



**The California Department of Fish and Wildlife  
Report on Caltrans Advance Mitigation Program**

**July 1, 2024**

A Report to the Legislature  
in compliance with Streets and Highways Code Section 800.6 (g)

## EXECUTIVE SUMMARY

Streets and Highways Code Section 800.6 directs the California Department of Fish and Wildlife (CDFW) to submit to the Legislature every two years a report on the California Department of Transportation (Caltrans) Advance Mitigation Program. Specifically, CDFW is to report on the extent to which the Advance Mitigation Program improved the quality and effectiveness of habitat mitigation provided by Caltrans for transportation projects and make related recommendations on how to maximize these attributes. This is CDFW's fourth biennial report. This report covers the period from January 1, 2022, through December 31, 2023.

During this reporting period, CDFW reviewed nine Caltrans Regional Advance Mitigation Needs Assessments (RAMNAs), one is in draft, and one is in early preparation. Once finalized, RAMNAs are used by Caltrans Districts when scoping and justifying advance mitigation projects for their internal funding decisions. Each RAMNA can generate multiple advance mitigation projects that address District-specific species and habitat mitigation needs outlined in the RAMNA.

The Caltrans Advance Mitigation Program has several advance mitigation projects in progress, with 13 funded projects across 9 Districts awaiting to be implemented. One project has successfully purchased 7.38 acres of aquatic resource advance mitigation credits from the National Fish and Wildlife Foundation's Sacramento District California In-Lieu Fee Program, intended to benefit 12 transportation projects. This milestone marks the first successful advance purchase for the Caltrans program. The creation or advance purchase of several more species and habitat credits are anticipated in upcoming years.

The previous CDFW Legislative Reports in 2020 and 2022 focused recommendations on the Advance Mitigation Program planning process. These recommendations have now largely been incorporated into the Caltrans program, particularly through the RAMNA process. For this report, CDFW is providing recommendations related to the Caltrans advance mitigation project delivery process. The following recommendations are intended to increase the likelihood that forthcoming Caltrans advance mitigation projects will improve the quality and effectiveness of habitat mitigation for future transportation projects. CDFW recommends that the Advance Mitigation Program: 1) continue to promote early engagement between Caltrans Districts, CDFW Regions, and other natural resource agencies throughout the advance mitigation project delivery process; 2) for credit establishment projects, as allowable, include CDFW within the process to ensure selection of proposals that maximize the quality and effectiveness of habitat mitigation and meet the goals and objectives within the RAMNA, which include relevant natural resource regulatory agency conservation plans and species and habitat conservation priorities; and 3) support CDFW's existing and emerging advance mitigation programs by continuing to collaborate with CDFW.

## California Department of Fish and Wildlife Report to the Legislature on the Caltrans Advance Mitigation Program

July 1, 2024

### 1. Program Background and Purpose

The California Department of Transportation (Caltrans) Advance Mitigation Program (AMP) was formed to meet the requirements of the Road Repair and Accountability Act of 2017 (Senate Bill 1 Beall, Chapter 5, Statutes of 2017) and the budget trailer bill Senate Bill 103 (Committee on Budget and Fiscal Review), Chapter 95, Statutes of 2017), to plan and implement advance mitigation<sup>1</sup> solutions for Caltrans future transportation projects. The Act directs the following:

- Caltrans to set up a new program for advance mitigation planning and implementing advance mitigation projects<sup>2</sup>;
- The Director of Finance to direct the State Controller to deposit no less than \$30 million annually into an Advance Mitigation Account, for implementing advance mitigation projects, commencing with the 2017–18 fiscal year, and for a period of four years;
- Caltrans to operate the Advance Mitigation Account as a self-sustaining revolving account, to manage the total of no less than \$120 million, set aside; and
- Caltrans to protect natural resources through transportation project mitigation and to mitigate, to the maximum extent required by law, environmental impacts from transportation infrastructure projects.

The Act also directs:

- Caltrans to consult with CDFW on all AMP activities (Streets and Highways Code Section 800(a));
- CDFW and Caltrans to regularly report to the Legislature on the extent to which Caltrans AMP has improved the quality and effectiveness of habitat mitigation and contributed to transportation project acceleration, respectively (Streets and Highways Code Section 800.6 (f); 800.6(g)); and
- CDFW to make recommendations on how to maximize the quality and effectiveness of habitat mitigation developed pursuant to the AMP (Streets and

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<sup>1</sup> The Act defines “advance mitigation” as “mitigation implemented before, and in anticipation of, environmental effects of planned transportation improvements (Streets and Highways Code Section 800.5(c)).

<sup>2</sup> Advance mitigation project types are defined in Streets and Highways Code Section 800.6 and are listed in Section 4, below.

Highways Code Section 800.6(g)).

This report is the fourth CDFW biennial report. This report covers activity in the Caltrans Advance Mitigation Program from January 1, 2022, to December 31, 2023.

## **2. CDFW – Past Role and Liaison Contract**

Prior to the July 21, 2017, creation of the formal AMP program through the Road Repair and Accountability Act, CDFW was in constant consultation with Caltrans on advance mitigation topics and provided Caltrans with guidance on conservation goals, objectives, and tools for assessing mitigation conservation values. Along with six other natural resource regulatory agencies, CDFW is a signatory to the Statewide Advance Mitigation Initiative (SAMI) Memorandum of Understanding (SAMI MOU 2011; renewed in 2016 and 2021), the purpose of which is "to establish a mutual framework for coordinated review concerning development of the Initiative for advance mitigation and conservation planning for planned transportation projects at a landscape scale."

Prior to the creation of the Advance Mitigation Program through the Road Repair and Accountability Act of 2017, Caltrans' initial advance mitigation efforts were funded through the larger Caltrans State Highway Operations and Protection Program (SHOPP). Overseen by the California Transportation Commission, the SHOPP funds the repair and preservation, emergency repairs, safety improvements, and some highway operational improvements on the State Highway System and associated transportation infrastructure.

In 2013, Caltrans entered into a reimbursable agreement with CDFW to fund a liaison to assist with efforts such as developing advance mitigation science and policy; enhancing interagency coordination; and integrating CDFW conservation tools and programs into advance mitigation planning. To this day, Caltrans AMP consults with the CDFW advance mitigation liaison on its activities (Streets and Highways Code Section 800(a)).

## **3. Caltrans AMP Planning Phase**

This report focuses on the formal AMP created through the Road Repair and Accountability Act of 2017. Caltrans finalized its Advance Mitigation Final Formal Guidelines in October of 2019. The program consists of five new major planning steps (Figure 1, taken from the AMP Guidelines), followed by five project delivery steps (Figure 2, taken from the AMP Guidelines). The five planning steps are:

**Figure 1. Caltrans AMP Steps for the Planning Phase**



- 1. Statewide Advance Mitigation Needs Assessment (SAMNA):** The first SAMNA report was published in May 2019. Developed between 2016-2018, the SAMNA is a Geographic Information System (GIS)-based assessment that is performed on future planned state transportation projects that are identified on current long-range transportation plans. These potential footprints are overlaid with natural resource data layers that model species habitat and aquatic resources; the SAMNA incorporates CDFW's Biogeographic Information and Observation System (BIOS), California Wildlife Habitat Relationship (CWHR), and other data layers. Analyses are run on a Caltrans District-wide basis to estimate potential impacts, in acres, to specific resources within specific ecoregions or watersheds. Caltrans updates the SAMNA quarterly and they are posted on the Caltrans AMP webpage.
- 2. Geographic Area of Interest (GAI) Selection:** Once an overall estimate of potential compensatory mitigation need is identified for the state through the SAMNA, geographic areas of interest are selected for Regional Advance Mitigation Needs Assessment (RAMNA) development that will optimize the investment of funds toward meeting AMP goals. GAIs are located where SAMNA results indicate that investing program funds to implement landscape-scale mitigation in the area is likely to maximize SHOPP- and Statewide Transportation Improvement Program (STIP)-funded transportation project acceleration in the region while maximizing environmental benefits. GAIs are established at watershed or ecoregion scales to assist with selecting appropriate planning areas for mitigation implementation and anticipated use areas that align with natural resource regulatory agency authorities and responsibilities.
- 3. Regional Advance Mitigation Needs Assessment (RAMNA):** The RAMNA is a desktop study that consists of the best readily available information for Caltrans Districts to refer to when scoping and proposing advance mitigation projects to be funded by the AMP. Building off the mitigation needs identified in the SAMNA

for a given GAI, the RAMNA sets the stage for Caltrans to maximize the environmental and conservation benefits from potential advance mitigation actions and provides Caltrans Districts with enough information to conceptualize advance mitigation projects that can be scoped and submitted to the Caltrans Director for approval. To improve the probability that advance mitigation projects undertaken by Caltrans will yield credits (or similar) that will be usable within the planning period, comply with an appropriate established regulatory framework, and revolve the AMP Account, the RAMNA focuses on select species and habitats of "mitigation need," as identified by the Districts. The RAMNA is further informed through two review and information requests: a request of interested parties and the public; and a request of natural resource regulatory agencies that are members of the SAMI MOU.

- 4. Advance Mitigation Project Scoping, Initiation and Nomination Process:** After the RAMNA is finalized, advance mitigation projects are scoped and initiated by Caltrans Districts using a process similar to transportation projects, but customized and streamlined to fit the unique needs of advance mitigation projects.
- 5. Caltrans Director's Approval:** The Caltrans Director decides, based on the recommendation of the Caltrans Chief Financial Officer and Chief Engineer, which advance mitigation projects will be funded through the AMP.

The October 2019 Caltrans Advance Mitigation Program Final Formal Guidelines goes into more detail on the planning steps described above.

#### **4. Caltrans AMP Project Delivery Phase**

The Caltrans AMP advance mitigation project delivery phase consists of implementing the authorized activities under Streets and Highways Code Section 800.6(a) and consists of implementing existing advance mitigation pathways or procedures under development. The AMP project delivery process consists of five steps culminating in mitigation being available for transportation projects (Figure 2, taken from the Caltrans AMP Guidelines).

The five steps in Figure 2 will follow established state and federal natural resource regulatory agency pathways and includes CDFW conservation banking, Regional Conservation Investment Strategies (RCIS) Mitigation Credit Agreements (MCA), and Natural Community Conservation Plans (NCCP). The following are authorized expenditures for the Caltrans AMP:

- Purchasing or funding the purchase of credits from conservation banks, mitigation banks, or in-lieu fee programs approved by one or more regulatory agencies, or establishing or funding the establishment of new conservation banks, mitigation banks, or in-lieu fee programs (Streets and Highways Code Section 800.6(a)(1));

- Paying or funding the payment of mitigation fees or other costs associated with mitigating through Natural Community Conservation Plans and/or Habitat Conservation Plans (Streets and Highways Code Section 800.6(a)(2));
- Preparing or funding the preparation of Regional Conservation Assessments and RCISs, including entering into MCAs (Streets and Highways Code Section 800.6(a)(3)); and
- Performing other mitigation activities, where the above are not feasible, pursuant to a Programmatic Mitigation Plan (Streets and Highways Code Section 800.6(a)(4); 800.9).

**Figure 2. Caltrans Steps for the AMP Project Delivery Phase**



For expenditures not authorized in Streets and Highways Code Sections 800.6(a)(1) - 800.6(a)(3), Caltrans is limited to allocating no more than 25% of the funds in the Advance Mitigation Account during a four-year period (Streets and Highways Code Section 800.6(a)(4)).

## 5. Advance Mitigation Program – Accomplishments

The following major accomplishments have occurred during this reporting period:

- **Biweekly coordination with Caltrans:** CDFW Headquarters continues to meet with the Caltrans AMP to help inform and guide various aspects of the program's planning and implementation as well as address any pressing issues.
- **Region coordination:** To date, all CDFW Regions have reviewed and commented on RAMNAs where the GAI overlapped all or part of the CDFW Region. In some cases where the GAI crosses CDFW Regions, multiple Regions have provided comments on an individual RAMNA. Region comments are designed to help guide Caltrans Districts in scoping advance mitigation projects that will successfully generate credits for the species and habitats of need assessed within the RAMNA. Additional coordination is anticipated in the near future as District advance mitigation projects progress.

- **Interagency Coordination:** As part of the SAMI MOU, CDFW meets monthly with Caltrans and six other state and natural resource regulatory agencies to discuss advance mitigation topics (California Coastal Commission, California State Water Board, National Marine Fisheries Service, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, and U.S. Fish and Wildlife Service). CDFW, Caltrans, California Coastal Commission, and California State Water Board also participate in the Transportation Permitting Task Force (Assembly Bill 1282, Chapter 643, Statutes of 2017). Part of the Task Force work is focused on recommendations related to advance mitigation. CDFW participates in management and staff working groups that focus on various Task Force topics.
- **Caltrans SAMNA:** Caltrans is now publishing the SAMNA on a quarterly basis. In 2023, Caltrans began an effort to improve the SAMNA GIS model ("SAMNA 2.0"). Caltrans and CDFW have coordinated to update and improve the foundational data for the model. This has involved coordination with the CDFW Biogeographic Data Branch Vegetation Classification and Mapping Program (VegCAMP) and California Wildlife Habitat Relationship (CWHR) programs. The updated SAMNA 2.0 model is anticipated to be in use in 2024.
- **RAMNAs:** Since the AMP was founded, Caltrans has finalized 14 RAMNAs. For this reporting period, Caltrans has finalized nine RAMNAs and, at this time, one is currently in agency review, and one is in early preparation (see Table 1 below for specific information). All RAMNAs were reviewed by CDFW Headquarters and all Regions covered within the RAMNA. CDFW and other natural resource agencies provide comments within the 60-day review timeframe outlined in the SAMI MOU Process Agreement<sup>3</sup>. Final RAMNAs are publicly posted on the Caltrans AMP webpage.
- **CDFW Regional Bank Coordinator liaison positions:** In 2023, CDFW expanded their staff that are working on advance mitigation. CDFW and Caltrans also began to work on amending the existing liaison contract to add Region positions to work on advance mitigation, including conservation banking, for Caltrans AMP projects. This work is currently in progress.
- **Regulatory In lieu fee and Bank Information Tracking System (RIBITS):** With the support of all the natural resource regulatory agencies who condition projects in California, CDFW and Caltrans are working together to get CDFW administrative access to the federal RIBITS system. Access would allow CDFW to update and track its advance mitigation credits and associated documents. The inclusion of CDFW would also create a "one-stop shop" for Caltrans and the public to access federal and state mitigation credit information. CDFW and Caltrans are currently working with the U.S. Army Corps of Engineers headquarters in Washington DC. If approved, CDFW may gain administrative access in 2024.

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<sup>3</sup> Available upon request from [advancemitigation@dot.ca.gov](mailto:advancemitigation@dot.ca.gov).



- **Senate Bill 790 (Wildlife Connectivity Actions):** Through its development, CDFW and Caltrans worked together to analyze and provide suggestions for this bill. Senate Bill 790 was signed in 2021 and tasks CDFW with creating an advance mitigation crediting framework for fish and wildlife connectivity actions (Fish & Game Code § 1955 et seq.) for both CDFW's banking and RCIS programs. Wildlife connectivity actions undertaken by a sponsor can create both species and habitat mitigation. CDFW provided guidelines for public review in October 2023 and the guidelines are anticipated to be finalized in 2024. Caltrans provided review and comment for the guidelines.
- **CDFW Regional Conservation Investment Strategies (RCIS) Program:** Caltrans continues to participate in CDFW's RCIS Program, a program established in 2017 to enable regional conservation strategies and MCAs that would provide advance mitigation credits to Caltrans, other state infrastructure agencies, and other development.
  - Caltrans was a member of the steering committees for two RCISs that were approved in 2022 (Santa Cruz County and Kaweah Subbasin (portions of Tulare and Kings counties)); and is currently on the steering committee of one in preparation, the North Baylands RCIS (portions of Marin, Sonoma, Napa, and Solano counties). The North Baylands RCIS is anticipated to be approved in the Spring of 2024.
  - Caltrans has served on the Steering Committee for the annual RCIS Symposium, which is a community of practice organized by The Nature Conservancy and the Conservation Strategy Group.
  - Even when not on the steering committee, Caltrans attends public meetings and provides comments on each RCIS. Further, upon request, Caltrans Districts provide transportation project infrastructure information to inform the RCIS.
  - Caltrans reviewed and provided comments on the MCA guidelines which were finalized in June 2023 as part of the updated RCIS Guidelines.

## 6. Quality and Effectiveness of Habitat Mitigation

The Caltrans AMP planning phase has led to RAMNA development across 11 of the 12 Caltrans Districts (Figure 3). Once finalized, a RAMNA forms the basis for scoping species and habitat-specific advance mitigation projects within each District. For this reporting period, Caltrans has finalized nine RAMNAs, one is in draft, and one is in early preparation (Table 1).

All RAMNAs incorporate components of several of CDFW's and other natural resource agencies' statewide and regional conservation plans, goals, objectives, and data resources. CDFW-associated data sources include:

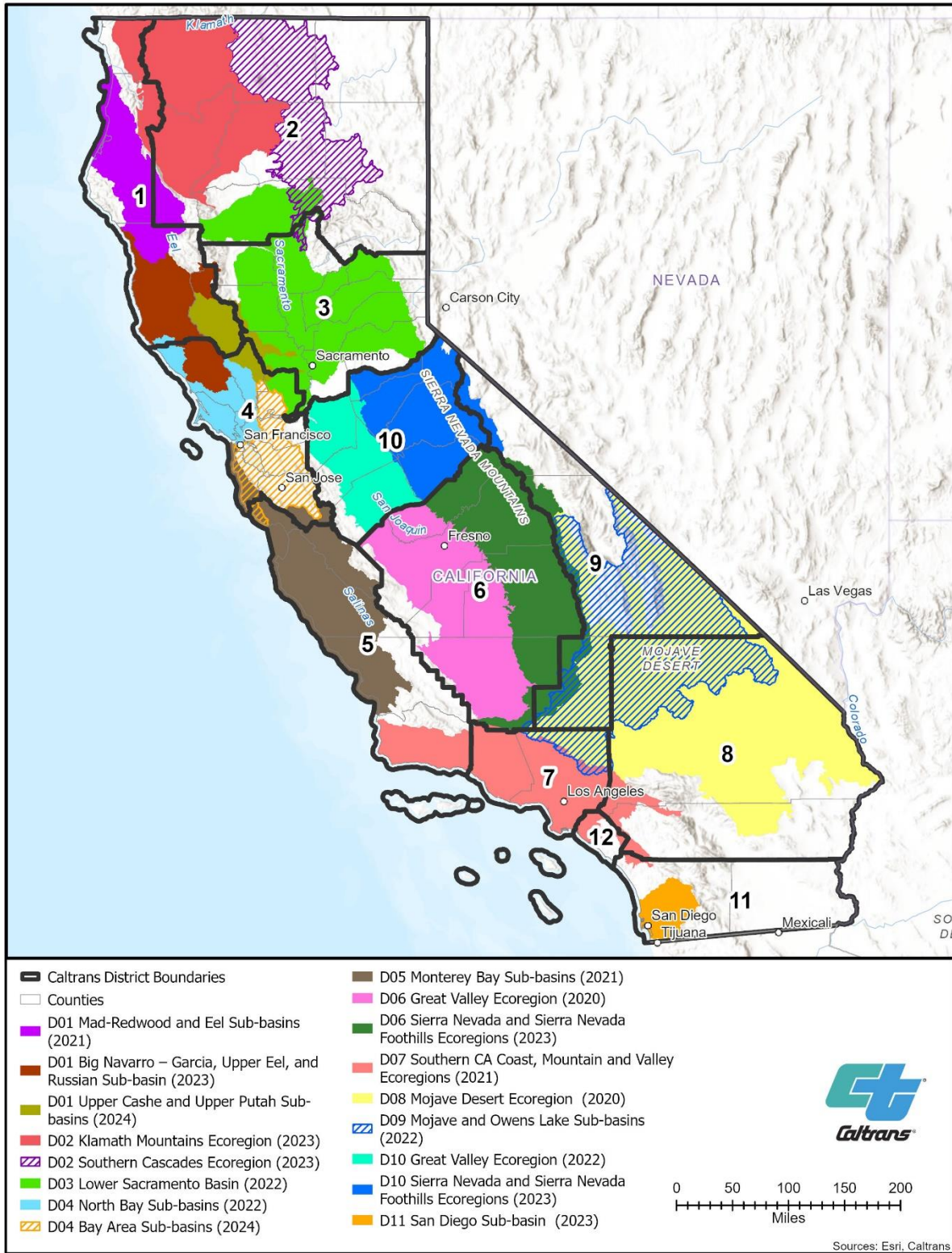
- Climate change resilience and vulnerability assessments
- State Wildlife Action Plan conservation targets
- Statewide and regional habitat connectivity plans
- 2020 and 2022 wildlife movement barriers reports
- Areas of Conservation Emphasis (ACE) biodiversity datasets
- Species recovery plans and critical habitat
- Conservation and mitigation banks
- Natural Community Conservation Plans
- Regional Conservation Investment Strategies

In addition to these data sources and plans, RAMNAs also include relevant information from all SAMI partner agencies and local, county, and nongovernmental data sources. Based on these sources, each RAMNA compiles several goals, objectives and sub-objectives for target wildlife and aquatic resources within the GAI (RAMNA Chapters 7 and 8, respectively). These conservation goals and objectives are intended to be relevant to anticipated future SHOPP and STIP transportation project mitigation needs, be consistent with the goals and objectives of natural resource regulatory agencies for the species and habitats of mitigation need identified in the RAMNA, address pressures and stressors, and support species of mitigation need population recovery and success in the GAI.

As of this report, several Caltrans Districts have moved forward to the advance mitigation project delivery phase and are in the early stages of delivering individual advance mitigation projects for species and habitats of mitigation need identified in the associated RAMNA (Table 2). Table 2 outlines the Programmed Caltrans advance mitigation projects for the AMP that have occurred during this reporting period. Programmed projects are projects that have identified the mitigation needs in the area, received funding, and are currently in the Caltrans AMP project delivery process to purchase or create credits. Thirteen projects have been programmed with advance mitigation credit needs identified across all natural resource agencies that Caltrans seeks permits under. Six are pursuing credit establishment, five are pursuing purchasing existing credits, and two potentially a combination of both. The projects listed in Table 2 may pursue multiple avenues and instruments for credit creation or purchases for the species and habitats listed. The Caltrans AMP is currently primarily focused on purchasing existing bank credits or establishing new bank credits.

One project in District 6 has successfully purchased 7.38 acres of aquatic resource advance mitigation credits from the National Fish and Wildlife Foundation's Sacramento District California In-Lieu Fee Program.

**Figure 3. RAMNA Geographic Areas of Interest**



**Table 1. Caltrans RAMNAs: Final or in Preparation, January 1, 2022 to December 31, 2023**

<b>Caltrans District and Office Location</b>	<b>Geographic Area of Interest</b>	<b>RAMNA Status</b>	<b>CDFW Region Reviews</b>
District 4, Oakland	Coyote, San Francisco Bay, San Francisco Coastal South, and Suisun Bay Sub-basins	In preparation	Region 3
District 1, Eureka	Upper Cache and Upper Putah Sub-basins	Draft	Region 2
District 1, Eureka	Gualala-Salmon, San Pablo Bay, and Tomales-Drake Bays Sub-basins	Final – October 2023	Regions 1 and 3
District 6, Fresno	Sierra Nevada and Sierra Nevada Foothills Ecoregion Sections within Caltrans District 6	Final – July 2023	Region 4
District 11, San Diego	San Diego Sub-basin	Final – July 2023	Region 5
District 2, Redding	Southern Cascades Ecoregion Section Within Caltrans District 2	Final – March 2023	Regions 1 and 2
District 2, Redding	Klamath Mountains Ecoregion Section Overlapping Caltrans District 2	Final – March 2023	Region 1
District 10, Stockton	Great Valley Ecoregion Section Within Caltrans District 10	Final – July 2022	Regions 2, 3, and 4
District 4, Oakland	Gualala-Salmon, San Pablo Bay, and Tomales-Drake Bays Sub-basins	Final – June 2022	Region 3
District 9, Bishop	Six Northern Mojave Sub-basins and the Owens Lake Sub-basin Within California	Final – April 2022	Regions 4, 5, and 6
District 3, Marysville	Lower Sacramento Basin	Final – January 2022	Regions 1, 2, and 3

**Table 2. Programmed Caltrans Advance Mitigation Projects Contributing to Mitigation**

<b>Caltrans District and Project #</b>	<b>Project Name</b>	<b>Potential Project Location(s)</b>	<b>Credit Acquisition Type</b>	<b>General Credit Types Pursued Across All Regulatory Agencies</b>
01-0M260	Mad-Redwood, Lower Eel (MRLE) and South Fork Eel Advanced Mitigation Project	Humboldt and Mendocino Counties	Credit Establishment	Fish habitat* Riparian habitat* Waters of the State* Waters of U.S.
01-0M610	Coastal MRLE Mitigation Bank Project	Humboldt County	Credit Establishment	Coastal Environmentally Sensitive Habitat Areas (ESHA)  Riparian habitat* Waters of the State* Waters of U.S.
02-0K590	SIS-TRI Mitigation Bank	Siskiyou and Trinity and Counties	Credit Establishment	Riparian habitat* Waters of the State* Waters of U.S.
03-3J860	Great Valley Ecoregion Advance Mitigation Project	Multiple locations in Colusa, Sacramento, Sutter, Yolo, and Yuba Counties	Credit Establishment	Riparian habitat* Waters of the State* Waters of U.S.

Caltrans District and Project #	Project Name	Potential Project Location(s)	Credit Acquisition Type	General Credit Types Pursued Across All Regulatory Agencies
03-4J990	Sierra Nevada & Foothills (SN&F) Ecoregions Advance Mitigation Project	Sierra Nevada foothills	Credit Establishment	Riparian habitat* Waters of the State* Waters of U.S.
04-2Y340	North Bay Aquatic Resources Mitigation Credit Purchase	Within the Gualala-Salmon, San Pablo Bay, and Tomales-Drake Bays HUC-8 Sub-basins	Purchase Existing Credits	Waters of the State* Waters of U.S.
04-3Y700	North Bay Coastal Mitigation Establishment Project	Sonoma County	Credit Establishment	California red-legged frog Myrtle silverspot butterfly Coastal waters Riparian habitat* Waters of the State* Waters of U.S.
05-1P770	Aquatic Resource Central Coast Region	Multiple locations including San Luis Obispo, Monterey, and Santa Cruz Counties	Purchase Existing Credits	California tiger salamander* California red-legged frog Waters of the State* Waters of U.S.

Caltrans District and Project #	Project Name	Potential Project Location(s)	Credit Acquisition Type	General Credit Types Pursued Across All Regulatory Agencies
05-1Q920	D5 Aquatic Resources Advance Mitigation	Multiple locations in Monterey, San Luis Obispo, and Santa Cruz County	Purchase Existing Credits and/or Credit Establishment; MCA if Possible	Coastal waters Riparian habitat* Waters of the State* Waters of U.S.
06-1C640	Advance Mitigation Aquatic Resource and Desert Species Credits	Multiple locations in Fresno, Kern, Kings, and Tulare Counties	Purchase Existing Credits	San Joaquin kit fox* San Joaquin antelope squirrel*  Waters of the State* Waters of U.S. (Purchase completed for 7.38 aquatic resource ILF credits)
07-39160	D7 Aquatic Advance Mitigation Project	Multiple locations in Los Angeles and Ventura Counties	Purchase Existing Credits	Coastal waters Riparian habitat* Waters of the State* Waters of U.S.

Caltrans District and Project #	Project Name	Potential Project Location(s)	Credit Acquisition Type	General Credit Types Pursued Across All Regulatory Agencies
08-1L920	Desert Advance Mitigation Project	Multiple locations in San Bernardino County	Purchase Existing Credits and/or Credit Establishment	Desert tortoise* Riparian habitat* Waters of the State* Waters of U.S.
09-39920	Antelope Fremont Valley Advance Mitigation Credits	Kern County	Purchase Existing Credits	Desert tortoise* Mohave ground squirrel* Waters of the State* Waters of U.S.

\* Denotes CDFW-approved credits. Credits may be aligned with other natural resource regulatory agencies.



All proposed and programmed advance mitigation projects to date are following established natural resource regulatory agency mitigation instrument pathways such as mitigation and conservation banking and the federal In-Lieu Fee program. Approval of mitigation credits from established pathways will enhance the likelihood that the credits will meet the needs of natural resource permitting agencies and can be applied to future transportation project impacts. All CDFW credits are reviewed and approved by CDFW, therefore CDFW credits purchased or established for one of the advance mitigation projects in Table 2 would be considered quality habitat mitigation. Projects that establish new CDFW-approved bank credits will also contribute to the 30 x 30 goals of Executive Order N-82-20.

## 7. Recommendations

CDFW continues to coordinate with Caltrans on conservation goals, objectives, alignment, and tools to help Caltrans maximize conservation values and meet their regulatory mitigation requirements.

In the 2020 Legislative Report, CDFW offered five general recommendations primarily focused on the Caltrans AMP planning phase (Figure 1) to help maximize the “quality and effectiveness” of the future advance mitigation projects. The 2022 CDFW Legislative Report provided updates on the progress of the five recommendations. At this time, the five recommendations have largely been incorporated into the Caltrans AMP planning process through RAMNA development. Since the last CDFW report, Caltrans has begun several advance mitigation projects (Table 2). Therefore, for this report, CDFW is providing recommendations that are focused on the Caltrans AMP project delivery phase (Figure 2).

**Recommendation 1:** CDFW recommends that the AMP continue to promote engagement between Caltrans Districts, CDFW Regions, and other natural resource agencies throughout the advance mitigation project development and delivery process. Where allowable, there may be early points in the Caltrans project development and delivery process where CDFW and other agencies could provide information and feedback on a proposed advance mitigation project. Caltrans can work with the SAMI MOU agencies to determine appropriate early engagement touchpoints and potentially formalize a process.

**Recommendation 2:** For credit establishment projects, CDFW recommends that the AMP, as allowable, work within the contract advertising and award process to ensure selection of proposals that maximize the goals and objectives within the RAMNA, which include relevant natural resource regulatory agency conservation plans and regional species and habitat conservation priorities. The RAMNAs to date have included several goals, objectives, and sub-objectives for both terrestrial and aquatic species and habitats. These goals and objectives are gleaned from SAMI natural resource regulatory agencies conservation goals, data, plans, and reports relevant for the RAMNA region and the Caltrans District’s identified species and habitats of mitigation need. In accordance with the SAMI MOU Process Agreement, they have also been reviewed

and edited by the natural resource regulatory agencies. Thus, when Caltrans is drafting or seeking proposals for credit establishment projects, if possible, CDFW recommends that Caltrans aims to ensure selection of proposals that maximize the goals and objectives within the RAMNA and relevant SAMI conservation goals identified for the GAI.

**Recommendation 3:** CDFW recommends that the AMP support CDFW's existing and emerging advance mitigation programs by continuing to collaborate with CDFW. For example, with the publication of MCA guidelines in 2023 and the soon-to-be released Senate Bill 790 Wildlife Connectivity Advance Mitigation guidelines in 2024, Caltrans and CDFW should continue to collaborate as these programs progress into implementation. Both the bank and RCIS programs provide mitigation credit opportunities and the wildlife connectivity crediting component, in particular, will need Caltrans support and engagement to work with sponsors for projects proposed within Caltrans' right of way. As CDFW works on initial projects for both programs, there may be opportunities to explore how the Caltrans advance mitigation project development and delivery process and CDFW credit creation processes can work together to deliver successful advance mitigation projects in the future and meet the goals of the AMP program.