

Frequently Asked Questions

May 2024

The purpose of this document is to address frequently asked questions (FAQ) pertaining to the Regional Conservation Investment Strategies (RCIS) Program (Program). This document will be updated as more information becomes available. If there are any inconsistencies between this FAQ and the [RCIS Program Guidelines](#), the most current published RCIS Program Guidelines will take precedence.

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RCIS Program

1. What is the purpose of the RCIS Program?

The RCIS Program establishes high-quality conservation outcomes and enables advance mitigation. The Program uses a science-based approach to identify actions that, if implemented, will help California's declining and vulnerable species and natural resources by protecting, creating, restoring, and reconnecting habitat. The Program consists of three primary components: Regional Conservation Assessments (RCAs), Regional Conservation Investment Strategies (RCISs), and Mitigation Credit Agreements (MCAs). The Program provides a mechanism that allows any person or entity to develop mitigation credits through MCAs by implementing actions for focal species and other conservation elements within an approved RCIS.

RCAs and RCISs are intended to be ecologically based and may encompass varying geographic areas. The RCA provides a broader ecoregional perspective, tying biological and natural resource information into a larger regional context. An RCIS identifies high-value conservation and habitat enhancement actions within a region that will aid in species recovery, adaptation to climate change, and resiliency in the face of wildlife and habitat stressors and pressures.

The RCIS Program can assist in infrastructure and other land use planning in two ways: 1) by indicating biologically and ecologically important areas to protect and 2) by maximizing the value of mitigation funds through advance mitigation credits using an MCA. The credits, developed in advance of future impacts to natural resources, may be applied to offset future impacts to focal species, non-focal species, and/or other conservation elements included in an approved RCIS.

See Section 1.2 Purpose and Use of Guidelines in the RCIS Program Guidelines.

2. Are there fees associated with the Program?

The [fees](#) for RCAs, RCISs, and MCAs are available on the Program website which are adjusted annually.

See Section 1.3 Fees in the RCIS Program Guidelines.

3. What has been updated in the 2023 RCIS Program Guidelines update?

The 2023 version of the RCIS Program Guidelines included updates to existing terms (Section 2) and the addition of MCA-specific terms. It also included minor updates to the RCA (Section 3) and RCIS (Section 4) requirements, in order to bring those sections more in line with statute. In some cases, the 2018 RCIS Program Guidelines did not sufficiently explain statutory requirements, so the 2023 RCIS Program Guidelines provides better clarity. In other cases, the 2018 RCIS Program Guidelines included requirements that exceeded statute, in which case, those requirements were reduced or removed. Furthermore, the 2023 RCIS Program

Guidelines now includes an [MCA Template and Checklists](#), provided as separate documents, and guidance for the development of MCAs (Section 5).

4. Will final RCAs, RCISs, MCAs and their associated data be available to the public?

Final RCA, RCIS, and MCA documents are available on the [RCIS Program website](#). Geospatial data is available upon request sent to rcis@wildlife.ca.gov.

5. How can I learn more about the Program?

Additional resources are available on the [RCIS Program website](#), including the [RCIS Program Guidelines](#). For further information, contact the Program by email at rcis@wildlife.ca.gov.

6. Can development and/or restoration projects be permitted through this Program?

RCAs, RCISs and MCAs are not permits and do not authorize development of any kind, take of species, nor authorize any impacts. The restoration and conservation actions in an RCIS are not a commitment and there is no guarantee that they will be implemented. RCISs are regional conservation strategies intended to help guide voluntary conservation investments, including the creation of mitigation credits through an MCA. The advance mitigation credits created under an MCA may be used as mitigation for impacts required by various permits, and an MCA must meet all permit requirements outside of approval of the MCA.

RCAs and RCISs

7. What is an RCA?

An RCA is a voluntary, non-regulatory, non-binding conservation assessment that includes information and analyses of important species, ecosystems, protected areas, and habitat linkages. RCAs include information supporting the development of long-term conservation priorities within one or more USDA ecoregion sections including ecosystem services such as carbon sequestration, water conservation, and preservation of agricultural lands. RCAs also support the future development of an RCISs that will more specifically identify areas of greatest conservation value. An RCA is not required to develop an RCIS.

See Section 3 Regional Conservation Assessments in the RCIS Program Guidelines.

8. What is an RCIS?

An RCIS is a voluntary, non-regulatory, and non-binding conservation strategy that includes information and analyses relating to the conservation of focal species, their associated habitats, and the conservation status of the land within the RCIS area. An RCIS may only be developed by a public entity or federally recognized tribe to establish biological goals and objectives at the species and other conservation elements (e.g., natural communities) level. It describes conservation actions and habitat enhancement actions that, if implemented, will contribute to those goals and objectives. Those actions will benefit the conservation of focal species, habitat, and other natural resources when implemented through conservation investments such as land acquisition, restoration, or to provide advance mitigation through the development of credits within a Mitigation Credit Agreement (MCA).

The development of an RCIS does not create, modify, or impose regulatory requirements or standards, regulate land use, establish land use designations, or affect the land use authority of a public agency. If approved by CDFW, an RCIS may be valid for up to 10 years. CDFW may extend or amend an RCIS for an additional 10 years provided the RCIS is updated to include new scientific information and the RCIS continues to meet the Program's requirements outlined in Fish and Game Code (Chapter 9, Section 1850, et seq.).

See Section 4 Regional Conservation Investment Strategies in the RCIS Program Guidelines.

9. Who can propose an RCIS?

An RCIS may be proposed by any public agency, including CDFW, or a federally recognized tribe. An RCIS must consult with local agencies with land use authority (i.e., each city and county) within the geographic area of the RCIS during development. The proponent should also prepare an RCIS collaboratively with other public agencies and interested stakeholders.

See Section 2 Definitions for the definition of an RCA or RCIS Proponent in the RCIS Program Guidelines.

10. What are the criteria for selecting or defining an RCA or an RCIS geographic boundary?

Criteria for selecting or defining RCA or RCIS boundaries should reflect ecological considerations, as set forth in the requirements of Fish and Game Code Sections 1852, and 1853. RCISs may also include administrative or jurisdictional considerations. An RCA or RCIS area should be a complete, unfragmented geographic area. An RCIS shall not overlap another RCIS area, and shall explain why the specific geographic area was chosen (including the rationale for excluding any areas). Entities proposing an RCA or RCIS are encouraged to work with CDFW early in the process to develop the geographic boundaries.

See Section 4.3.3 Description of the RCIS Area in the RCIS Program Guidelines.

11. Is the completion of an RCA a prerequisite for the development and submission of an RCIS?

No, an RCIS can be submitted for an area that is not covered by an approved RCA.

12. If an RCIS identifies a location as a priority for conservation, does that mean that development is prohibited in that area?

The RCIS Program can not alter land use authority, so even if the RCIS identifies a location as a priority for conservation, development is not prohibited in the area. Likewise, if an area is not identified as a priority for conservation, conservation projects may still be implemented within that area.

13. What are the benefits of developing an RCIS? Why would a public agency or tribe want to develop an RCIS?

An RCIS can have many benefits, including the following:

- An RCIS compiles the best available scientific information for the RCIS area. The information may be accessed and referenced for many uses, including development planning during the scoping phase, identifying possible scientific studies to fill gaps in scientific information, etc.
- Actions of an approved RCIS may be implemented to create a Mitigation Credit Agreement (MCA) which can generate needed advance mitigation credits. See FAQ #18 and #19 for more information about MCAs.
- An approved RCIS may open additional grant opportunities to fund non-mitigation projects.

See Section 1.1 Introduction in the RCIS Program Guidelines

14. If an amendment is proposed for an RCIS that was approved under an older version of the RCIS Program Guidelines, is the RCIS subject to meeting the requirements of the June 2023 version of the RCIS Program Guidelines?

Any changes to an RCIS would require adherence to the amendment process, which is different depending on the type of amendment. The RCIS Guidelines and [RCIS Program Fees](#) document has defined two types of RCIS amendments: simple and complex. A simple amendment would not require the RCIS to meet the requirements of the 2023 RCIS Program Guidelines. However, a complex amendment would necessitate updates to the RCIS such that the RCIS would meet the requirements of the 2023 RCIS Program Guidelines. Additionally, complex RCIS amendments are subject to the same public notice requirements, review and approval processes.

See Section 4.6 Amending an RCIS in the RCIS Program Guidelines.

15. How is an RCIS different from a Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP)?

Unlike an NCCP (and HCP), an RCIS is a non-regulatory document. Approval of an RCIS will not result in a permit or include take authorization under the California Endangered Species Act (CESA) or the federal Endangered Species Act (ESA).

In contrast to the typical jurisdiction-based boundary of an NCCP, an RCIS boundary should be ecologically based and may be consistent with or overlap county or other jurisdictional boundaries.

An RCIS must include provisions ensuring that it will be consistent with and complementary to any administrative draft NCCP, approved NCCP or HCP, state or federal recovery plan, or other state or federal approved conservation strategy that overlaps an RCIS.

16. Can an RCIS overlap with an NCCP?

Yes, but an RCIS that overlaps an NCCP must be consistent with the NCCP or must provide an explanation for why it is inconsistent.

See Section 4.3.4.5 Consistency with Other Conservation Plans in the RCIS Program Guidelines.

17. What is the value of an RCIS that overlaps with an NCCP?

An RCIS may provide additional mitigation opportunities beyond an NCCP. For example, an RCIS boundary may extend beyond the boundary of the NCCP, allowing for mitigation opportunities in areas outside of the NCCP. An RCIS may include focal species or non-focal species that are not covered species under the NCCP, in which case mitigation could be developed under the RCIS which is not available under the NCCP. For projects in the RCIS/NCCP overlap area that are denied take coverage under the NCCP, or for projects whose activities aren't

considered “covered activities” by the NCCP, the RCIS may provide opportunities for mitigation by enabling development of MCAs.

MCAs

18. What is an MCA?

An MCA is a mitigation credit agreement that can only be developed under an approved RCIS. An MCA may be developed by any entity and is submitted to CDFW for review and approval. MCAs create advance mitigation credits by implementing conservation or habitat enhancement actions for focal species and/or other conservation elements identified in an approved RCIS. Credits may also be created for any non-focal species listed in an approved RCIS by implementing actions for focal species and/or other conservation elements that are associated with them. All MCAs must occur within the boundary of an approved RCIS, but their associated service areas may extend outside of the RCIS boundary with ecological justification.

MCAs create credits that may be used as compensatory mitigation for impacts under the California Environmental Quality Act (CEQA), the California Endangered Species Act (CESA), and the Lake and Streambed Alteration (LSA) Agreement Program. At the discretion of other regulatory agencies (local, state, and federal) the MCA credits may also be used as compensatory mitigation for impacts under their authority.

See Section 5.1 Introduction in the RCIS Program Guidelines.

19. Can all RCIS actions create MCA credits?

In order to create credits through an MCA there must be a measurable improvement to the ecological conditions at a given site. For example, recording a conservation easement onto a site that previously had no protection could be considered an ecological improvement.

Not all RCIS actions accomplish or meet this threshold. For example, there may be actions to conduct surveys or research to assess habitat for species success; however, implementing these types of actions on their own, do not provide a measurable improvement. If these kinds of actions are combined with other actions that do provide ecological improvements it could make the overall MCA stronger.

20. Who can create MCA credits under an approved RCIS?

Any person or entity may sponsor an MCA, even if the person or entity was not involved in the development of the RCIS. Once an MCA is approved and established, the MCA sponsor may use or sell MCA credits based on the MCA and in accordance with Section 5.3.10.3 of the RCIS Program Guidelines.

See Section 5.1 Introduction in the RCIS Program Guidelines.

21. How will MCAs interact with an NCCP/HCP?

The NCCP's Implementing Entity must provide advance written approval with the draft MCA as an exhibit prior to development of an overlapping MCA.

See Section 5.2.2 Consistency with Existing NCCPs, Section 5.3.5.1 Land Use Consistency Declaration in the RCIS Program Guidelines.

22. How are MCAs different from CDFW's Mitigation and Conservation Banking Program?

MCAs can only be created within an RCIS area. MCA credits are created by implementing conservation and enhancement actions for focal species, non-focal species, and other conservation elements that are included in an approved RCIS. Banks can occur anywhere and are not limited by an RCIS boundary.

MCAs have additional options for creating credits that are not typically available in the banking program such as the opportunity to create non-permanent credits and are easier to create on public lands. MCA credits can also be generated from excess mitigation created as a result of permittee responsible mitigation.

Below is a table that compares the differences between MCAs and banks.

MCAs	Banks
Must occur within an approved RCIS	Can occur anywhere
Non-permanent & permanent credits	Permanent
Requires Conservation Easement (permanent) Long term durability agreement (non-permanent)	Requires Conservation Easement
Can occur on public owned lands	Generally not on public lands
Framework	No framework
CDFW program – allows other agencies to sign as acknowledging agency if desired	Under MOU includes up to 8 agencies (BEI)
Public review required for MCA approval	No public review

23. In an MCA, what is the difference between a conservation action and a habitat enhancement action?

The main difference between a conservation action and a habitat enhancement action is whether the land is permanently protected. Conservation actions are permanently protected with a conservation easement and can create establishment or preservation credits. Habitat enhancement actions are not permanently protected,

require a durability instrument for a set period time, and can only create establishment credits.

Fish and Game code 1851(c) defines a conservation action as an action to preserve or to restore ecological resources, including habitat, natural communities, ecological processes, and wildlife corridors, to protect those resources permanently, and to provide for their perpetual management, so as to help to achieve one or more biological goals and objectives for one or more focal species. Conservation actions may include, but are not limited to, actions to offset impacts to focal species.

Fish and Game code 1851(g) defines a habitat enhancement action as an action to improve the quality of wildlife habitat, or to address risks or stressors to wildlife, that has long-term durability but does not involve land acquisition or the permanent protection of habitat, such as improving instream flows to benefit fish species, enhancing habitat connectivity, or invasive species control or eradication.

Lastly, conservation actions will require the establishment of an endowment to provide for the long-term management and funding of the MCA site in perpetuity. The only exception to this requirement is if the MCA sponsor is a state agency, in which case, they have the option to provide an alternative funding source that must be approved by CDFW. Habitat enhancement actions can use an endowment to fund the management and monitoring, or they can be established using an alternative mechanism to be approved by CDFW.

Below is a table that compares the conservation actions and the habitat enhancement actions.

Conservation Actions (Permanent Protection)	Habitat Enhancement Actions (Non-Permanent Protection)
<ul style="list-style-type: none"> Establishment Credits (create, restore or enhance habitat) Preservation Credits (preserve) 	<ul style="list-style-type: none"> Establishment Credits (create, restore or enhance habitat)
<ul style="list-style-type: none"> Requires a Conservation Easement (Perpetuity) 	<ul style="list-style-type: none"> Requires a long-term durability instrument (For a set period of time)
<ul style="list-style-type: none"> Can occur on private or public lands 	<ul style="list-style-type: none"> Can occur on private or public lands
<ul style="list-style-type: none"> Endowment Required for Long-term management (State agency exception) 	<ul style="list-style-type: none"> Alternative funding options for management

See Section 4.3.6.3 Actions and 5.1 Introduction in the RCIS Program Guidelines.

24. Can RCISs be amended if they don't cover an element desired by an MCA?

Yes, an RCIS can be amended to include additional species, non-focal species, or other conservation elements as desired. The amendment can be implemented by the RCIS proponent or another entity with written authorization from the RCIS proponent or CDFW. The resulting amendment would be considered a complex amendment and subject to the public notice requirements, the review and approval processes, and [fees](#). Additionally, the RCIS would have to comply with the latest version of the RCIS Program Guidelines, which may require updates beyond adding the new species or element(s) if the RCIS had been developed under an older version of the RCIS Program Guidelines.

See Section 4.6 Amending an RCIS in the RCIS Program Guidelines.

25. Who will be responsible for the long-term ownership and management of mitigation sites that are developed under an MCA?

Each MCA will identify the owner(s) of the mitigation land (MCA site) and who will be responsible for the long-term management and monitoring of the site(s). The MCA sponsor does not need to be the property owner. The MCA template outlines the responsibilities of the MCA sponsor and the property owner. The MCA sponsor will identify a land manager that will be the designated manager for the MCA site(s); however, the property owner is legally responsible for the management and monitoring requirements specified in the MCA. Therefore, the property owner may opt to change the land manager(s) after MCA approval. CDFW is required to conduct a [due diligence review](#) of all entities seeking to hold, manage, or steward mitigation lands. CDFW's approval requirements are explained in Section 5.3.4.3 of the RCIS Program Guidelines.

See Section 5.3.4.2 Contract information and 5.3.6.4 Long-Term Management and Monitoring Plan in the RCIS Program Guidelines and MCA Template Section 4.2 Contract Information.

26. Can a landowner be the Conservation Easement grantee?

No. The landowner cannot serve as Conservation Easement grantee. The landowner can serve as the endowment holder (Gov. Code, § 65968, subdivision (b)(1)(B)) provided that it is a governmental entity, special district, or nonprofit as defined in SB 1094 (Gov. Code, § 65965, subdivisions (e), (h), and (k)).

27. Could an MCA create credits by enhancing existing permanently protected lands?

There may be opportunities for an MCA to create credits by enhancing existing protected lands, which may include public lands or private lands protected by a conservation easement, so long as those lands have not already been used to offset permanent mitigation obligations. In order to create credits in these scenarios, the MCA must implement an RCIS action that enhances the site beyond its baseline condition (otherwise known as uplift or net ecological gain).

See Section 5.3.10.1 Credit Type and Quality in the RCIS Program Guidelines.

28. Can an MCA create non-permanent credits? If so, how would they be used?

An MCA can create non-permanent credits by implementing an RCIS habitat enhancement action. Non-permanent credits could satisfy mitigation for temporary impacts or impacts that do not require permanent mitigation. In general, both permanent and non-permanent credits may be considered for fulfilling mitigation requirements of temporary impacts. Non-permanent credits must cover a duration that is concurrent and at least as long as the impact duration. The exact type and combination of credit types needed to mitigate for impacts will be determined by the regulatory agency requiring the mitigation on a project-by-project basis.

See FAQ #23 for more information regarding the differences between permanent and non-permanent credits.

See Section 5.3.10.1 Credit Type and Quality in the RCIS Program Guidelines.

29. Will CDFW prefer permanently protected mitigation bank establishment credits over non-permanent MCA establishment credits in the case when an applicant is within the service areas of both?

Non-permanent credits could satisfy mitigation for temporary impacts or impacts that do not require permanent mitigation. CDFW regional staff will determine appropriate mitigation for a project on a project-by-project basis. Please reach out to the regulatory permitting agency early in the process of determining what advance mitigation credits meet the permit requirements, especially when considering non-permanent credits as this is a new credit type.

30. Can an MCA be created that would cover multiple MCA sites?

An MCA may be approved with one or more MCA sites. If these sites are widely separated, they must share a framework, credit types, or performance standards. Additional MCA sites can be added through an amendment process if they meet the above.

See Section 5.3.4.4 – Location Information in the RCIS Program Guidelines.

31. What is an MCA framework and the components they might incorporate?

An MCA framework is an optional submittal that allows the sponsor to submit portions of the full MCA package to CDFW for approval. A framework must include the [Framework Checklist](#). The 'Conditions for CDFW Framework Review' are the minimum components needed for a Framework. The additional MCA template information sections are all optional but must be noted on the checklist as part of

their framework submittal. CDFW will only review and approve the components submitted.

The framework may be a useful option for sponsors that intend to create similar MCAs on multiple future sites.

An MCA framework may be submitted and approved with or without a site. Once the framework is approved by CDFW, the components of an approved framework can be copied and used for multiple future MCAs within the same RCIS as long as the sites share the same purpose or credit type(s) and/or the sites can be added into one MCA. The use of pre-approved MCA framework components should help streamline the approval of subsequent sites.

See Section 5.5.1.4 – MCA Framework in the RCIS Program Guidelines.

32. Can MCA credits be used as mitigation by other regulatory agencies?

While MCAs are a CDFW mitigation tool, other regulatory agencies can be included as acknowledging agencies within the approval process. When that is the case, CDFW will work with the sponsor and the other agencies to incorporate any additional requirements to meet their mitigation standards for the proposed credit types. An acknowledging agency means they have reviewed all the MCA components and have determined that the MCA credits created will meet their standards and requirements.

If an agency is not an acknowledging agency, they may still use the MCA credits after they are created, so long as they determine they meet the mitigation standards needed by that agency. It is always the responsibility and discretion of each agency to determine the appropriateness of MCA credits to meet their compensatory mitigation requirements.

33. What is the best way to coordinate with CDFW and other acknowledging agencies?

In order for an MCA to add an acknowledging agency, it is important for the MCA sponsor to identify and coordinate with the appropriate federal, state, or local agencies as early as possible. This coordination shall ideally occur prior to MCA submittal. Once agencies are identified by the MCA sponsor, the MCA sponsor shall help with early coordination and maintain open communication throughout the entire process to ensure that the MCA will be acceptable and meet the other regulatory agencies requirements. CDFW will collaborate and coordinate the establishment, use, and/or operation of the MCA, as feasible, with the identified agencies.

34. Can MCAs create credits for sensitive species that are not classified as threatened or endangered?

Yes, MCA credits can be created for any focal or non-focal species that has an associated conservation or habitat enhancement actions in the approved RCIS. Focal species and non-focal species do not need to be classified as threatened or endangered to be included in the RCIS, but they often are.

An MCA sponsor could be looking to create credits for a species of special concern to meet CEQA requirements or a species listed under the federal Endangered Species Act. In those cases, the MCA sponsor should work with any potential acknowledging agencies to ensure they are meeting the mitigation requirements of that agency. The MCA sponsor could also create credits for undesignated species that are included in the RCIS. The MCA sponsor should make sure that there is a need for the credits that they are proposing to create.

35. Who is the CEQA lead agency on MCAs?

The CEQA Lead Agency will typically be a local city, county, or state government with discretionary action.

CDFW's approval of an MCA is considered a discretionary action subject to CEQA.

Section 5.6 of the MCA Template provides instructions for identifying the CEQA Lead Agency and identifying the appropriate type of CEQA document associated with the MCA site (i.e., environmental impact report, mitigated negative declaration, negative declaration, statutory or categorical exemption).

36. Will MCA credits meet mitigation standards under LSA Agreements, CESA, and CEQA?

The approval of an MCA credit will be to meet the robust requirements needed for species or habitat credits to meet the compensatory mitigation needs for CESA, CEQA, and LSA Agreements, similar to conservation/mitigation banks.

37. Can I purchase MCA credits prior to knowing the permit requirements??

Yes. The MCA sponsor can sell credits to another entity as soon as the credits are released. The credits can be "sold" and then "used" later. There is no requirement to associate the credits to a particular permit at the point of sale. The credits are "used" when they are applied to a particular permit required by CDFW or another agency. Expanded definitions of credit use and credit sale are included in Section 2.1 of the RCIS Program Guidelines.

Purchasing credits does not guarantee that the regulatory agency will accept the credit for a project; regulatory agencies will still need to do a project by project review of the proposed mitigation for a specific project; this is the current standard.

38. Can MCA credits previously sold still be applied to a permit even after the MCA is closed?

At MCA closure no further credit sales, or returns can occur. However, credits previously sold and not used can still be applied to a permit even after the MCA is closed. See FAQ # 37 for more information regarding the difference between credit sale and credit use.

See Section 5.3.6.6 – MCA Site Closure in the RCIS Program Guidelines

39. How will MCA credits be tracked?

The MCA submittal must explain how the MCA sponsor will account for the credits. See Section 5.3.10.5 Credit Reporting in the RCIS Program Guidelines and MCA Template Section 10.5 Credit Reporting. CDFW has also provided a template for the [Credit Receipt](#).

Using this information, credit information will be posted on CDFW's MCA webpage as they are generated and sold.

40. What is the purpose and expectations of the MCA concept?

The sponsor may choose to submit an optional MCA concept to CDFW for review. The MCA concept will allow CDFW to provide initial feedback on a particular site, or framework, and the overall feasibility of the MCA. The MCA concept step will help to identify potential habitat and species credits, acknowledging agencies, and obstacles or issues so that the MCA sponsor may refine the MCA early in the development process. CDFW may require a site visit and/or request additional information to properly assess the MCAs viability. The concept review will likely entail one or more meetings with the sponsor to collaborate and relay CDFW's findings.

See Section 5.5.1.3 – MCA Concept in the RCIS Program Guidelines.

41. What degree of coordination and involvement can I expect from CDFW after my MCA (or framework) is submitted?

Once a formal MCA application or optional framework is submitted, CDFW will strive to conduct its completeness review within 30 days. The completeness review will ensure all the components of the MCA (or framework) have been submitted. After the submittal is deemed complete, CDFW will conduct the substantive review process which will require ongoing coordination and feedback as individual MCA components and products are reviewed. Reoccurring meetings with the sponsor and

CDFW staff should be expected, and the inclusion of any acknowledging agencies will be necessary.

Prior to and after MCA approval, continued coordination will be necessary to achieve MCA establishment,

See Section 5.5.2 – Submission and Review of the Draft MCA and Section 5.3.8 – MCA Establishment in the RCIS Program Guidelines.

42. How does an MCA Sponsor best determine the number and the timing of credit releases?

The number and timing of credit releases are fully customizable when creating an MCA. For example, an MCA may have as few as one credit release if desired. The timing and number of credit releases can vary widely and may be influenced by the status of long-term funding, securities, and other performance-based milestones and/or performance standards. See Section 5.3.10.3 – Credit Release Schedule in the RCIS Program Guidelines for a list of potential performance-based milestones.

In the case of securities, for example, if a sponsor would like credits released prior to the completion of all construction and planting activities then a construction security would be needed. If credits are released after construction is complete, no construction security is necessary. For more information on the types of securities, when they are needed, and how they relate to the timing of credit releases see Section 5.3.9.1 – Securities in the RCIS Program Guidelines.

It is ultimately up to the sponsor to propose the timing of each credit release and their associated performance thresholds as well as the quantity of credits desired at each release in a Credit Release Schedule (see MCA Template Section 10.3 – Credit Release Schedule). CDFW will review the schedule and determine if the desired releases and credit amounts are acceptable prior to approving the MCA. CDFW will not release credits until after the agreed upon performance standards or performance-based milestones have been met for that release, including any necessary fees.

43. Is an RCIS required to identify areas where MCAs can occur?

No. An approved RCIS does not include site specific information for MCA implementation. An MCA can be created anywhere within the RCIS boundary area so long as there is a justifiable ecological benefit that will occur.

44. How do you determine the service area for an MCA?

Each credit type within the MCA will have its own ecologically justified service area. The sponsor will map the service area(s) and provide their justification(s) to CDFW

for review and approval. This approach is identical to how service areas are determined for mitigation banks. The service area may be artificially truncated based on an arbitrary boundary (e.g. a city or county boundary) if desired. A service area may extend beyond the boundary of the RCIS if it is ecologically appropriate to do so.

See Section 5.3.4.5 – Service Area in the RCIS Program Guidelines and MCA Template Section 4.5 – Service Area.

45. Can an MCA begin development while the RCIS in which it exists is still in development (not yet approved)?

Yes, it is possible to start thinking about MCA development prior to a fully approved RCIS. CDFW is willing to start initial discussions and can even review MCA concepts prior to RCIS approval. Typically, the level of detail needed for early MCA development can be acquired by reviewing draft RCIS material; however, the MCA sponsor risks having to make changes or possibly be in a situation where the MCA may not be viable based on finalized RCIS actions or adjustments.

46. How long does it take to create an MCA?

Timing depends on the complexity of the MCA, the MCA sponsor response times, the number of acknowledging agencies, the array of credit types, and the number and frequency of credit releases. In general, we think most MCAs will be faster than most mitigation banks because there are multiple elements that can be simplified when compared to the typical mitigation banking process. For example, MCAs can have fewer agencies involved by only including the agencies they want to partner with (as acknowledging agencies), and an MCA sponsor can customize the number of credit releases and avoid certain securities (if interested).

47. Is there a minimum size for an MCA?

There is no minimum size for an MCA; however, the site would need to be large enough to improve ecological conditions, and/or be located adjacent to other conserved areas. Additionally, the number of credits an MCA can create is related to its size which may limit its feasibility for the sponsor.

48. How can I comment on or inquire more about a specific MCA that is being developed or is posted for public review?

All MCAs must be made available to the public for comment and review for a period of no less than 60 days. Any MCAs that have been drafted will be posted on CDFW's MCA program page with instructions on how to provide comments. CDFW will also send an email to everyone on our RCIS distribution list announcing the draft available for public review. If someone is interested in receiving program

notifications from CDFW they can add their contact information to our [distribution list](#).

If a member of the public has any questions about the program or a specific MCA in development, please contact us at the RCIS Program email RCIS@wildlife.ca.gov or they can contact the MCA sponsor. Sponsor contact information will be provided in the draft MCA as well as the comment instructions. All public comments received during the public comment period will be reviewed by both the sponsor and CDFW.

49. How should prospective sponsors communicate with CDFW if they are interested in exploring or pursuing an MCA? What are the first steps to coordinate with CDFW?

Prospective MCA sponsors are encouraged to contact the Statewide MCA Coordinator via the RCIS Program email: rcis@wildlife.ca.gov.

For additional information, the [MCA website](#) provides links to various MCA resources as well as [The Nature Conservancy hosted webinar which provides an overview of the MCA program](#). The RCIS Program operates out of the CDFW Headquarters office in West Sacramento with implementation assistance from regional office staff. If you have questions that are region-specific or species specific, we will coordinate with the appropriate regional person to address your questions.

CDFW is committed to working with all prospective MCA sponsors. Prior to any submittal CDFW is willing to meet and have some initial discussions about the project, associated fees, and to answer questions about the project details as they relate to program requirements.