



# Cutting the Green Tape

Report to the Legislature in Compliance with Item 3600-001-0001, Section 2.00, of the Budget Act of 2021 (SB 129, Budget Committee, Ch. 69, Statutes of 2021)

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COVER PHOTO: Crews planting on a slope near the Merced River in Yosemite Valley as part of the Merced River Plan Implementation: Sugar Pine Bridge Floodplain and Riverbank Restoration project, issued a SERP Concurrence in August 2022. Photo by A. Puchkoff.

# **GLOSSARY**

**CD** – Consistency Determination (Fish & G. Code, § 2080.1)

**CDFW** – California Department of Fish and Wildlife

**CEQA** – California Environmental Quality Act

CESA - California Endangered Species Act (Fish & G. Code, §§ 2050-2089.25)

**CGT** – Cutting the Green Tape Initiative

**CNRA** – California Natural Resources Agency

**FRGP** – Fisheries Restoration Grant Program

**HREA** – Habitat Restoration and Enhancement Act

ITP - Incidental Take Permit

**LCCP** - Landscape Conservation Planning Program

**LSA** – Lake and Streambed Alteration

NCCP – Natural Community Conservation Plan

NCSP – North Coast Salmon Project

NOAA – National Oceanic and Atmospheric Administration

**PBO** – Programmatic Biological Opinion

**RMP** – Restoration Management Permit

**RCIS** – Regional Conservation Investment Strategies

**RLC** – Restoration Leaders Committee

**SCP** – Scientific Collecting Permit

**SERP** – Statutory Exemption for Restoration Projects

**SHarp** – Salmonid Habitat Restoration Priorities

**SRGO** - Statewide Restoration General Order

**SWRCB** – State Water Resources Control Board

# **EXECUTIVE SUMMARY**

The Administration has identified "Cutting Green Tape" as a priority initiative to increase the pace and scale of ecological restoration, conservation, climate adaptation, and stewardship. Within the California Natural Resources Agency (CNRA), Cutting Green Tape (CGT) is focused on improving regulatory processes and policies so that ecological restoration and stewardship can occur more quickly, simply, and cost-effectively. CGT also supports and complements CNRA's "30 by 30" initiative, a commitment to achieving the goal of conserving 30 percent of California's lands and coastal waters by 2030.

With the support of the Administration, the California Department of Fish and Wildlife (CDFW) is leading its own CGT initiative and is advancing several new approaches to support improved and enhanced restoration activities within its granting and environmental review programs. Many of these approaches were first supported with one-time funding in the Budget Act of 2020, with the direction "to increase the scale and pace of restoration work, incorporate efficiencies into grant programs, and incorporate the use of programmatic permitting options." CDFW's pilot initiative created several new improvements to CDFW's granting and restoration permitting procedures as described in our pilot year Report to the Legislature.

Following the success of CDFW's pilot CGT initiative during the 2020-2021 fiscal year (FY 20-21), CDFW received permanent funding to create a new statewide CGT Program beginning in the 2021-22 fiscal year (FY 21-22), as documented in our FY 21-22 Report to the Legislature. This report summarizes the outcomes that CGT achieved in Fiscal Year 2022-2023 (FY 22-23) and responds to the reporting mandates identified in Provision 3 of Senate (SB) Bill 129, which amended SEC.84. Item 3600-001-0001 of Section 2.00 of the Budget Act of 2021.

Throughout its second full year, the CGT Program has continued to develop the tools and efficiencies supporting our grant programs as well as \$200 million in new grant funding initiatives allocated to CDFW in the Budget Act of 2022. The Program's restoration permitting strike team (CGT Strike Team) is hard at work across the state, matching restoration projects with the most efficient permitting tools. During FY 22-23, CDFW funded, permitted, or assisted with environmental review exemptions for 217 projects, 18,728 acres, and 477 stream miles saving an estimated \$2,533,110.00 dollars with an average processing time of 45 days. See Appendix A Cost Comparisons for discussion of CGT cost savings compared to traditional permitting and environmental review costs. At the same time, the CGT Program has continued to develop and support new initiatives, including advancing the directives in Secretary Crowfoot's CGT memorandum, and the California Environmental Quality Act (CEQA) Statutory Exemption for Restoration Projects (SERP), which resulted in CDFW concurring with 22 restoration project exemptions in FY 22-23. The pace and scale of habitat restoration and climate adaptation must increase as quickly as possible to preserve and restore biodiversity. CDFW is leading the way during this vital moment in the history of restoration in California.

<sup>&</sup>lt;sup>1</sup> 2020-21 May Revision to the Governor's Budget, Revised Budget Summary

# BACKGROUND

CDFW's ongoing CGT initiatives all follow the guiding principle of maintaining the integrity of regulatory oversight while efficiently streamlining processes and reducing costs for restoration projects. CDFW was able to develop and implement improvements in areas with direct benefits to existing projects while demonstrating a proof-of-concept for how a multidisciplinary team of granting and permitting specialists can focus efforts on increasing the pace and scale of restoration. With permanent funding and positions in the Budget Act of 2021 now in place, CDFW is applying these tools and moving towards a broader application of the program across the state, doing more restoration and doing it faster.

#### **Legislative Reporting Requirements**

As part of the approval of the CGT Program in the Budget Act of 2021, Provision 3 of SB 129 mandates that:

By October 1 of each year, beginning in 2021 and ending in 2026, the department [CDFW] shall submit to the fiscal committees of the Legislature and the Legislative Analyst's Office a report summarizing outcomes of its Cutting the Green [Tape] Initiative. The report shall include information related to the results of this initiative, beginning with the baseline year of 2020–21 and for each fiscal year thereafter, including: (1) a list and description of the restoration projects initiated, (2) average restoration permit processing times, (3) the number of restoration permits issued, (4) specific strategies and changes implemented as part of the initiative, (5) lessons learned to improve ongoing permitting processes and restoration work, and (6) counties and watersheds in which the department has focused related efforts.

In response to SB 129 and the specific information requested, CDFW provides the following information for each requirement above:

#### 1. A List and Description of The Restoration Projects Initiated

In FY 22-23, CDFW initiated 217 restoration projects across six categories of project or permitting types as follows: restoration management permits, restoration consistency determinations, Habitat Restoration and Enhancement Act projects, lake and streambed alteration agreements, statutorily exempt restoration projects, and restoration grants. The lists of restoration projects are identified in Appendices B through D.

#### **RESTORATION MANAGEMENT PERMITS (RMPS)**

The Restoration Management Permit (RMP) consolidates two CDFW "take<sup>2</sup>" authorizations into a single streamlined permit. The RMP authorizes take of 1) endangered, threatened, and candidate species pursuant to the California Endangered Species Act (CESA); and 2) fully protected species. CDFW initiated 11 and approved nine RMPs in FY 22-23.

<sup>&</sup>lt;sup>2</sup> "Take" means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.

#### **RESTORATION CONSISTENCY DETERMINATIONS (CDS)**

CDFW created new procedures to issue Consistency Determinations (CDs) using federal Programmatic Biological Opinions (PBO) in response to strong interest from the restoration community to develop programmatic permitting options.

CDFW worked closely with the National Oceanic and Atmospheric Administration (NOAA) Fisheries to develop a new process for issuing CDs that involves CDFW's "pre-approval" of PBOs to ensure general consistency with CESA coupled with an expedited review of project-specific applications. Under this process, possible conflicts between CESA and the PBO are resolved at the front end, resulting in an expedited CD process that focuses solely on project-specific review of an application for consistency with the PBO. The Restoration CD is also used for project-specific biological opinions. CDFW initiated and approved seven Restoration CDs in FY 22-23.

#### HABITAT RESTORATION AND ENHANCEMENT ACT (HREA) PROJECTS

The Habitat Restoration and Enhancement Act (HREA) established permitting efficiencies for any person, public agency, or nonprofit organization seeking to implement a habitat restoration or enhancement project. By combining multiple CDFW approvals into a single approval, HREA expedites small voluntary habitat restoration and enhancement projects. HREA is an excellent permitting option for small restoration projects smaller than five acres in size, and under 500 linear feet of impact to streams or shorelines. A total of 29 HREA approvals were initiated and completed in FY 22-23<sup>3</sup>.

#### LAKE AND STREAMBED ALTERATION (LSA) AGREEMENTS FOR RESTORATION PROJECTS

Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

- Divert or obstruct the natural flow of any river, stream, or lake;
- Change the bed, channel, or bank of any river, stream, or lake;
- Use material from any river, stream, or lake; or
- Deposit or dispose of material into any river, stream, or lake.

CDFW requires a Lake and Streambed Alteration (LSA) Agreement when a project activity may substantially adversely affect fish and wildlife resources. A total of 46 LSA agreements for restoration projects were initiated and 30 were approved in FY 22-23<sup>4</sup>.

<sup>&</sup>lt;sup>3</sup> The HREA program is not currently managed within CGT, but CGT staff often prepare HREA approvals. CDFW's statewide HREA coordination position is also funded by CGT.

<sup>&</sup>lt;sup>4</sup> CDFW's LSA program is not currently managed within the CGT program, but information is provided here for reference.

#### STATUTORY EXEMPTION FOR RESTORATION PROJECTS (SERP)

Governor Newsom signed SB155, on September 23, 2021, adding Section 21080.56 to the California Public Resources Code. This section provides a CEQA statutory exemption until January 1, 2025, for fish and wildlife restoration projects that meet certain requirements (SERP). CDFW's CGT Program is responsible for coordinating with lead agencies seeking SERP concurrence. CDFW initiated 41 exemptions and completed 22 SERP concurrences for projects in FY 22-23. On average, SERP has saved approximately 6.7 months of time and \$70,173 per project. A total of 28 SERP concurrences have been approved from FY 20-21 through FY 22-23.

#### **NEW RESTORATION PROJECTS FUNDED BY CDFW**

CDFW's Watershed Restoration Grants Branch oversees the CGT Program and administers several grant programs to fund science-informed projects for restoration of ecological function and conservation and assesses the success of those efforts at a large-scale. These granting programs include state bond funded programs through Proposition 1 and Proposition 68, and the federally funded Fisheries Restoration Grant Program (FRGP).

In November 2022, CDFW announced the availability of over \$200 million in new grant funding for multi-benefit ecosystem restoration and protection projects under Drought, Climate, and Nature Based Solutions initiatives. To support these new initiatives and increase the pace and scale of grant funding, CDFW developed and launched a new, single application available on an ongoing basis, allowing applicants to submit one application for consideration under multiple funding streams. The application itself was pared down to a simpler and shorter concept format, and applicants were able to schedule consultations to engage with CDFW regional and headquarters staff to receive and incorporate real-time feedback to develop project proposals more aligned with program priorities. The result was a streamlined and expedited process wherein CDFW reviews and approves grant awards for selected projects within 30 days of receipt of a proposal. Throughout 2023, CDFW has awarded new grants each month with projects able to start within months of award.

See **Appendix B New Restoration Projects Funded by CDFW** for a list and description of 83 Restoration Projects funded by CDFW in FY 22-23.

## 2. Average Restoration Permit Processing Times

CDFW has made major strides to help consolidate and streamline permitting processes, and to educate partners about the most effective vehicle for permitting a given restoration project. CDFW has made significant improvements in timelines for permitting take of species for complex, large scale restoration projects, which historically took between one and three years. In contrast, CDFW's new restoration permits have much shorter processing times.

For example, CDFW is targeting issuing RMPs for projects within less than 180 days of permit initiation, HREAs within 60 days (Fish and Game Code 1652) or 30 days (Fish and Game Code 1653), Restoration CDs within 30 days or less, and SERP concurrences within 60 days or less,

and continue to strive for additional improvements whenever possible. **Appendix C Average Restoration Permit Processing Times** identifies FY 22-23 project timelines working towards these targets. As can be expected, occasional longer permit processing durations often include factors outside the control of both CDFW and the Applicant.

#### 3. The Number of Restoration Permits Issued

CDFW issued a total of 97 permits and SERP concurrences for restoration projects between July 1, 2022, to June 30, 2023. Table 1 provides the total by permit or exemption type for FY 22-23.

TABLE 1: CDFW Permits and SERP Concurrences Issued for Restoration Projects, July 2022-June 2023

Permit or Exemption Type	RMP	CD	HREA	LSA	SERP
Number	9	7	29	30	22

#### 4. Specific Strategies and Changes Implemented as Part of This Initiative

CDFW's CGT Program continues to focus efforts on increasing the pace and scale of restoration work through the development and implementation of efficiencies in our granting and permitting programs while supporting the efforts of other agencies. The CGT Program also applies an adaptive management approach to adopting and supporting new initiatives, including developing a new approach to efficiently administer over \$200 million new grant funding in FY 2022-23.

The CGT Program has continued efforts to improve the expediency and efficiency of grant administration policy and process. CDFW's amendment process was vastly improved to both reduce the need for amendments by structuring initial grants with more budget line-item adjustment flexibility; and maintaining an expedited amendment process when amendments are truly required. The Contingency Request process for current CDFW funded grants experiencing budget shortfalls, developed last fiscal year, has been successful in supporting projects without stoppage, enabling CDFW to maximize use of available funding, and reducing the overall volume of new funding requests with each grant cycle.

The most significant change implemented to CDFW's granting under CGT has been the rolling solicitation for new grant funding. Historically CDFW has administered a separate solicitation for each grant program for a set amount of time wherein applications could be submitted before being reviewed and awarded. The solicitation, application submittal, review, and award processes would typically take six to nine months with a backlog of applications exceeding available funding. Subsequent development of grant agreements and would take an additional average of three to six months to develop and finalize. With the new rolling solicitation, applicants can request a consultation with CDFW staff or proceed with a brief

proposal concept for consideration under each of CDFW's new funding initiatives as well as its bond funded programs. CDFW is accelerating the review and approval process under this funding with the goal to review and approve the award for grants for selected projects within 30 days of receipt of an application. Starting in March 2023 CDFW has issued new grant awards each month and will continue to do so as funds and projects remain available.

CDFW's FRGP has maintained its own application process as it is tied to an annual federal grant application, however the program this year implemented a pre-application period to assist new applicants and increase applicant diversity. Additionally, a grace period for missing application documents was increased to extend through proposal review. Both actions have reduced the number of incomplete applications from 20% in 2021 to under 10% in 2023.

CDFW created a Strike Team that transcends historical boundaries between traditional CDFW regions, headquarters, and programs. Operating in this space has provided unprecedented opportunities for streamlining, innovation, and collaboration on complex issues. The Strike Team utilizes a cooperative approach to develop permits and procedures in real time, which continues efforts to streamline and expedite project review and permitting.

The Landscape Conservation Planning Program (LCPP) staff funded by CGT<sup>5</sup> has continued to evaluate and reprioritize current efforts across counties with a focus on moving several Natural Community Conservation Plan (NCCP) projects toward major milestones. Three new planning efforts have made significant progress in the early stages of the NCCP planning process. Two additional plans have moved to the final stages of planning in this fiscal year. LCPP Staff have also begun supporting two existing plans through major amendments. In addition, this year LCPP opened a grant solicitation for the NCCP Local Assistance Grants and 30x30 Grants. Over \$29 million will be available to fund tasks associated with NCCP and/or Habitat Conservation Plan planning and implementation. LCPP also facilitated over \$41 million in federal funding to local partners for conservation planning and land acquisition statewide through non-traditional Section 6.

#### Other FY 22-23 strategies and accomplishments include:

- Continued improvements to how CDFW processes grant agreements and amendments. Formal amendments are processed within two weeks on average, resulting in an expected process time reduction of approximately 30%. New grant agreements are now structured to allow more streamlined and expedited note-to-file amendments.
- Development of new grant agreements has been further streamlined. In FY 2022-23, 33 new agreements were developed and executed within one month.
- Continued internal grant manager training and centralized resources to ensure consistency.

<sup>&</sup>lt;sup>5</sup> CGT funds two positions within LCPP.

- In 2023, CDFW hosted four CGT workshops focused on the Southern and Central regions to further promote awareness of new grant programs and restoration permitting tools like SERP, the RMP, and Restoration CD. In all, 400+ people combined in-person and online attended, resulting in additional proposals from areas like the Inland Desert Region.
- CDFW, through WRGB, regional leadership, and tribal liaisons, worked to improve Tribal engagement with grant programs. Resulting in close to \$23 million awarded directly to Tribes in 2023. WRGB streamlined the granting process to enable a single grant agreement for multiple projects.
- Revised grant application processes to create a more simplified and expedited application that includes early consultation with CDFW staff.
- Continued engagement with the Restoration Leaders Committee (RLC) and the restoration practitioner community at large to implement and further develop recommendations to improve granting practices.
- Continued deploying the RMP and Restoration CD to consolidate take authorizations into a single permit whenever possible, standardize permitting practices within CDFW, facilitate more efficient permitting, and minimize permit applications and fees.
- Advancement of the development and finalization of Natural Community Conservation Plans (NCCPs) and Regional Conservation Investment Strategies (RCISs), including approving the Santa Cruz County RCIS.
- The San Bernardino County and North Bay Baylands RCISs were submitted for formal CDFW review and are currently under review, and the San Joaquin Basin RCIS is in early development.
- Updated the RCIS Program Guidelines improving transparency, clarified MCA guidance, expanded the number of RCIS projects, and added federally recognized tribes as eligible RCIS proponents.
- Ongoing coordination with the State Water Resources Control Board (SWRCB) and
  Regional Boards to implement the General Order for Clean Water Act Section 401 Water
  Quality Certification and Waste Discharge Requirements for Implementation of Large
  Habitat Restoration Projects Statewide, also known as the Statewide Restoration General
  Order (SRGO). This includes utilizing multi-agency permitting and environmental review
  consultations with CDFW, project proponents, CEQA lead agencies, and the Water Boards.
- Continued implementation of SERP. Processes and templates are well established and CDFW anticipates continued routine SERP coordination with lead agencies across California until the anticipated SERP sunset date of January 1, 2025.
- Ongoing maintenance of CDFW's CGT Website to provide project proponents additional information and resources regarding CGT efforts.

- Developing a <u>CGT StoryMap</u> to highlight restoration projects that received grant funding, permits, and CEQA exemptions.
- Participation in CGT outreach, training, and interagency coordination events, collaborating with restoration practitioners and interested parties across the state.

#### Lessons Learned to Improve Ongoing Permitting Processes and Restoration Work

The CGT Program continues to be guided by an adaptive management approach to how and where CDFW should continue to focus our efforts. Continuing to implement new permitting tools while incorporating and developing new initiatives like SERP required an adaptive and collaborative approach. The lessons learned center around several key areas that support continued collaboration internally and with our partners, continued development of new initiatives, a focus on ongoing education, outreach, and personal attention to each project, continued self-assessment, and adaptation to changing conditions.

**Continue Collaboration** – CDFW focused much of its efforts this past year on engagement with the restoration community through the RLC, public workshops, interagency meetings, conferences and webinars, and many

CGT consultations directly with project proponents. This open and transparent dialogue increased our ability to understand what issues and barriers are facing the restoration community along with what CDFW could and should be focused on in the near-and long-term. These efforts also provided a renewed sense of collaboration and commitment to the restoration community to support continued investigations into ways in which CDFW can improve and accelerate restoration efforts. Finally, The CGT Program is focused on accelerating restoration in areas that may be underserved by current restoration efforts. This includes tribal lands, urban habitats, and disadvantaged communities who may have limited access to healthy ecosystems. As nature is healed across California, the CGT Program is committed to reaching out to underserved communities to ensure their participation.

Continued Development of New Initiatives – CDFW has learned that additional solutions may be helpful to move beyond the initial phases of CGT tool development. For example, the RMP could be improved by incorporating take coverage for common species and species of special concern and adding LSA authorization to the RMP. CDFW is actively pursuing options to incorporate these RMP improvements as soon as possible. Restoration stakeholders have also pointed out that LSA agreement notification fees can run as high as approximately \$100,000 for a single restoration project. CDFW is actively pursuing options to address restoration permit costs while ensuring that any changes do not deplete essential revenue necessary to protect California's wildlife from non- restoration activities.

Focus on Education, Outreach, and a Personalized Approach – The main issues surrounding delays in restoration granting and permitting often center around project proponents not being fully aware of the suite of streamlined permitting processes available, or which pathways to choose. In response to this problem, another key component in FY 22-23 involved increasing our education and outreach efforts, along with a personalized approach to Strike Team staff proactively working through project options with proponents. Working with restoration leaders from the state, federal, and private sectors, CDFW led and participated in multiple public venues to discuss restoration activities and approaches to permitting. The participation and positive feedback from these events were overwhelming with approximately 1,900 participants attending CGT outreach opportunities during FY 22-23. Continued outreach efforts coordinated with pre-project consultations for as many restoration projects as possible will also increase restoration pace and scale across the state. CGT organized several multi-agency permitting consultations during FY 22-23 including the Water Boards, project proponents, and CEQA lead agencies.

Continued Self-Assessment – Problem solving often requires repeated and varied attempts to reach success. Many of the innovations that have come from CGT stem from CDFW's willingness to try new ways of conducting business, evaluating the outcomes, and quickly adjusting as needed. Learning from the projects that we are assisting in our SERP, RMP, and Restoration CD processes, in addition to the projects that have been funded by WRGB, CDFW expects to continue learning and making additional refinements to improve efficiencies. Implementation of improved tools and processes will require ongoing refinements to restoration permitting templates, training CDFW staff, preparing external restoration permitting guidance, holding additional workshops for the restoration community, and providing restoration permitting expertise for early project consultation statewide. Additionally, CDFW identified the need to explore strategies to improve the LSA agreement process for restoration projects and look for ways to integrate restoration project LSA agreements with our new take permitting tools.

Adaptation to Changing Conditions – With the urgent need to address the climate and biodiversity crises, the CGT Strike Team will need to quickly adapt to permitting more projects, larger projects, and in some cases, experimental restoration projects that may be unable to fully address every uncertainty. For example, CGT has started to engage in largescale habitat resiliency projects designed to restore vegetation and forest health and reduce the risk of future catastrophic fire. We are also engaging with restoration projects related to water supply, instream flow enhancement, and non-flow restoration projects associated with Voluntary Agreements as part of the upcoming updates to the Bay-Delta Plan.

Another factor is the addition of SERP to the CGT Strike Team's duties, which currently accounts for roughly half of the workload for the entire CGT Program. Although the CGT Program quickly developed procedures to implement SERP, as more restoration projects utilize SERP as an option, the risk increases that the CGT Program could have a difficult

time meeting its primary funded and mandated responsibilities described in this report. CDFW may need to augment the CGT Program to adequately address future demands of increased restoration work throughout the state as new tools and expectations change related to statewide priorities and new initiatives.

#### 6. Counties and Watersheds in Which CDFW Has Focused Related Efforts

The CGT pilot program initially focused on accelerating restoration in the North Coast Salmon Project focus areas of Humboldt, Mendocino, Sonoma, and Marin counties and the Lagunitas, Russian, Mendocino (Coast), and South Fork Eel watersheds. However, our emphasis has now extended throughout California. **Appendix D Restoration Projects Initiated by County**, **Figure D1**, and **Figure D2** illustrate areas of focus to date.

# CONCLUSION

In the second full year of CDFW's CGT Program, progress was made in the effort to increase the pace and scale of habitat restoration projects supported by CDFW. More grant funding reached more projects faster, with more efficiency. Permitting tools like HREA, the RMP and the Restoration CD are currently benefiting numerous projects with faster permitting timeframes while the process and scope continue to be refined. Expanding the number of SERP concurrences within this fiscal year is a notable success for the CGT team and the concurrences issued have yielded significant and measurable cost and time savings to project proponents. These permitting tools have expedited several projects this past year and the program's goal is continued expansion of CGT in the current fiscal year.

Alongside implementing new restoration projects, CDFW has placed equal focus on the internal effort to further refine these tools and develop new ideas for truly increasing the pace and scale. We continue to lean into the goal of increasing pace and scale, and we will not become complacent. There is much more work to do, and new grant program initiatives and continued rollout of permitting strategies will further the reach of CGT through the next fiscal year and beyond.

#### **Appendix A**

#### **ESTIMATED COST SAVINGS**

It is widely recognized that reducing environmental review and permitting timelines and costs will help increase the pace and scale of restoration.

Realizing time and cost savings also preserves funds that can be used to implement restoration work, thus accomplishing additional restoration without increasing costs. This Appendix is an effort to provide conservative estimates of time and dollars saved by using expedited restoration permitting tools compared with traditional permitting.

#### TRADITIONAL TAKE AUTHORIZATION PERMIT COST ESTIMATES

Although there is wide variation in traditional permitting costs between projects, the estimates below provide rough estimates based on the most recent traditional take permits issued by CDFW. For example, California Endangered Species Act (CESA) Incidental Take Permit (ITP) application fees for development projects currently range from \$7,504 to \$43,770 (average \$25,637). CESA start-up and other costs necessary to implement required compensatory mitigation for recent ITPs ranged from \$102,240 to \$369,440 (average \$235,840). Mitigation credit purchases to satisfy ITP requirements currently range from \$15,000 per credit to over \$1,000,000 per credit (one credit typically equals one acre). Additional costs associated with permit compliance such as mitigation site installation, management, monitoring, reporting, and consulting costs are not always known by CDFW, but we believe that these costs can be considerable. Finally, in many cases the Permittee must fund an endowment to pay for compensatory mitigation site management in perpetuity. Total implementation costs, not including ITP fees, for ITPs issued for development projects in FY 22-23 ranged from \$22,500 to \$10,126,264.

Considering the sizable cost variation between different projects, CDFW is assuming a very conservative cost of approximately \$30,000 per restoration project to obtain a traditional ITP and \$20,000 to obtain a traditional CESA Consistency Determination.

#### HABITAT RESTORATION AND ENHANCEMENT ACT (HREA)

HREA fees mirror Lake or Streambed Alteration notification fees, but because HREA approvals are issued in lieu of any other CDFW permits, including CESA permits, each HREA approval avoids the need to pay CESA fees or incur CESA implementation costs and Scientific Collection Permit (SCP) fees and implementation costs. Therefore, CDFW is assuming a conservative estimate of approximately \$30,000 saved for each restoration project permitted via HREA.

#### **RESTORATION MANAGEMENT PERMIT (RMP)**

RMPs can take the place of a CESA ITP, CD, and/or a traditional Fully Protected Species take authorization, and CDFW does not charge a fee for RMPs. No RMPs executed during FY 22-23 included compensatory mitigation requirements.

Therefore, CDFW is assuming a very conservative estimate of approximately \$30,000 saved for each project permitted via an RMP.

#### RESTORATION CONSISTENCY DETERMINATION (RESTORATION CD)

Restoration CDs also take the place of a CESA ITP or CD, and CDFW does not charge a fee for RMPs. Therefore, CDFW is assuming a conservative estimate of approximately \$20,000 saved for each project permitted via a Restoration CD. Like traditional CDs, Restoration CDs must be completed within 30 days.

#### STATUTORY EXEMPTION FOR RESTORATION PROJECTS (SERP)

We estimate that projects receiving a California Environmental Quality Act (CEQA) Exemption via SERP generally avoid most of the time and money resources of the level of effort needed to complete a traditional CEQA process. CDFW's internal goal of no more than 60 days processing time for each SERP request submitted was not exceeded in FY 22-23, and our average processing time in FY 22-23 was approximately 40 days. Because CEQA costs can vary substantially by project type, lead agency, and location, CDFW has polled every lead agency that has completed the SERP process. Of 22 SERP exemptions completed during FY 22-23, 14 project lead agencies provided financial and time savings estimates to CGT. On average, SERP saved approximately 6.7 months of time and \$70,173 per project during FY 22-23.

#### Appendix B

#### **NEW RESTORATION PROJECTS FUNDED BY CDFW**

#### Table B1: Addressing Climate Restoration Projects Awarded by CDFW in FY 22-23

PROJECT TITLE	ORGANIZATION	AWARDED AMOUNT
Scott River Fisheries Monitoring Program	Scott River Watershed Council	\$456,331
Oroville Wildlife Area Robinson's Riffle Restoration Project	Sutter Butte Flood Control Agency	\$2,122,000
Oregon Gulch Project FRGP 2022	Yurok Tribe	\$3,990,587

PROJECT TITLE	ORGANIZATION	AWARDED AMOUNT
McCloud River Redband Trout Refuge Pool Habitat Enhancement Project	California Trout, Inc.	\$69,484
Lakeville Creek Restoration Project	Sonoma Land Trust	\$2,203,000
Evans Spring Scientific Investigation to Support Cold-Water Ecosystem Resilience to Extreme Drought	California Trout, Inc.	\$500,850
Improving Drought Resilience for Water Supply and Native Fishes in the Upper Sacramento Basin: Assessing Large Groundwater Spring Sensitivity to Climate Change, Drought and their Contribution to Native Fish Life History	CalTrout	\$1,727,029
Arroyo toad monitoring and recovery	U.S. Geological Survey	\$115,508
Desert salamander inventory surveys	U.S. Geological Survey	\$147,174
Auburn Ravine Fish Passage Monitoring Program	Friends of Auburn Ravine	\$34,080
Bolinas Lagoon South End Habitat Adaptation and Resilience Project	Greater Farallones Association	\$494,616
Holtville Alamo River Trail Expansion and Habitat Restoration Planning Project	River Partners	\$365,232
Reconnecting Winter run to their ancestral waters: monitoring reintroduction success on the McCloud	Regents of the University of California, Santa Cruz	\$3,195,861

Table B2: Drought Resiliency - Protecting Salmon Restoration Projects Awarded by CDFW in FY 22-23

PROJECT TITLE	ORGANIZATION	AWARDED AMOUNT
Maria Ygnacio Creek Fish Passage Project Implementation - Patterson Ave Bridge	Earth Island Institute	\$2,194,802
Upper Shasta River Fish Passage – feasibility and alternatives	Montague Water Conservation District	\$500,000
Scott River Land and Water Acquisition Program	The Nature Conservancy	\$512,925
Securing Water Supply for Salmon and Agriculture in the Scott and Shasta Rivers	Siskiyou County Farm Bureau	\$3,212,500
First Slough Fish Passage, Floodplain Restoration, and Coastal Habitat Connectivity Project	City of Eureka	\$4,969,566
Shasta Safe Harbor Habitat Improvement Project	California Trout, Inc.	\$2,812,500
Scott Valley Ditch Infiltration Project	Siskiyou County Flood Control and Water Conservation District	\$1,000,000
Scott River Tailings Comprehensive Restoration Planning	Scott River Watershed Council	\$1,000,000
Hole in the Ground Ranch Conservation Project	Montague Water Conservation District	\$1,500,000
Red Bank Habitat Enhancement Project	Salmon River Restoration Council	\$375,000
Lower Walker Creek Floodplain Habitat Assessment and Design Project	Marin RCD	\$180,350
Big River Riparian Roads Restoration Project	Mendocino County Resource Conservation District	\$30,000

PROJECT TITLE	ORGANIZATION	AWARDED AMOUNT
Lower Little River Off-Channel Coho Habitat Improvement Project	Pacific Coast Fish, Wildlife and Wetlands Restoration Association	\$347,265
Alliance Redwoods Water Conservation Implementation Project	Gold Ridge RCD	\$80,000
Iron Horse Vineyards Fish Screen Implementation Project	Gold Ridge RCD	\$31,733
Above Dwinnell Diversion Assessment and Planning	Shasta Valley Resource Conservation District	\$200,000
McKinney Post Fire - Emergency Restoration Project	Yurok Tribe	\$9,000,000
Scott River Tailings Reach Watershed Channel Restoration – Farmers' Ditch	Yurok Tribe	\$7,000,000
Supplementation of Coho in Big Springs	Karuk Tribe	\$1,275,000
Big Springs Ranch Habitat Improvement Project	Karuk Tribe	\$1,500,000

# Table B3: Nature Based Solutions – Wetlands/Meadows Restoration Projects Awarded by CDFW in FY 22-23

PROJECT TITLE	ORGANIZATION	AWARDED AMOUNT
Sierra Valley Groundwater Recharge Multi- Benefit Project	Sierra Valley Groundwater Management District	\$809,076
An Assessment of Headwater Restoration on Instream Habitat and Hydrologic Conditions to support Drought Resiliency for Native Coldwater Fish	Regents of the University of California, Davis	\$1,184,380
Upper Truckee River Lahontan Cutthroat Trout Expansion Area Project	USDA Forest Service Lake Tahoe Basin Management Unit	\$981,985

PROJECT TITLE	ORGANIZATION	AWARDED AMOUNT
Feasibility Study to use Process-Based Restoration Techniques on the Little Shasta River to Enhance Stream Habitat and Mitigate for Droughts	CalTrout	\$218,555
East Fork Scott River and Grouse Creek Planning and Design Project	Scott River Watershed Council	\$970,713
Scott River Mountain Meadow Restoration Program- Planning	Scott River Watershed Council	\$767,837
Bluff Lake Reserve Habitat Restoration Plan	The Wildlands Conservancy	\$369,213
Mountain Meadow Restoration in Lassen County	Lassen Land & Trails Trust	\$704,880
Battle Creek Floodplain Enhancement	California Trout, Inc.	\$892,712
Scott River Mountain Meadow Restoration Implementation	Scott River Watershed Council	\$300,337
East Fork Mill Creek Floodplain Restoration	Smith River Alliance	\$1,955,702
Shiloh Ranch Regional Park Riparian Restoration Project	Sonoma County Regional Parks	\$905,792
Bull Creek Hamilton Floodplain Restoration Project	California Trout, Inc.	\$1,077,229

Table B4: Nature Based Solutions – Wildlife Corridors Restoration Projects Awarded by CDFW in FY 22-23

PROJECT TITLE	ORGANIZATION	AWARDED AMOUNT
Arroyo Seco River Fish Passage Project - Clark Colony Water Company	Trout Unlimited, Inc.	\$3,602,957
Paynes Creek Bend Water Users Fish Passage Restoration Project	Trout Unlimited, Inc.	\$2,858,949
Chileno Valley Road Newt Passage Project	Chileno Valley Newt Brigade	\$77,876
Robles-Meiners Oaks Design and Planning Project	Ventura County Watershed Protection District	\$6,751,805
Jenny Creek Barrier Removal Design	Trout Unlimited, Inc.	\$129,818
Big Chico Creek Watershed and Fish Passage Planning Project	California Trout, Inc.	\$817,261
Weston-Champagne Cachagua Creek Fish Passage Project	Resource Conservation District of Monterey County	\$50,000

Table B5: Fisheries Restoration Grant Programs Awarded by CDFW in FY 22-23

PROJECT TITLE	ORGANIZATION	AWARDED AMOUNT
40th and 41st SRF Annual Salmonid Restoration Conferences	Salmonid Restoration Federation	\$105,693
Bradley (Ringer) Cachagua Creek Fish Passage Project	Resource Conservation District of Monterey County	\$712,674
Camp Creek Coho Habitat Enhancement Design Project	Mid Klamath Watershed Council	\$225,480
Chimney Rock Creek Upslope Watershed and Instream Habitat Restoration Project	Trout Unlimited, Inc.	\$730,980

PROJECT TITLE	ORGANIZATION	AWARDED AMOUNT
Cider Mill Creek (Lindsay Creek tributary) Coho Barrier Removal and Habitat Enhancement Design Project	Pacific Coast Fish, Wildlife and Wetlands Restoration Association	\$353,864
Coulborn Creek Salmonid Habitat Assessment and Enhancement Planning and Design Project	Mattole Salmon Group	\$394,507
Durphy Creek Fish Passage Design Project	Eel River Watershed Improvement Group (ERWIG)	\$270,491
FRGP 2022 Funding Opportunity	California Conservation Corps Watershed Stewards Program in partnership with AmeriCorps	\$638,051
Gualala River Estuary Habitat Enhancement Planning Project	Redwood Coast Land Conservancy	\$403,943
Last Dam: Restoring steelhead rearing habitat through barrier removal on Upper Stuart Creek, Sonoma County.	Audubon Canyon Ranch	\$110,189
Lindsay Creek (Kramer/Daley Property) Instream Salmonid Habitat Improvement Project	Pacific Coast Fish, Wildlife and Wetlands Restoration Association	\$401,139
Lindsay Creek Coho Barrier Removal Project	Pacific Coast Fish, Wildlife and Wetlands Restoration Association	\$573,108
Lindsay Creek Off-Channel Coho Habitat Improvement Project	Pacific Coast Fish, Wildlife and Wetlands Restoration Association	\$639,421
Little Case Two Barrier Removal Project	Eel River Watershed Improvement Group (ERWIG)	\$608,168

PROJECT TITLE	ORGANIZATION	AWARDED AMOUNT
Lower Green Valley Creek Off- Channel Habitat Enhancement Project at Iron Horse Vineyards, Phase I	Gold Ridge Resource Conservation District	\$1,886,553
Lower SF Cottaneva Watershed Habitat Enhancement Design Project	Eel River Watershed Improvement Group (ERWIG)	\$73,257
Lower Stotenburg Coho Habitat Enhancement Project	Smith River Alliance	\$154,832
Maria Ygnacio Creek Fish Passage Project Implementation - Patterson Ave Bridge	Earth Island Institute	\$2,194,802
Mt. Gilead Water Conservation and Streamflow Improvement Project	Gold Ridge Resource Conservation District	\$868,715
Oregon Gulch Project FRGP 2022	Yurok Tribe	\$3,990,587
Rail Dump Gulch Fish Passage and Habitat Improvement Design Project	Trout Unlimited, Inc.	\$323,535
Santa Rosa Creek Restoration and Improved Land Management Design Project	Upper Salinas Las Tablas Resource Conservation District	\$183,501
SF Cottaneva Watershed Habitat Enhancement	Eel River Watershed Improvement Group (ERWIG)	\$535,645
South Fork Rowdy/Savoy Creeks Salmonid Habitat Improvement Project	Pacific Coast Fish, Wildlife and Wetlands Restoration Association	\$416,475
Southern Steelhead Coalition	California Trout, Inc.	\$299,356
Tip Top Ridge Creek (formerly known as Squaw Creek) Coho Habitat Improvement Design Project	Pacific Coast Fish, Wildlife and Wetlands Restoration Association	\$328,827
Upper Gaviota Fish Passage Project- 65% Engineering Designs	Earth Island Institute	\$176,503

PROJECT TITLE	ORGANIZATION	AWARDED AMOUNT
Upper South Fork Little River Instream Habitat Improvement Project	Pacific Coast Fish, Wildlife and Wetlands Restoration Association	\$351,430
Upper Tryon Creek Restoration Project, Phase 2	Smith River Alliance	\$727,682
Willits Creek Instream Restoration Project	Eel River Watershed Improvement Group (ERWIG)	\$535,947

# Appendix C

#### **AVERAGE RESTORATION PERMIT PROCESSING TIMES**

Table C1: Restoration Permit and SERP Concurrence Processing Times

PROJECT TITLE	PERMIT INITIATION DATE	PERMIT COMPLETION DATE	NUMBER OF DAYS
Humboldt Redwoods State Park	5/12/2022	11/10/2022	182
Ventura River Fish Passage Improvements at Foster Park Notch	6/9/2022	8/10/2022	62
Restoring the Deer Creek Headwaters at Childs Meadow Project	6/15/2022	9/26/2022	103
Sutter National Wildlife Refuge Lift Station	10/7/2022	11/29/2022	53
Butano Creek Backfield Floodplain and Streamflow Enhancement Project	10/11/2022	4/18/2023	189
Bull Creek Hamilton Reach Instream and Floodplain Habitat Restoration Project	10/24/2022	2/1/2023	100
Klamath Dams Removal Project	11/29/2022	5/16/2023	168
Malakoff Diggins State Historic Park Sediment Control Best Management Practices and Habitat Restoration Project	3/17/2023	6/4/2023	79

PROJECT TITLE	PERMIT INITIATION DATE	PERMIT COMPLETION DATE	NUMBER OF DAYS
Refugio Bridge Replacement and Fish Passage Project	5/2/2023	6/2/2023	31
Average RMP Processing Time			107
Stone Lakes Restoration Project Serra Property	12/30/2022	1/27/2023	28
Bolinas Lagoon Wye Wetlands Resiliency Project	12/27/2022	1/26/2023	30
Kopta Slough Multi-Benefit Project	2/1/2023	3/3/2023	30
Feather River Salmonid Habitat Improvement Project	3/9/2023	4/10/2023	30
Santa Clara River Restoration Project	3/22/2023	4/20/2023	29
Smith River Estuary Backwater Habitat Enhancement Project	6/6/2023	6/30/2023	24
First Slough Fish Passage, Floodplain Restoration, and Coastal Habitat Connectivity Project	6/7/2023	6/30/2023	23
Average CD Processing Time			28
5200 Foxen Canyon Road Streambed Restoration Project - 1652	8/9/2022	9/7/2022	29
Round Horseshoe Meadow Low-tech Process Based Pilot Project - 1652	8/19/2022	10/5/2022	47
T051 Northwest Open Space Project - 1652	10/6/2022	12/6/2022	61
Upper Sonoma Creek Restoration Demonstration Project - 1652	10/25/2022	12/19/2022	55
Slinkard Creek Fish Barrier Improvement Project - 1652	3/6/2023	4/14/2023	39
Potrero Creek Fish Passage and Lower Culvert Project- Carmel Valley Athletic Club - 1652	3/13/2023	4/25/2023	43

PROJECT TITLE	PERMIT INITIATION DATE	PERMIT COMPLETION DATE	NUMBER OF DAYS
Q2140409 Weston-Champagne Cachagua Creek Fish Passage Project - 1652	4/11/2023	4/25/2023	14
Lower Jalama Creek Fish Passage Implementation Project - 1652	4/5/2023	4/25/2023	20
Camp San Luis Obispo Drainage Rehabilitation - 1652	5/8/2023	6/13/2023	36
SFTR Spring Run Chinook Salmon Restoration Project Phase 2 - 1653	7/12/2022	8/11/2022	30
Bone Ranch Wet Meadow Enhancement Project - 1653	7/21/2022	8/19/2022	29
Upper South Fork Eel River Instream Large Wood Habitat Enhancement Project - 1653	8/3/2022	8/18/2022	15
Upper Sugar Creek Accelerated Wood Recruitment Project - Phase II - 1653	8/5/2022	9/2/2022	28
Finch Creek Fish Barrier Removal Project - 1653	8/23/2022	9/14/2022	22
Beaver Creek Barrier Removal Project - 1653	8/31/2022	9/29/2022	29
Hal Brown Park Tidal Restoration Project - 1653	8/31/2022	9/28/2022	28
Phase 1 Rockwads Project - 1653	12/28/2022	1/27/2023	30
02-1H590 Caltrans Cade and Portuguese Creek Fish Passage Project -1653	12/28/2022	1/23/2023	26
Market Street Gravel Project - 1653	12/29/2022	1/3/2023	5
Knightsen Wetland Restoration Project	2/15/2023	3/30/2023	43
Black Lake Wetland Enhancement Project	2/15/2023	4/5/2023	49
Lower Hoke Meadow Restoration project	3/10/2023	4/12/2023	33
Rooney 2 Preserve	4/5/2023	5/2/2023	27

PROJECT TITLE	PERMIT INITIATION DATE	PERMIT COMPLETION DATE	NUMBER OF DAYS
Beard Ranch Riparian Restoration	3/20/2023	5/12/2023	53
Butte Creek House Meadow Restoration	4/14/2023	5/30/2023	46
Wood Creek Phase III- Felt Ranch Off Channel Rearing Habitat Project	5/9/2023	6/13/2023	35
Mountain Meadows Creek Restoration	4/21/2023	6/20/2023	60
Haskell Peak Meadows Restoration Project	5/31/2023	6/27/2023	27
Average SERP Processing Time			39
Boca Unit Floodplain Restoration	3/3/2023	4/13/2023	41
Buhman Park Bank Stabilization Project	7/8/2022	9/12/2022	66
Butano Backfield Floodplain & Flow Enhancement Project	3/30/2023	5/16/2023	47
Carr Lake Restoration and Park Development Project	2/13/2023	4/12/2023	58
Channel Repair at the Hess Creek Restoration Project (Adaptive Management Plan)	7/20/2022	9/27/2022	69
Coldstream Canyon Restoration	3/6/2023	5/2/2023	57
Euer Valley Restoration Project Phase 1	2/23/2023	4/27/2023	63
Malakoff Diggins Sediment Remediation	3/29/2023	6/5/2023	68
Moss Landing Wildlife Area Bank Enhancement Project	4/10/2023	6/8/2023	59
Bobcat Flat Amendment 01	6/1/2023	6/22/2023	21
Stanislaus River Salmonid Habitat Restoration Project at Stanley Wakefield Wilderness Area	3/6/2023	5/11/2023	66
Upper Rose Bar Salmonid Spawning Habitat Restoration	12/7/2022	2/14/2023	69

PROJECT TITLE	PERMIT INITIATION DATE	PERMIT COMPLETION DATE	NUMBER OF DAYS
Valley Memorial Park Eucalyptus Removal Project	7/28/2022	10/14/2022	78
Van Norden Meadow Restoration and Recreation Project	5/20/2022	8/9/2022	81
FRGP Bear Creek Instream Habitat Enhancement Project	3/10/2023	3/14/2023	4
FRGP Bear Creek Sediment Reduction and Salmon Recovery Project	3/15/2023	3/17/2023	2
Santa Margarita River Bridge Replacement and Fish Passage Barrier Removal Project	9/7/2022	11/7/2022	61
FRGP - Big River Large Wood Enhancement Project Geotechnical Investigation	9/20/2022	9/22/2022	2
FRGP Red Bank Project	4/19/2023	6/29/2023	71
Cienega Springs Ecological Reserve Restoration Project	8/27/2022	11/22/2022	87
East Branch North Fork Big River Coho Habitat Enhancement Project Large Wood (Phase III)	3/6/2023	3/8/2023	2
Marshall Ranch Flow Enhancement Project	10/26/2022	2/17/2023	114
Exotic Non-Native Plant Control in the Carlsbad Hydrologic Unit	3/10/2023	5/11/2023	62
FRGP Soda Creek Fish Passage and Winter Habitat Design Project	9/21/2022	9/22/2022	1
FRGP South Fork Usal Instream Habitat Enhancement Design Project	7/20/2022	8/2/2022	13
Pacheco Creek Restoration Project	1/25/2023	4/25/2023	90
Pacheco Marsh Public Access and Restoration Plan	5/18/2023	7/11/2023	54

PROJECT TITLE	PERMIT INITIATION DATE	PERMIT COMPLETION DATE	NUMBER OF DAYS
Scott Bar Mill Creek Fish Passage Project	6/18/2023	7/11/2023	23
TMWC CFIP (Timber)	9/9/2022	9/22/2022	13
Upper Rose Bar Salmonid Spawning Habitat Restoration	12/7/2022	2/14/2023	69
Average LSA Processing Time <sup>6</sup>			50

<sup>&</sup>lt;sup>6</sup> Processing times were determined based on number of days to issue a draft agreement to applicant.

# Appendix D

#### **RESTORATION PROJECTS INITIATED BY COUNTY**

### Table D1: Restoration Projects Initiated by County

COUNTY	RMP	CD	SERP	HREA	LSA	CDFW GRANTS	TOTAL
Del Norte		1			2	4	7
Humboldt	2	1	3		3	11	20
Lassen			1		1	1	3
Mendocino				1	7	9	17
Modoc				1			1
Shasta			1	3		4	8
Siskiyou	2			7	2	20	31
Tehama		1	2	1		1	5
Tehama/Siskiyou						1	1
Trinity				1	1	2	4
Trinity/Siskiyou						1	1
Butte		1	1		1	2	5
El Dorado			1		1	1	3
Lake	1		1				2
Nevada	1		2		4		7
Placer				1	2	1	4
Plumas/Sierra						1	1
San Joaquin			1		1		2

COUNTY	RMP	CD	SERP	HREA	LSA	CDFW GRANTS	TOTAL
Sierra			2				2
Sutter	1						1
Yolo			1				1
Yuba					1		1
Alameda			1	1			2
Contra Costa			1		3		4
Marin		1	3	2	1	3	10
Napa			1		1		2
Sacramento		1					1
San Mateo	1		2		2		5
Santa Clara			1		1		2
Santa Cruz					1		1
San Francisco	1						1
San Joaquin			1				1
Sonoma				1		7	8
Kern			1		1		2
Madera			1				1
Mariposa			1				1
Merced					1		1
Monterey				3	2	3	8
San Benito				1			1
San Luis Obispo			2	1	1	1	5
Stanislaus			1		2		3
Tuolumne					1		1
Los Angeles			1				1
Orange	1			1			2
San Diego			1		2		3
Santa Barbara	1			2		3	6
Ventura		1	3		1	1	6
Imperial			1			1	2
Inyo				1			1
Mono				1			1
Riverside			2				2
San Bernardino			1			1	2

COUNTY	RMP	CD	SERP	HREA	LSA	CDFW GRANTS	TOTAL
Santa Barbara, Ventura, Los Angeles						1	1
Los Angeles, Riverside, San Bernardino, San Diego						2	2
All Counties						1	1
Total	11	7	41	29	46	83	217

Figure D1: Projects Initiated by County



Figure D2: Projects Initiated by Watershed



#### WATERSHED RESTORATION GRANTS BRANCH

