

**California Fish and Wildlife Strategic Vision Project
BRCC-SAG Statutes and Regulations Discussion Worksheet**

January 11, 2012

KEY: DFG Recommendation (Jan. 5, 2012)

Potential Action from BRCC/SAG Survey (Dec. 2011); high/low priority responses in parentheses

TOPIC	POTENTIAL RECOMMENDATION(S) TO ACHIEVE GOAL(S)	GOAL AND OBJECTIVE
Improved Coordination and Effectiveness	<p>(Number 5, bullet 3) Create a dedicated joint department and FGC Commission Regulation and Policy Support unit that will provide a centralized, consistent and compliant operation that focuses on the regulatory process and improves the quality and effectiveness of regulatory and policy interactions between the Department and the Commission.</p> <p>(Number 8B, bullet 2) Provide positions that focus only on compliance monitoring once permits are issued.</p> <p>8A: 8. Implement an online permit tracking system so that an applicant can follow an application from beginning to end (10-0)</p> <p>8B: 24. Simplify the permitting system for habitat restoration projects to expand partnership with private landowners (9-0)</p> <p>8C: 13. Improve implementation timelines and local participation in Natural Communities Conservation Planning Program (6-0)</p> <p>8E: 18. Work jointly with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to improve the processes for issuing permits under the federal Endangered Species Act and the California Endangered Species Act (8-1)</p> <p>8E: 19. Work jointly with the U.S. Fish and Wildlife Service and National Marine Fisheries Service to coordinate and partner on enhancement/recovery activities for listed species (6-0)</p> <p>8F: 8. Increase permitting coordination with U.S. Fish and Wildlife Service and other state and federal agencies (to provide more consistency to permit applicants and improve ease of compliance)</p> <p>8F: 17. Develop a programmatic 1600 streambed alteration permitting process for restoration, enhancement and rehabilitation projects (e.g., Marin Resource Conservation District) (5-0)</p> <p>8F: 21. Use the Fish and Wildlife Coordination Act (federal project related to water development) as model for better permit coordination (0-1)</p> <p>8F: 20. Have DFG develop a clear list of what an applicant needs to provide during a permit process (3-0)</p> <p>8G: 2. Review criteria for categorical California Environmental Quality Act exemptions for small-scale restoration projects</p>	<p>Goal 3. An Effective Organization</p> <p>Objective 1: Coordinate resource planning, policies, practices, processes and regulations with other agencies and organizations (permitting, planning, etc.)</p> <p>Goal 4: An Efficient Organization</p> <p>Objective 2: Develop simple, clear and consistent governance and</p>

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	<p>and explore National Environmental Protection Act criteria (Fisheries Restoration Program is an example to use)</p> <p>8G: 7. Identify necessary reforms to statutes or regulations that would facilitate greater public and private use of key regulatory programs that provide broad public and private benefits (i.e., Natural Communities Conservation Planning Program, streambed alteration permitting, landowner incentive programs, timber harvest plan review process) (2-0)</p> <p>8G: 13. Develop a list of all permits issued by DFG and permits issued by other agencies/ organizations that necessitate coordination with DFG (1-2)</p> <p>8G: 18. Review the fully-protected species statute with California Endangered Species Act listing process and consider which species should be taken off the fully-protected list and/or moved to a California Endangered Species Act listing (2-0)</p> <p>8H: 9. Offer an online permit tracking system so that an applicant can follow an application from beginning to end (3-0)</p> <p>8H: 10. Allow for arbitration or mediation over permit standards (draft permit stage – before final) (1-1)</p> <p>8H: 11. Educate other law enforcement agencies about fish and game code and regulations (1-0)</p> <p>8H: 29. Educate district attorneys and judicial branch about fish and game laws and regulations (1-0)</p>	<p>permitting practices and processes</p>
<p>Streamlining</p>	<p>(Number 4, bullet 2) Request a thorough review and revision to the Fish and Game Code towards more readily understood and enforceable fishing and hunting regulations.</p> <p>8A: 7. Simplify regulations (makes it easier to communicate them more effectively) (10-0)</p> <p>8E: 2. Review the California Fish and Game Code and Title 14 Code of Regulations, and coordinate them with the mandates of other fish and game resource management entities (8-0)</p> <p>8F: 12. Review delegation of authority and place similar authorities in the legislature or F&GC, but not both (i.e., fees, fishing regulations) (4-1)</p> <p>8F: 19. Simplify/streamline the scientific collecting permitting process (2-2)</p> <p>8G: 5. Request that the California Law Revision Commission “clean up” the California Fish and Game Code and Title 14 fish and game regulations (“clean up” meaning to eliminate redundancies, eliminate no longer applicable statutes and regulations, and simplify statutes and regulations where possible) (17-0)</p>	<p>Goal 3. An Effective Organization</p> <p>Objective 3: Develop, align and inform clear fish and wildlife statutes, regulations and governance</p>

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	<p>8G: 8. Identify and reduce gaps and overlaps in regulatory processes (1-0)</p> <p>8G: 6. Make more clear and concise the regulatory language used to implement statutes (0-0)</p> <p>8G: 11. Set regulations for ecological issues (i.e., reserves) with DFG (professional staff) rather than F&GC (1-4)</p> <p>8G: 12. Move California Endangered Species Act listing decisions from F&GC to DFG (consistent with making decisions based on objective, scientific expertise) (3-3)</p> <p>8G: 15. Coordinate permitting regulations with other agencies (1-1)</p> <p>8G: 16. Allow incidental take of fully-protected species under any circumstance (1-8)</p> <p>8G: 19. Abolish the fully protected species status and only list species under the California Endangered Species Act (0-2)</p> <p>8G: 20. Allow federal Endangered Species Act requirements to be sufficient for meeting California Endangered Species Act requirements (3-1)</p> <p>8G: 21. Allow an arbitration process under the California Endangered Species Act that would allow DFG and an applicant to mediate any dispute on permit conditions and related matters (see Section 1602 Lake and Streambed Alteration Program) (1-2)</p> <p>8G: 23. Utilize technology to enhance regulatory programs and reduce costs (i.e., electronic monitoring of permitted activities to ensure goals are achieved) (0-0)</p>	
<p>Internal Efficiency and Effectiveness</p>	<p>(Number 8B, bullet 1) Provide permit issuance training for DFG headquarters and regional staff.</p> <p>8A: 3. Provide information on regulations and events online and by phone -- with limited written materials (3-1)</p> <p>8A: 9. Offer more workshops to help in preparing permit applications (2-2)</p> <p>8F: 15. Remove barriers to restoration related to permits—see Barriers of Restoration Report, Resources Agency 2003 (7-0)</p> <p>8F: 13. Improve consistency of permitting by project type and between regions and offices, while recognizing local differences (6-0)</p> <p>8B: 21. Ensure internal capacity to manage cooperative agreements and contracts (positive example is the Condor Program) (0-0)</p>	<p>Goal 4: An Efficient Organization</p> <p>Objective 1: Align internal governance practices, processes and structures (permitting,</p>

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	<p>8F: 18. Develop a smart permitting system (e.g., the system should know the difference between a highway project and a restoration project) (4-0)</p> <p>8F: 14. Internally track the amount of time required to process a permit application; review findings to determine if the timing is acceptable, if timing differs among regions, and if any parts of the program need refining (2-2)</p> <p>8G: 14. Ensure the general public is provided with a permitting process that is transparent, consistent, efficient, and accessible (4-0)</p> <p>8H: 4. Provide automated information on regulations, permits, etc. online and by phone (4-0)</p> <p>8H: 6. Dedicate staff time to working with project applicants on pre-project planning (i.e., workshops to help prepare permit applications) (4-2)</p> <p>8I: 13. Offer California Endangered Species Act and California Environmental Quality Act training to all staff (2-1)</p>	<p>planning, organizational structure, etc.)</p>