## Scientific Collecting Permits Pre-Application Guide

As authorized by sections 1002 and 1002.5 of the Fish and Game Code (FGC), and sections 650 and 703 of Title 14, California Code of Regulations (CCR), the California Department of Fish and Wildlife (CDFW) issues permits to take wildlife for scientific, educational, and propagation activities.

Updates and improvements to CDFW's administration and operation of the Scientific Collecting Permit (SCP) under new Title 14, sections 650 and 703 regulations were effective starting October 1, 2018. One of the goals of the rulemaking was to update application and permit issuance processes and update the permitting structure to implement an online application system (the <a href="Scientific Collecting Permit Portal - SCPP">Scientific Collecting Permit Portal - SCPP</a>). This Pre-Application Guide (Guide) is intended to help prospective SCP applicants determine whether:

- they need a SCP,
- · what type of SCP is needed, and
- how many SCP(s) may be needed.

Please contact the SCP coordinator(s) within the appropriate CDFW review program for your proposed activity if you need technical assistance when making permit decisions (see the "Contacts" tab on the SCP webpage).

### I. Is an SCP necessary for your activity(ies)?

1. Do you propose to conduct scientific research, education, or propagation activities\* within a Marine Managed Area (MMA)¹, including Marine Protected Areas (MPA), Special Closures, or Rockfish Conservation Areas?

\*Examples of activities that require a SCP include: scientific research and ecological community studies, restoration, field demonstrations, presence/absence or inventory surveys, monitoring, captive breeding or rearing, educational displays or programs.

Yes – An SCP may be needed. Continue to Question 1a.

No - Continue to Question 2.

- 1a. Do any one, or more, of the following three situations apply to you?
  - a. Are your proposed activities\* likely to result in targeted (i.e., intentional) or incidental take<sup>2</sup>, and/or possession<sup>3</sup> of wildlife, including any parts<sup>4</sup> and products thereof, within in an MMA, MPA, Special Closure, or Rockfish Conservation Area?

<sup>&</sup>lt;sup>1</sup> Public Resources Code Section 36602, and Title 14, Section 632, CCR. Marine Managed Areas, Marine Protected Areas and other protected designations.

<sup>&</sup>lt;sup>2</sup> Refer to FGC Section 86, and Title 14, subsection 650(b)(25), CCR. Take of wildlife occurs when targeting a species (for example, pursuing with the intent to catch, capture, or kill). Take also occurs when capture methods or equipment used are indiscriminant, or imprecise in targeting select species, and therefore may result in the incidental capture (take) of non-target species as "by-catch."

<sup>&</sup>lt;sup>3</sup> Refer to Title 14, subsection 650(b)(18), CCR. Definitions: Possession. Transfer into possession of live wildlife taken by another person or entity may require a SCP, pursuant to Title 14, subsection 650(q)(1), CCR; transfer into possession of dead wildlife and/or parts thereof may not, pursuant to Title 14, subsection 650(q)(2), CCR.

<sup>&</sup>lt;sup>4</sup> Refer to Title 14, subsection 650(b)(15), CCR. Definitions: Part.

- b. Do you request to conduct sediment sampling in eelgrass beds, kelp forests in an MPA, MMA, Special Closure or Rockfish Conservation Area, or do you request to conduct water sampling within an MMA, MPA, or Special Closure area?
- c. Will the activities within an MPA directly or incidentally cause injury or damage to any living, geological, or cultural marine resource, including disrupting habitat via the collection process or activity being carried out (Title 14, Section 632, CCR)?

**Yes –** An SCP is needed, which will provide special MPA authorization. **Continue to Question 5.** 

**No –** None of the above apply; an SCP is not required for your activities.

2. For any location outside an MPA, MMA, Special Closure or Rockfish Conservation Area, do you propose to conduct scientific research, education, or propagation activities\* that are likely to result in targeted (i.e., intentional) or incidental take<sup>2</sup>, and/or possession<sup>3</sup> of wildlife, including any parts<sup>4</sup> and products thereof?

\*Examples of activities that require a SCP include: scientific research and ecological community studies, restoration, field demonstrations, presence/absence or inventory surveys, monitoring, captive breeding or rearing, educational displays or programs.

#### Yes - Continue to Question 3.

**No –** An SCP is not necessary. However, you may need other licenses or permits from another federal, state or local government agency (i.e., see **Section IV** below) with jurisdiction over the activity you wish to carry out, and/or you may need landowner permission.

#### 3. What kind of wildlife<sup>5</sup> are you requesting to take?

Three CDFW "review programs" are the primary reviewers of SCP applications requesting to take wildlife for taxonomic groups under their respective branch or region. Will your activities involve any of the following wildlife taxonomic group(s):

- **Terrestrial Wildlife** (jurisdiction of <u>CDFW Wildlife Branch</u>) terrestrial and vernal pool invertebrates, amphibians, reptiles, mammals, and birds. Continue to **Question 4.**
- Inland Fisheries (jurisdiction of <u>CDFW Fisheries Branch</u>) anadromous fish, non-anadromous fish, and aquatic invertebrates located in inland waters<sup>6</sup>. Continue to Question 5 (Section II).
- Marine (jurisdiction of <u>CDFW Marine Region</u>) marine and anadromous fish, marine algae and plants, and/or marine invertebrates below mean high tide in marine waters<sup>7</sup>, or activities pursuant to Title 14, subsection 632(a), CCR (Question 2a). Continue to Question 5 (Section II).
- Those species or taxonomic groups of organisms not belonging to one of the above groups (e.g., terrestrial plants and freshwater algae): **An SCP is not needed.** However, if your proposed activities target California Endangered Species Act (CESA)

<sup>&</sup>lt;sup>5</sup> Refer to Title 14, subsection 650(b)(26), CCR. Definitions: Wildlife.

<sup>&</sup>lt;sup>6</sup> Refer to Title 14, subsection 650(b)(10), CCR. Definitions: Inland Waters.

<sup>&</sup>lt;sup>7</sup> Refer to Title 14, subsection 650(b)(11), CCR. Definitions: Marine Waters.

Threatened, Endangered, Candidate, or Rare native plants, a separate permit may be needed - refer to **Section IV** of this Guide, as well as CDFW's Native Plant Page.

Proposed activities with one or more taxonomic groups may require one, or more permits. **Continue to Section II.** 

4. Do your activities target, or have the potential to result in take and/or possession of terrestrial and/or vernal pool invertebrates?

An SCP may be required, depending on which invertebrates you are interested in for your activities:

- Terrestrial invertebrates: invertebrates that occur on land above mean high tide of marine waters, including aquatic insects in the aerial life stage, and other invertebrates that occur in terrestrial environments.
- Vernal pool invertebrates: invertebrates that occur only in vernal pools or occur in other ephemeral waters that support vernal pool invertebrates, but do not normally support finfish.

**Yes –** An SCP is required for targeted, or incidental by-catch and/or possession of certain terrestrial invertebrates, and all vernal pool invertebrates. **Continue to Question 4a.** 

**No –** a SCP is not needed for activities with most terrestrial invertebrates, pursuant to Title 14, subsection 650(u)(5), CCR. If you request to conduct activities with any other taxonomic group listed in Question 3, **continue to Question 5**. Otherwise, check **Section IV** to determine if another permit is needed for your planned activities.

4a. Are you requesting to conduct activities that target those invertebrates listed on the California <u>Terrestrial and Vernal Pool Invertebrates of Conservation Priority</u>
List ("prioritized invertebrates") (dated June 12, 2017)?

**Yes –** A Specific Use SCP is required to cover <u>targeted take and/or possession</u> of prioritized invertebrates. **Continue to Question 8.** 

**No –** but, activities that have the potential for <u>incidental by-catch</u> of prioritized invertebrates require a General Use SCP to cover the incidental by-catch of such invertebrates. **Continue to Question 5.** 

If you request to conduct activities with any other taxonomic group (from Question 3), **continue to Question 5**. Otherwise, check **Section IV** to determine if another permit is needed for your planned activities.

### II. What type of SCP will you need?

The new General Use" and "Specific Use" permit types separate take and/or possession activities for science, education, and propagation purposes based on the species, or wildlife taxonomic groups requested, locations, methods, and procedures.

#### **General Use**<sup>8</sup> SCPs are issued: **Specific Use**<sup>9</sup> SCPs are issued:

- 1. for one or more taxonomic groups within a single CDFW review program (i.e. Inland Fisheries. Marine, and Terrestrial Wildlife).
- 2. for research and educational activities involving common species using standardized methods with lower risk of accidental injury or mortality.
- 3. with pre-determined "Authorizations"/ conditions, which may not be amended.

- 1. for species, or one or more taxonomic groups within, or across, the three CDFW review programs.
- 2. for an individual study, or a planned undertaking combining one or more activities or studies of unified scope to meet one or more purpose(s) of science. education, or propagation.
- 3. for those species that are considered "Prohibited Wildlife" by the General Use, or more sensitive taxonomic groups, and/or more invasive methods, involving higher risk of accidental injury or mortality.
- 4. with custom permit conditions developed as appropriate; and may be amended for species, methods, procedures, locations, or conditions.
- 5. for activities not covered under General Use Authorization(s), such as sensitive species and numbers. capture methods, more invasive procedures, sensitive locations, etc., that require greater levels of review by CDFW. An SCP applicant can also request activities that are otherwise covered under (a) General Use Authorization(s); specific conditions would be developed as appropriate for the particular request.
- 6. for targeted take of prioritized invertebrates on the California Terrestrial and Vernal Pool Invertebrates of Conservation Priority List (dated June 12, 2017).
- 7. for activities within a MMA, including MPAs, Special Closures, or Rockfish Conservation Areas.

#### General Use SCPs

The General Use SCP is a streamlined, lower cost SCP for low impact and non-invasive methods (i.e., low levels of accidental injury or mortality), such as capture and release for presence/absence or biological inventory surveys, or field classes/ demonstrations for nonsensitive, or common wildlife species.

General Use applications to take wildlife taxonomic groups are separated by their respective CDFW review program: Inland Fisheries (Fisheries Branch), Marine (Marine Region), and Terrestrial Wildlife (Wildlife Branch). Each Inland Fisheries, Marine, and Terrestrial Wildlife General Use SCP can be issued on a statewide geographic basis, with pre-determined, standardized "Authorizations." The General Use Authorizations are listed on the respective application form for each CDFW review program, and include a list of species and taxonomic groups prohibited for take under this permit type (termed "Prohibited Wildlife"). All non-state listed "Prohibited Wildlife." however, can be requested for take under the Specific

<sup>&</sup>lt;sup>8</sup> Refer to Title 14, subsection 650(i)(1), CCR. Permit Use Levels: General Use Permit.

<sup>&</sup>lt;sup>9</sup> Refer to Title 14, subsection 650(i)(2), CCR. Permit Use Levels: Specific Use Permit.

Use application type. The Authorizations also detail the quantities, methods, species, locations, and disposition allowed under a General Use SCP. The Authorizations are not amendable for quantities, methods, procedures, locations or conditions, but can be amended to add or change names on the "List of Authorized Individuals" (LAI)<sup>10</sup> for Individual and Entity permits<sup>11</sup>, or to request addition of a new Authorization within the same General Use SCP. Since the Authorizations are pre-determined and standardized, the applicant only needs to summarize planned activities. It is not necessary to identify each study or planned undertaking, if not known at the time of application; however, a brief description and justification for how the General Use permit would be used is required.

- 5. Can you carry out your proposed activities solely under the allowances for species, location, method, procedure and/or quantity granted by the Authorizations for each wildlife taxonomic group(s) listed on each General Use SCP?
  SCP applicants can determine the suitability of the General Use SCP for their work prior to applying by reading through the General Use Authorizations listed on the General Use SCP application form(s) at the links below:
  - Authorizations F1-F3 form DFW 1379GF for Inland Fisheries
  - Authorizations M1-M3 form DFW 1379GM for Marine
  - Authorizations W1-W6 form DFW 1379GW for Terrestrial Wildlife

**Yes –** Apply for the appropriate General Use SCP based on your needs. **Continue to Question 6**.

**No –** If your proposed activities involve certain sensitive species, or species of concern (listed as "Prohibited Wildlife" under each Authorization), or any activities, methods, locations (MPAs prohibited) or procedures excluded or not covered under the General Use SCP Authorizations, then a Specific Use SCP will be required. **Continue to Specific Use SCPs - Question 8.** 

- 6. How many General Use SCPs are needed for your proposed activities?
  - 6a. Do your requested activities involve wildlife taxonomic groups (listed in Question 3) under the authority of a *single review program* (e.g., capture of reptiles, amphibians, and small mammals = Terrestrial Wildlife General Use SCP)?

**Yes –** All Authorizations *under a single review program* are covered under the respective General Use SCP for that review program. **Continue to Question 6c. No – Continue to Question 6b.** 

**Student Permitholders – Continue to Question 7** 

6b. Will your proposed activities involve wildlife taxonomic groups (listed in Question 3) from *more* than one *review program* (e.g., capture of reptiles, amphibians, mammals, *and* inland non-anadromous fish = Terrestrial Wildlife *and* Inland Fisheries General Use SCPs)?

<sup>&</sup>lt;sup>10</sup> Refer to Title 14, subsection 650(j), CCR. List of Authorized Individuals.

<sup>&</sup>lt;sup>11</sup> Refer to Title 14, subsection 650(f), CCR. Permitholder Types.

**Yes –** A separate General Use SCP is required for each review program. Authorizations are constrained within one review program to facilitate quicker review, requiring a separate General Use SCP for take of those taxonomic groups from each review program. **Continue to Question 6c.** 

6c. Besides the Principal Investigator<sup>12</sup> (PI), will you request eight (8) or fewer Authorized Individuals proposed to work independently under each Authorization of a General Use SCP (This question is not applicable for Student Permitholders)?

**Yes –** Eight (8) or fewer Authorized Individuals (aside from the PI) can be requested to work independently under *each Authorization* of a General Use SCP issued to an Entity or Individual Permitholder (and the same Authorized Individuals can be requested for different Authorizations up to the maximum of eight per Authorization). **Continue to Question 7.** 

**No –** more than eight Authorized Individuals requested per Authorization triggers the requirement for an additional General Use SCP to cover the additional individuals, and payment of respective fees. **Continue to Question 7.** 

### 7. Do I need a new General Use SCP, or a General Use Amendment to cover new activities?

#### 7a. Do you request one or more of the following for a General Use SCP?

- adding or exchanging the Authorized Individual(s), up to the eight allowed per Authorization on a General Use SCP (N/A for Student Permitholders);
- changing the PI on an Entity permit the Executive Signatory<sup>13</sup> may request to transfer the permitted activities of that Entity permit to a different PI, subject to approval by CDFW (N/A for Individual and Student SCPs).
- addition of one or more new taxonomic groups (and thereby Authorizations) within the same General Use SCP (applies to all Permitholder types).

**Yes –** any one, or more, of the above scenarios triggers the requirement for a General Use Amendment to an existing General Use SCP, for the flat fee listed in Title 14, subsection 703(c), CCR and on the "Fees" tab of the SCP webpage.

No - continue to Question 7b.

## 7b. Do proposed amendments or changes to your existing General Use SCP include one or more of the following?

- Any amendment request, to an existing General Use permit, that requires more than eight Authorized Individuals per Authorization (aside from the PI), or
- addition of one or more new taxonomic groups (and thereby Authorizations) within a new General Use SCP, requiring review by a different review program (applies to all Permitholder types).

<sup>&</sup>lt;sup>12</sup> Refer to Title 14, subsection 650(b)(19), CCR. Definitions: Principal Investigator.

<sup>&</sup>lt;sup>13</sup> Refer to Title 14, subsection 650(b)(6). Definitions: Executive Signatory.

**Yes –** any, or both, of the above scenarios triggers the requirement for a new General Use SCP application, for the fee listed in Title 14, subsection 703(c), CCR and on the "Fees" tab of the SCP webpage.

**No –** Apply for a new General Use Permit under the appropriate review program.

#### **Specific Use SCPs**

Unlike the more limited and streamlined General Use SCP, a Specific Use SCP covers a broader range of species, including those species or taxa considered to be "Prohibited Wildlife" in each General Use Authorization, and activities that have higher likelihood of accidental injury or mortality. As such, applicants need to provide a more detailed description of all proposed activities, including the species, geographic locations, methods, and procedures. A Specific Use SCP is the appropriate permit for a focused study or a more complex planned undertaking that involves Prohibited Wildlife, methods, and procedures not covered under a General Use SCP, and/or review by more than one CDFW review program. In this context, a focused **study** involves activities that address specific research question(s), usually within a defined temporal and geographic scope. In contrast, a **planned undertaking** may involve multiple studies and/or activities sharing a fundamental scope with unifying goals and objectives. As noted above, SCPs are issued for activities under three primary purposes: science, education, and propagation. An individual study or planned undertaking for a Specific Use SCP may include activities from one of more of these three primary purposes.

Scientific research includes a wide variety of activities that meet the definition under Section 650(c)(1), for example: (1) contribute to the knowledge of wildlife biology, and/or related biological, ecological, or environmental fields; and (2) provide research and/or management data important or necessary to promote the protection, conservation or management of California's natural resources. For the purposes of this Guide, scientific research activities are divided into broad categories, including but not limited to: study, inventory, monitoring, and ecological communities.

- **Study** involves activities to address one or more specific research question(s) that usually have a defined temporal or geographic scope.
- Inventory involves activities to gather baseline data or presence/absence data in one or more locations at a specific point in time.
- Monitoring involves repeated sampling using the same methods during set time periods over several years to detect trends over time, and may also include experiments or focused studies to understand the underlying mechanisms for detected patterns (e.g., effectiveness monitoring).
- Ecological communities involve understanding community interactions of species in the same ecosystem at a particular site, or for comparison across many sites, and may include wildlife from more than one CDFW review program.

<u>Education</u> includes activities intended to inform various audiences about a particular wildlife species or taxonomic groups, such as live display at zoos or other facilities, field demonstrations and training courses, interpretive programs, or formal academic instruction.

<u>Propagation</u> includes activities intended to help sustain or increase wildlife populations for scientific, conservation, management, or educational purposes such as: captive breeding or other actions that involve temporary or permanent captivity, temporary relocation or possession,

invasive and detrimental species removal, and other actions necessary to prevent catastrophic wildlife population losses.

### 8. Do you need one, or more, Specific Use SCP(s), as outlined by the following permit scenarios?

In determining how many permits are needed for a proposed activity(ies), CDFW review programs will consider whether the proposed activity(ies) are adequately justified under the framework of a study or planned undertaking, and whether the PI is qualified to conduct all the proposed activity(ies), and work with the proposed wildlife. CDFW would also evaluate the PI's ability to meet the requirements of adequate supervision of all persons proposed to work under the permit<sup>14</sup> in determining whether a study or planned undertaking might be separated into one or more Specific Use SCPs. For complex planned undertakings, separate Specific Use SCPs may be required if the application lacks an adequate justification and a clear description of the unifying goals and objectives.

Because some applicants may be involved in multiple studies or planned undertakings, the following permit examples are intended to help applicants identify how many Specific Use SCPs may be needed to cover all of their activities, and to demonstrate how Specific Use SCPs may be divided when considering species and taxonomic groups for each of the three CDFW review programs.

#### **Inland Fisheries**

A fisheries biologist fulfills federal requirements for dam operation by monitoring downstream for out migrating juvenile salmonids using a rotary screw trap, monitored at regular hourly intervals, since fish are captured on an ongoing basis. The fisheries biologist also conducts benthic macroinvertebrate sampling in the same, or nearby watershed to assess state and federal water quality or point discharge requirements.

Assessment: The scope, as well as the goals and objectives of the benthic macroinvertebrate monitoring are unrelated to those for the salmonid monitoring. In this scenario, a separate Specific Use SCP would be required due to unrelated goals and objectives of the benthic macroinvertebrate work.

#### **Marine**

A marine biologist seeks to understand larval dispersal via genetic sampling of three species of marine fishes along California's coastline. The biologist will utilize hook and line for capturing the target marine fish and perform fin clip procedures. The marine biologist is also interested in studying biomass of kelp forests within three Northern California MPAs to assess habitat suitability for the abalone fishery, using quantitative kelp collection methods that differ from those for the marine fish.

Assessment: The scope, as well as the goals and objectives of the kelp biomass study are unrelated to those for the fish larval dispersal study, and thus a separate Specific Use permit would be required.

#### **Terrestrial Wildlife**

An environmental consultant conducts inventory (i.e., presence-absence) surveys for western pond turtles (WPT) using the same methods at several locations across the state for several contracted projects, and/or clients. The consultant is also conducting inventory surveys for several species of desert rodents on lands leased by a renewable energy company.

<sup>&</sup>lt;sup>14</sup> Refer to Title 14, subsection 650(b)(19), CCR. Definitions: Principal Investigator.

Assessment: Since WPT falls in the "Prohibited Wildlife" category under General Use Authorization, the consultant would need a Specific Use SCP. However, the consultant would not necessarily need a separate Specific Use SCP for each contract or client, because the WPT activities fall under the same fundamental scope with unifying goals and objectives. Since the goals of the desert rodent surveys appear unrelated to those for the WPT surveys, a separate Specific Use SCP would be required, unless there is adequate justification provided in the SCP application demonstrating how the two studies share a fundamental scope with unifying goals and objectives. For example, this might be phrased as a planned undertaking to inventory for multiple taxa in various locales to document presence/absence, collect data, and report findings.

**Table 1** provides additional information on research activities to further assist applicants in determining how many Specific Use SCPs may be needed for proposed activities.

Table 1. Specific Use study and planned undertaking scenarios\*

I. Interpretation		III. Activities may include	
Study			
Involves activities that address specific research <sup>15</sup> question(s) or achieves goals and objectives of defined temporal and geographic scope.	One Specific Use per set of unified goals and objectives of defined temporal and geographic scope; and may apply to a specific study site or series of sites.	Activities may include, with sufficient justification:  Salvage, Capture, Mark or other Procedures, Release, Relocation, Sacrifice, Captivity Higher risk Methods and Procedures (e.g., experimental methods)	
Study Examples:  o comparison of carnivore diversity between two managed forest sites  o population genetics of a California species  o diet study of predatory freshwater fish			
Inventory scope Involves study(ies) or planned One Specific Use SCP for Activities may include:			
undertaking that includes gathering baseline information on species composition, abundance, distribution, and habitat relationships, and/or to assess presence/absence in defined <sup>16</sup> locations or statewide. Applicants may request multiple species, and/or taxonomic groups, in addition to targeted species, and may request authorization to take "Prohibited Wildlife," or statewide authorization.	species or taxa across the three review programs, if CDFW determines that the PI <sup>17</sup> is appropriate for the proposed taxonomic groups and activity(ies).  *Note: lack of details (e.g., for certain species or location) may result in that application being denied due to the inability to assess localized impacts.	<ul> <li>Salvage, Capture, Mark, Release, only</li> <li>Oftentimes, certain low- impact Methods and Procedures only</li> </ul>	
Inventory Scope Examples:			

o Forest inventory surveys that target species or taxonomic groups likely to be found in the study area.

<sup>17</sup> Refer to Title 14, subsection 650(b)(19), CCR. Definitions: Principal Investigator.

<sup>\*</sup>There may be more scenarios dividing take activities into multiple Specific Use SCPs; this table is not exhaustive.

<sup>&</sup>lt;sup>15</sup> Refer to Title 14, Subsection 650(b)(23). CCR. Definitions: Research.

<sup>&</sup>lt;sup>16</sup> A "defined location" is specified at the geographic scale of a single County, or MMA (or at a more fine-scale geographic level, when feasible, such as a watershed, State Park bay or estuary, or point coordinates, etc.).

#### I. Interpretation

#### II. Applicant can apply for... III. Activities may include...

- Environmental consultant pre-project surveys for presence/ absence. May be statewide, or in geographic locations unknown at the time of application (due to uncertainty of contracts that might come up), in some cases.
- May be paired with educational field demonstrations (e.g., workshops or public outreach to demonstrate techniques or species capture, handling, and procedures)

#### **Monitoring scope**

Involves seasonal or long term study(ies) of wildlife resources, whereby goals or objectives may include tracking spatial and temporal patterns, assessing populations, evaluating habitat conditions, and the response of wildlife populations to habitat management or enhancement. Monitoring scope may include experiments or studies to understand the underlying mechanisms for detected patterns (e.g., effectiveness monitoring).

One Specific Use SCP for species or taxa per review program, if CDFW determines that the PI is qualified for the proposed species and/or taxonomic groups and activity(ies) and can provide adequate supervision of all field personnel.

Additional Specific Use SCPs may be required, depending on proposed experiments or focused studies.

Activities may include, with sufficient justification:

- Salvage, Capture, Mark or other Procedures, Release, Relocation, Sacrifice, Captivity
- Higher risk Methods and Procedures (e.g., surgical implants, experimental manipulations of behaviour, nests/dens, or habitat elements)

For any monitoring effort, a unified scope is the underlying reason that monitoring is being conducted, as may be required by environmental documents, research grants, land management plans, permits, or other legal authorizations, and may align with land ownership or location, funding mechanism, ongoing research goals, etc.

#### **Monitoring Scope Examples:**

- o Monitoring of properties owned or managed by a single owner, or cooperative of owners.
- o Long-term Ecological Research (LTER) sites
- o National Wildlife Refuges, State Parks, CDFW Wildlife Areas or Reserves, MPAs, etc.
- o Population and demographic monitoring, e.g.:
  - Monitoring Avian Productivity and Survivorship (MAPS) banding stations
  - assessing salmonid distribution and outmigration
  - marine fish demographic monitoring
- o Compliance or Mitigation monitoring, e.g.:
  - Construction monitoring (more than one visit)
  - Pre- and Post- monitoring at a defined site (e.g., restoration)
  - Federal Energy Regulatory Commission (FERC) (e.g., hydropower re-licensing)
  - Mitigation lands/ conservation easements
  - Forest monitoring (e.g., Forest Practice Rules)
  - Toxicity/ contaminant monitoring
  - State Water Resources Control Board (SWRCB) water quality monitoring (e.g., Surface Water Ambient Monitoring Program (SWAMP))

#### **Ecological Community scope**

Involves examination of wildlife across more than one review program for a unified purpose of understanding community interactions of species in the same ecosystem at one or more sites, and which are bound by a network of influences on one another, or for comparison across many sites. An Ecological Community planned undertaking may include experiments or focused study(ies) to

One Specific Use SCP for species or taxa across the three review programs, if CDFW determines that one PI is qualified for the proposed species and/or taxonomic groups and activity(ies), and can provide adequate supervision of field personnel.

Activities may include, with sufficient justification:

- Salvage, Capture, Mark or other Procedures, Release, Relocation, Sacrifice, Captivity
- Higher risk methods and procedures (e.g., biotelemetry, surgical implants, experimental

I. Interpretation	II. Applicant can apply for	III. Activities may include
understand the underlying mechanisms for detected patterns.	Additional Specific Use SCPs may be required, depending on breadth and complexity of proposed work and the adequacy of the justification.	manipulation of behaviour, nests/dens, or habitat elements)

#### **Ecological Community Examples:**

- Ecological, or community relationships, where multiple species in one or more locales may be studied to assess ecological interactions. Multiple locations may be granted if those locations serve to increase the sample size and for comparison purposes to address the same ecological or community relationship questions.
  - Predator-prey and food web dynamics
  - Environmental DNA or community interaction studies

### 9. Should you consider applying for a separate SCP for a study or planned undertaking, even when the scope, and/or goals and objectives are similar?

SCP applicants may want to consider applying for separate General Use, or Specific Use SCPs under a unifying scope, or with similar goals and objectives for several reasons. These include specific considerations by species or taxonomic group, funding source, collaboration purposes, timing of planned field work, or changes to method, procedures, and location. The following scenarios illustrate logistical or implementation situations when applicants may want to consider seeking a separate SCP.

#### Species and/or taxonomic group

• An SCP applicant requests to work with mountain lions, birds, and deer for a unified scope of disease surveillance, across different locations and seasons of the year. Due to the requirement for permitting approval to undergo a Public Interest Notice (PIN), permitholders should seek a separate Specific Use SCP specifically for any studies or planned undertakings for activities involving mountain lion (*Puma concolor*), or use of dogs to pursue bears (*Ursus americanus*) or bobcats (*Lynx rufus*) for research<sup>18</sup>. Separating out the mountain lion take request from the avian and deer work would help streamline review and approval of the latter taxonomic groups, while the activities involving mountain lions, and/or pursuit with dogs undergoes the PIN.

#### Funding source, and/ or compliance with state or federal requirement:

• The funding source (e.g., research or other grant, award, cooperative agreement, business contract and/or client, task order, etc.), and/or efforts to comply with state or federal requirements may be a driver for defining goals and objectives of a study or planned undertaking. It may be prudent to divide out activities on separate General and/or Specific Use SCPs based on funding source and/or compliance requirements (e.g., the monitoring scopes described in **Table 1** above demonstrate this).

#### Collaboration with partners by location, and reporting of take

A Permitholder works with partners and resources agencies at three sites within separate
watersheds to fulfill goals and objectives for monitoring effects of fish habitat restoration for
steelhead using the same methods and monitoring procedures. While the goals and
objectives may be shared for all three sites, three separate field crews permitted by a
separate Specific Use SCP to cover the monitoring at each restoration site may help
simplify coordination with partners and regional agency offices for that specific watershed.

<sup>&</sup>lt;sup>18</sup> Refer to Title 14, Subsection 650(e)(3)(C), CCR. Application and Review Procedures.

This would also help each ensure reporting is accurately tracked for each site by the field crews, overseen by their respective PIs.

#### Activity or field work timing

An environmental consultant awarded a contract for construction monitoring needs timely
permit approval to conduct activities to meet a field work window or sampling season.
Separating out this time-sensitive monitoring effort into an initial General Use SCP
application from any subsequent planned activities would streamline review for this initial
scope, where the consultant could apply separately later for subsequent activities.
Separating the permit applications by taxonomic groups or review program (i.e., inland
freshwater fish separated from amphibians or reptiles, as with the General Use SCPs) also
helps streamline review.

#### Methods and/or Procedures

• A graduate student seeks to conduct a population genetic analysis of blue rockfish across its range from Pt. Conception northward to the Oregon coast to try to ascertain dispersal. The student coordinates with a variety of marine researchers and other SCP Permitholders already working with rockfish, or in overlapping marine habitats, to collect fin clips or other tissue samples on the student's behalf, who will receive them into possession to run the analyses. Such samples constitute a "part" of wildlife, therefore the student must apply for a Specific Use SCP for CDFW approval of the possession. The Permitholders with whom the student is coordinating should also indicate in their SCP applications the capture activity and method, and procedure of sampling is conducted in the field on the student's behalf, for CDFW approval of the activity, method and procedure. The researchers would then follow Chain of Custody<sup>20</sup> procedures for transfer of possession of the rockfish parts to the student.

**Yes –** the above scenarios illustrate when separate SCPs may be beneficial to simplify application procedures and streamline review for a subset of all your planned activities.

**No** – if not separating out certain activities, ensuring that an SCP application is complete with sufficient details provided within the study's given goals and objectives, or scope of planned undertaking, will facilitate prompt review of your application. CDFW review program staff will contact you if an application is determined to be incomplete, after which the applicant has 30 calendar days to provide the outstanding information.<sup>21</sup>

## 10. When do I need a new Specific Use SCP, or a Specific Use Amendment to cover a new request?

- 10a. Do you propose to amend or change one or more of the following under the <u>existing goals and objectives</u> of an approved study, or the <u>existing unified</u> <u>scope</u> of the planned undertaking of a Specific Use SCP<sup>22</sup>, as described in Question 9 above?
  - a species and/ or taxonomic group(s);
  - quantities for species and/or taxonomic groups already authorized;

<sup>&</sup>lt;sup>19</sup> Refer to Title 14, Subsection 650(b)(15), CCR. Definitions: Part.

<sup>&</sup>lt;sup>20</sup> Refer to Title 14, Subsection 650(g), CCR. Possession and Transfer of Wildlife.

<sup>&</sup>lt;sup>21</sup> Refer to Title 14, Subsection 650(e)(3)(A), CCR. Application and Review Procedures.

<sup>&</sup>lt;sup>22</sup> Refer to Title 14, subsection 650(I), CCR. Permit Updates and Amendments.

- any activity(ies), method(s), procedure(s), timeframe(s), and location(s);
- adding to the LAI Authorized Individual(s) proposed to work independently, where
  no justification is required for up to and including eight Authorized Individuals (N/A
  for Student SCPs);
- adding or exchanging on the LAI any Authorized Individual(s) proposed to work independently, aside from the eight (8) included with the initial application and permit fee, and justifying why more than eight are required<sup>23</sup> (N/A for Student SCPs);
- changing the PI on an Entity permit
   — the Executive Signatory or an Entity
   Administrator may request to transfer the permitted activities of that Entity permit
   to a different PI, subject to approval by CDFW (N/A for Individual and Student
   SCPs).

**Yes –** any one, or more, of the above scenarios triggers the requirement for a Specific Use Amendment to an existing Specific Use SCP, for the flat fee listed in Title 14, subsection 703(c), CCR and on the "Fees" tab of the SCP webpage.

No - continue to Question 10b.

### 10b. Do your proposed amendments or changes to your existing Specific Use SCP, as described in Question 9 above, include one or more of the following?

- A new study or planned undertaking with fundamentally different goals and objectives from your existing Specific Use SCP.
- The Executive Signatory or an Entity Administrator proposing a new PI to oversee an Entity permit and provide adequate supervision of all persons working under the permit, but whose expertise does not match the activities, species, methods, and procedures already authorized (N/A for Student and Individual permits).
- Alternately, a Permitholder proposing activities, species, methods, and procedures that do not match the expertise of the PI already authorized by the permit (N/A for Student permits).

**Yes –** any one of the above scenarios triggers the requirement for a new Specific Use SCP, and payment of respective fees listed in Title 14, subsection 703(c), CCR and on the <u>"Fees" tab of the SCP webpage</u>. A PI's expertise must match those of all permitted activities, and when that is not the case, a separate PI on a separate Specific Use SCP may be required to ensure adequate supervision over all activities and Authorized Individuals. A separate Specific Use SCP may also be required based on the conservation status of the species or wildlife taxonomic groups requested, invasiveness of proposed methods or procedures, or proposed locations<sup>24</sup>.

**No** – If you need to update contact or affiliation information, or remove Authorized Individuals from the permit's LAI, these administrative changes do not constitute an amendment, and can be made within the <u>SCP Portal</u>, and will apply to existing permits, and for future applications.

<sup>&</sup>lt;sup>23</sup> Refer to Title 14, subsection 650(b)(19), CCR. Definitions: Principal Investigator.

<sup>&</sup>lt;sup>24</sup> Refer to Title 14, subsection 650(i)(2), CCR. Permit Use levels: Specific Use permit.

The following example illustrates when a Specific Use Amendment, or a new Specific Use SCP would be required.

An applicant applies for a Specific Use SCP under a unified scope of mitigation bank monitoring, but does not know all the details on species, methods, location. The applicant proposes to bid on contracts related to this unified scope, therefore completes the application with the details known at the time. If/ when the permit is approved, the permitholder could apply for a Specific Use Amendment for each new contract, or body of work (requested activities, species, methods, and locations) known at the time of amendment, if such requests fall under the mitigation bank monitoring scope. Should the permitholder receive a contract, or body of work for hydropower re-licensing (i.e., FERC), this would fall under a different monitoring scope, and thus require a separate Specific Use SCP.

### III. What type of SCP Permitholder<sup>25</sup> should you apply as?

11. Are you a student<sup>26</sup>, requesting to conduct activities in association with scientific, education, and propagation activities at an academic institution?

**Yes –** you may apply as a Student Permitholder. Student applicants require a Student Sponsor (faculty member) <sup>27</sup>, and Student permits are issued for reduced student fees listed in Title 14, subsection 703(c), CCR and on the "Fees" tab of the SCP webpage, and are valid for 12 months from date of issuance.

Note: A student may also apply as an Individual or Entity permitholder with payment of Individual/ Entity permit fees on the "Fees" tab of the <u>SCP webpage</u>. However, the Student would have to be able to fulfill the role as a PI for an Individual or Entity permit, as well as meet PI qualifications.

No – Continue to Question 12.

12. Are you an eligible person<sup>28</sup> requesting approval to oversee other persons working under the permit's authority, where you would be the sole person responsible for the permitted activities?

**Yes –** you may wish to apply as an Individual Permitholder, who owns the permit and the work authorized by it, and who serves as both the Permitholder and the PI. Individual Permitholders may affiliate with an organization, institution, agency, business, etc., or work independently.

Individual permits are valid for 36 months from date of issuance, are issued with payment of Individual/ Entity permit fees listed in Title 14, subsection 703(c), CCR and on the "Fees" tab of the SCP webpage, and may grant the ability to adequately supervise Authorized Individuals on an LAI. This permitholder type would work well for freelance, or independent, consultants, researchers, scientists, educators, etc.

<sup>&</sup>lt;sup>25</sup> Refer to Title 14, subsection 650(b)(16), CCR. Definitions: Permitholder.

<sup>&</sup>lt;sup>26</sup> Refer to Title 14, subsection 650(f)(3), CCR. Permitholder Types: Student permits; and subsection 650(g)(8): Person(s) and Entity(ies) Eligible for Permit: students

<sup>&</sup>lt;sup>27</sup> Refer to Title 14, and subsection 650(h), CCR. Required qualifications.

<sup>&</sup>lt;sup>28</sup> Refer to Title 14, subsection 650(g), CCR. Person(s) and Entity(ies) Eligible for Permit.

No – Continue to Question 13.

13. Are you an eligible entity<sup>30</sup> requesting approval to oversee other persons working under the permit's authority, where you would conduct activities in conjunction with an organization, university, agency, business, etc.?

**Yes –** you may wish to apply as an Entity Permitholder, where the permit is issued in the name of the Entity, who owns the permit and the work authorized by it. An Executive Signatory<sup>29</sup> of an Entity permit designates a PI to oversee all activities conducted under the permit on the Entity's behalf. The Executive Signatory may also apply as the PI on a permit; in both cases, the PI is approved by CDFW.

Entity permits are valid for 36 months from date of issuance, are issued with payment of Individual/ Entity permit fees listed in Title 14, subsection 703(c), CCR and on the <u>"Fees" tab of the SCP webpage</u>, and may grant the ability to adequately supervise Authorized Individuals on an LAI. This permitholder type would work well for university professors with a lab of graduate and undergraduate students, conservation and research non-profits, government agency, environmental consulting, forest management, utility, and other companies with (a) team(s) of biologists working on the same studies and/or planned undertakings.

**No** – if you plan to work as an Authorized Individual<sup>30</sup> under one of these permitholder types, then you would complete a user profile in the <u>SCP Portal</u>, upload required qualifications, and follow other requirements pursuant to Title 14, Section 650, CCR.

# IV. Aside from a SCP, do I need another research permit for my activities?

14. Will your activities result in take and/or possession of California Endangered Species Act (CESA), Fully Protected, or Federal ESA listed species?

Refer to the <u>Special Animals List</u>. Note that some species may be listed under more than one category (e.g., California's Ridgway's rail is CESA-listed, Fully Protected, as well as Federally-listed). If the species is listed as:

- Threatened or Endangered, or Candidate under CESA, continue to Question 15.
- State Fully Protected, continue to Question 16.
- Threatened, Endangered, or Candidate under Federal ESA, continue to Question 17.
- **15.** Take of Candidate, Threatened, and Endangered CESA listed species (either directly or incidentally) requires a CESA Memorandum of Understanding (MOU) from the appropriate CDFW review program refer to the weblinks below for the review program responsible for that species (Question 3), or the <u>"Contact" tab on the SCP webpage</u>.

Note: If applying for a 4(d) or CESA MOU, your SCP application should be consistent with the nature of the activities in the 4(d) and CESA MOU.

<sup>&</sup>lt;sup>29</sup> Refer to Title 14, subsection 650(b)(6). Definitions: Executive Signatory.

<sup>&</sup>lt;sup>30</sup> Refer to Title 14, subsection 650(b)(2). Definitions: Authorized Individual.

- Inland Fisheries
- Marine
- <u>Terrestrial Wildlife</u>
- **16.** Take of species listed as Fully Protected by the State requires a Fully Protected MOU from the appropriate CDFW review program refer to the weblinks below for the review program responsible for that species (Question 3), or the "Contact" tab on the SCP webpage.
  - Inland Fisheries
  - Marine
  - Terrestrial Wildlife
- **17.** Take of Threatened and Endangered ESA listed species requires a Federal ESA authorization, typically, a section 10(a)(1)(A), or 4(d) authorization. Current 4(d) rules may authorize take for ESA threatened Coho salmon, Chinook salmon, steelhead, and Green Sturgeon.
  - National Oceanic Atmospheric Administration, Authorizations and Permits for Protected Species (APPS)
  - U.S. Fish and Wildlife Service Endangered Species Permits
- 18. Refer to questions below regarding other situations.
  - **18a.** Will your activities result in take of those species considered "Restricted" pursuant to Fish and Game Code Section 2118, 2120, 2150, as listed in Title 14, Section 671, California Code of Regulations?
    - **Yes –** an SCP is required for the take of Restricted Species, and for the continued possession of a Restricted Species if scientific work is performed on the wildlife in possession for the duration of its life. Possession of a Restricted Species for non-SCP purposes requires a Restricted Species permit.
    - **No –** Additional permitting is not required.
  - 18b. Are you requesting activities on Department of Parks and Recreation, State Parks, or other lands?
    - **Yes –** a completed "Application and Permit to Conduct Scientific Research and Collections" form may be required from <a href="State Parks">State Parks</a>.
    - **No –** Additional permitting is not required.
  - 18c. Will the proposed activity be located on other CDFW lands (e.g., Wildlife Area, Ecological Reserve)?
    - **Yes** In addition to an SCP, permits from the <u>CDFW Lands Program</u> are required for conducting activities on Wildlife Areas and Ecological Reserves. Contact the <u>Regional CDFW office</u> to request a permit for your proposed activities.
    - **No –** Additional permitting is not required.

Be sure to attach applications, or issued permits or approvals from any required federal, tribal, state, county, or municipal governments in Section 6 of a General and/or Specific Use application to support your requested activities.