specifically listed as a Minor Amendment in the IA that the Wildlife Agencies have determined to be insubstantial and appropriate for implementation as a Minor Amendment;
- B. Changes to the boundary of the MSHCP Plan Area;
- C. Addition of species to the Covered Species list;
- D. Changes in anticipated Reserve Assembly or funding strategies and schedules that would have substantial adverse effects on the Covered Species;
- E. Changes to MSHCP Conservation Area boundaries that are inconsistent with the procedures described in *Sections 3.0 and 6.5* of this document; and
- F. Interpretations of MSHCP Criteria that are inconsistent with the procedures described in *Sections 3.0 and 6.5* of this document.

➤ Procedure

Major Amendments shall require the same process followed for the original MSHCP approval. A Major Amendment will require an amendment to the MSHCP and the IA addressing the new circumstances, subsequent publication and public notification, CEQA/NEPA compliance and intra-Service Section 7 Consultation, if one is deemed necessary. Major Amendments shall be subject to review and approval by the RCA and other Permittees as appropriate, at a noticed public hearing. The Wildlife Agencies will use reasonable efforts to process proposed Major Amendments within one hundred twenty (120) days after publication.