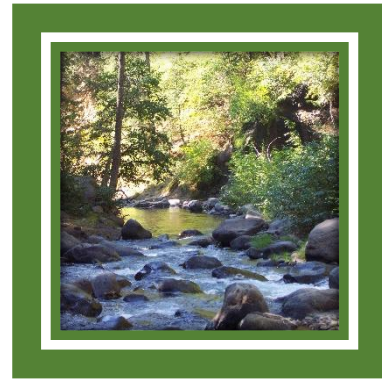


California Department of Fish and Wildlife Cutting Green Tape Initiative Update January 2021



This document provides a status update on the California Department of Fish and Wildlife's (CDFW) progress made to date on the Cutting Green Tape Initiative (CGT).

Overview:

- CDFW received \$4M in the FY 20-21 Budget Act to increase the scale and pace of restoration work by incorporating new efficiencies into grant programs and developing programmatic permitting options.
- CDFW has redirected 19 staff from multi-disciplined backgrounds to support CGT actions during FY 20-21.
- Significant progress has been made with respect to developing a streamlined restoration permit (F&G Code 2081(a)) and consolidating permit approvals.
- CDFW has contracted with Ascent Environmental to prepare a CEQA strategy paper that assesses opportunities to streamline and expedite conservation, recovery, and restoration projects.
- CDFW has drafted a Legislative report on the use of the Habitat Restoration Enhancement Act for small watershed projects and continues to provide technical support to the State Water Resources Control Board in development of their general order for large habitat restoration projects statewide.
- CDFW has analyzed over 300 existing grant projects and is developing tools to help ensure projects will be completed on time.
- CDFW has reconvened the Restoration Leaders Committee (RLC) and their three subcommittees on prioritization, administration, and permitting to further the RLC's original 18 recommendations as well as identify opportunities for additional improvements. The RLC will be a key stakeholder group used to support future collaboration on CGT actions.
- CDFW is developing two sets of workshops for early 2021 that will provide technical assistance to stakeholders about restoration permitting options and allow stakeholder participation in the development of a CGT \$15M Grant Solicitation targeting North Coast watersheds.
- CDFW has approved its 17th NCCP, the Western Placer County NCCP/HCP and reviewed, approved, and amended several Regional Conservation Investment Strategies.
- The North Coast Salmon Project has formed watershed steering committees for Mendocino Coast, Russian River tributaries, and Lagunitas Creek. The team has initiated a survey to assess restoration barriers, finalized the South Fork Eel Salmon Habitat Restoration Priorities (SHaRP) process, and drafted an analysis report on Coho-focused habitat restoration projects funded through the Fisheries Restoration Grant Program.

Background: In July 2020 CDFW was provided \$4M in the FY 20-21 Budget Act to increase the scale and pace of restoration work, incorporate efficiencies into grant programs, and incorporate the use of programmatic permitting options. Specifically, CDFW initiated actions to:

- Develop a focused team tasked with accelerating the granting and permitting processes of restoration projects within the identified focus area and in support of enhanced coho salmon recovery:
 - Counties: Humboldt, Mendocino, Sonoma, and Marin
 - Watersheds: Lagunitas, Russian, Mendocino (Coast), and the South Fork Eel
- Dedicate a senior level staff person to developing permitting efficiencies and support restoration permitting.
- Reconvene and expand the Restoration Leaders Committee (RLC) to include a larger, more diverse representation of restoration leaders from around the state. Through the RLC, the Department intends to refine and implement enhancement and efficiencies in the Department's grant programs, which includes the 18 recommendations submitted to the Department from the RLC in late 2018.
- Work with the RLC, and other stakeholders, to develop a CGT focused Proposal Solicitation Notice for the identified focus area that will rely on accelerated Prop 1 restoration dollars in FY 21-22.
- Continue coordinated efforts with the State Water Resources Control Board and Sustainable Conservation in support of their General Order and development of an Environmental Impact Report for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Implementation of Large Habitat Restoration Projects Statewide.
- Bolster support for Natural Community Conservation Plans (NCCP) and Regional Conservation Investment Strategies (RCIS) development and finalization, including finalizing the Mitigation Credit Agreement (MCA) pilot project in support of finalizing the MCA guidelines.

Technical Update:

- **Strike Teams** – CDFW has either partially or fully redirected 17 staff to support CGT actions during FY 20-21, and has hired two limited term Environmental Scientists dedicated to CGT actions. This effort has allowed staff from multi-disciplined backgrounds (e.g., legal, CEQA, CESA, LSA, grants, fisheries, management) to form specific strike teams and collaboratively address CGT actions.
- **Permitting** - The restoration permitting team has developed a template for a new Section 2081(a) California Endangered Species Act "Restoration Management Permit" (RMP). In addition, the permitting team has developed a CEQA findings template to use when CDFW serves as a responsible agency in making its project approvals. This new permit will provide a simplified CESA take authorization process for restoration projects and increase flexibility for temporary species relocations and restoration site dewatering.

The restoration permitting team has reviewed approximately 250 active grants within the focus area, of which 25 were selected as potential pilot projects for

use of the RMP. CDFW is narrowing the list of potentially suitable projects to target approximately 2-5 restoration projects that could benefit from RMP permitting within the current fiscal year. These projects include aquatic connectivity, invasive species control, and aquatic habitat enhancement. CDFW anticipates refining this list and reaching out to grantees and project proponents to finalize RMP permitting strategies by the end of January. Future efforts will include evaluating other restoration projects that could benefit from the RMP, including projects proposed outside the focus area and projects with other funding sources.

The restoration permitting team also continues to work on two additional templates. The first combines the Section 2081(a) RMP with a scientific collecting permit, and the second combines the Section 2081(a) RMP with a memorandum of understanding for take of fully protected species. Along with the RMP, the additional templates will consolidate all CDFW approvals necessary for temporarily relocating species out of harm's way during restoration activities. The permitting team anticipates finalizing these two templates in mid-late January.

To improve communication and consistency within CDFW and with our partners, the restoration permitting team will be coordinating with other CDFW CGT teams and with the Restoration Leaders Committee (RLC) to develop integrated CGT stakeholder permitting workshops for 2021.

In response to the COVID-19 pandemic, CDFW quickly instituted an online method for submitting ITP applications, CD requests, and HREA project approval requests as well as the ability to pay these fees online. CDFW's CESA and HREA programs are also working on developing a more in-depth program that will integrate online application for these permits and approvals with the ability to track and monitor project info statewide.

Habitat Restoration Enhancement Act - CDFW has drafted a report to legislature as required by Fish and Game Code section 1656. The report is due by December 31, 2020 and will include information such as the number, type, and geographical distribution of approved projects, funding adequacy, and recommendations for changes and improvements to the program. Additionally, CDFW CGT staff will be participating in a smart environmental permitting workshop with the PPIC Water Policy Center in January 2021 and are working with WRA, Inc. to submit an abstract and develop a presentation for the Bay-Delta Science Conference in April 2021.

Large Habitat Restoration Projects - CDFW continues to provide support and scientific expertise to the SWRCB and Sustainable Conservation in their development of an Environmental Impact Report for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Implementation of Large Habitat Restoration Projects Statewide.

California Environmental Quality Act - CDFW has contracted with Ascent Environmental to prepare a CEQA strategy paper that assesses opportunities to

streamline and expedite conservation, recovery, and restoration projects. Qualifying projects consist of actions whose primary purpose is to maintain or enhance biodiversity in California. Actions that mitigate adverse biological effects of projects are not the focus of this assessment.

Granting – The accelerating grant projects team is working to identify early signs of project delays and trying to identify useful tools and guidance to help projects finish on time. The team is actively building a linked database of CDFW grant projects to analyze project progress and identify trends. Initial findings show that planning and design grants are roughly 25% more likely than other project types to need an amendment for time. The team plans to release a survey for CDFW grant managers and grantees in January 2021 that will further help identify barriers managers and grantees face as well as any technical assistance needs. This information will be helpful in identifying and developing tools and guidance that will proactively help grantees complete projects on time.

CDFW has also secured an additional appropriation of \$15 million of Proposition 1 FY 21-22 funding to administer a CGT Proposal Solicitation Notice (PSN) in Summer 2021. The PSN will align with the North Coast Salmon Project by focusing restoration funding in the CGT focus area. To support this, our current efforts have focused on developing a draft PSN with coordinated input from the North Coast Salmon Project Team, the RLC, and other stakeholders. Next steps include:

- Finalize a proof-of-concept CGT PSN that delivers on a developing vision as well as several RLC recommendations, including a clearer articulation of CDFW's priorities, a watershed scale approach, and increased program efficiencies.
- Stakeholder outreach and workshop efforts, using the existing RLC network as a forum for communicating CDFW's vision.

Lastly, CDFW has put together a team to develop a report on the first five years of restoration supported through Proposition 1 grant funds. The report will highlight major elements and accomplishments of the program (2015-2019) including an overview of Proposition 1 objectives and priorities, grant program implementation, project highlights, coordination, and partnerships. CDFW anticipates completing a first draft of the report by mid-February 2021, with a target for a final product by late spring/early summer 2021.

- **Restoration Leaders Committee (RLC)**- As a key component of CDFW's CGT Initiative, CDFW reconvened the RLC and held three meetings between August and December 2020. Objectives of our initial engagement with the RLC centered around an overview of CDFW's CGT initiative and revisiting the structure and identity of the committee itself and their recommendations previously submitted to improve CDFW's restoration grants. Next steps include:
 - Ongoing efforts of the RLCs three subcommittees (Prioritization, Administrative, and Permitting) to further the RLC's original 18

recommendations as well as identify opportunities for additional improvements.

- Continued coordination with the RLC and the North Coast Salmon Project to prioritize restoration opportunities in the focus areas for the CGT Solicitation.
 - Public workshops coordinated through the RLC network to collaborate with the restoration community around CDFW's planned CGT Solicitation.
 - CDFW developed report on the efforts and outcomes of RLC and other efficiency driven initiatives.
- **Conservation Planning** – The conservation planning team underwent an evaluation to reprioritize current efforts with a focus on moving several conservation planning projects towards major milestones. Specifically, this effort contributed to approval of CDFW's 17th NCCP, the Western Placer County NCCP/HCP. This 50-year Plan permits the take of 14 covered species and will conserve at least 50,000 acres of habitat for several permittees, including Placer County and the City of Lincoln. CDFW and the Wildlife Conservation Board also awarded \$576,000 for seven projects and \$1.67 million for four projects, respectively, from the NCCP Local Assistance Grant program.

Major advancements have also occurred on the RCIS front. In the last few months, CDFW has been able to: complete substantive review of the Antelope Valley RCIS; conditionally approve the Yolo RCIS; approve a minor amendment for the Santa Clara County RCIS that expanded the number of actions that are eligible to be used to create credits through an MCA; conduct a completeness review of the Monterey County RCIS; and submit final comments on the Mid-Sacramento Valley RCIS. Additionally, staff have participated in public outreach events, such as the RCIS Symposium, and continued to meet bi-weekly with proponents regarding the Southport pilot Mitigation Credit Agreement.

In December 2020, the updated Mitigation Bank Enabling Instrument (BEI) was put out for public notice by all eight-agencies, which will allow the purchase of bulk credits in banking.

- **North Coast Salmon Project** - The North Coast Salmon Project (Project) was initiated in FY 18-19 to expedite and enhance efforts to recover endangered Coho Salmon in California. The Project is focused in four specific watersheds with an intent to extended across the entire North Coast:
 - Lagunitas Creek
 - Russian River tributaries: Dutch Bill, Green Valley, Mill, and Willow creeks
 - Mendocino Coast streams: Noyo, Garcia, Ten Mile, and Navarro rivers, and Pudding Creek
 - South Fork and Lower Eel River

The project is collaborating with regional watershed groups/partners to identify priority recovery efforts to implement moving forward utilizing the State Coho Recovery Strategy and Priority Action Coho Team (PACT) report and the Salmon Habitat Restoration Priorities (SHaRP) process. Evaluation of current habitat,

population, and effectiveness monitoring efforts will guide collaboration efforts with the public/stakeholders/restoration practitioners and the CGT teams to identify and prioritize action items that can be implemented by CDFW through our granting and permitting programs.

