Increasing Regulatory Efficiencies: Ideas for Discussion

- Develop state-wide approach to facilitate local/county restoration permitting (26)
- Create new efficiencies in Water Rights Permits to expedite implementation of projects that result in increased ecological stream flows and groundwater recharge (37)
- Improve Small Habitat Restoration Tools (2,3,7,23)
  - Secure clear interpretations by CNRA and DPR on specific language in CEQA Cat Ex Class 33 that will result in the exemption being fully utilized
  - Remove 500lf limit for 401/WDR & HREA (existing 5 ac limit stays in place)
  - Clarify inclusion of Fully Protected Species under HREA
  - Develop unified 401/WDR & HREA application
- Fully Protected Species (21,39)
  - Incorporate Fully Protected Species into CESA to reduce barriers to species recovery
  - Legislation to authorize take of Fully Protected Species for restoration projects.
- Expand Small Habitat Restoration Tools (8,14,43)
  - Expand 5 acre limit for upland project from 5 to 7 acres for CEQA Cat Ex Class 33
  - Create parallel process to SWRCB and CDFW (HREA) for Coastal Commission
    - Modify language in and BCCD HREA and 401/WDR to allow mitigation projects to utilize this tool
- Improve Use of Existing Mechanism for to Increase Efficiencies and Project Delivery (4,18,25)
  - Ensure better utilization of existing permit streamlining tools such as Voluntary Local Program and Safe Harbor
  - Extend CDFW’s programmatic permits for its Fisheries Restoration Grant Program to non CDFW funded habitat restoration projects.
- Develop Executive Order from Governor prioritizing restoration/conservation and directing state agencies to create efficiencies (17)
- Develop New Programmatic Permits for Large Scale Restoration & Stewardship Work (1,5,14,15,19,24)
  - Support SWRCB’s Development of Statewide Large Scale Restoration Programmatic General Order (in progress)
  - Develop companion state or regional CESA compliance documents for programmatic federal ESA authorizations from NMFS and FWS for restoration work (CD or MOUs)
  - Create CDFW Statewide Permit for Habitat Restoration Projects (CEA & 1600) companion to new General Order
  - Create Coastal Commission/BCDC processes to create new efficiencies
  - Have USFWS request federal consistency with the Coastal Act for the new USFWS Programmatic Biological Opinion for restoration projects.
- Improve Coordination, Accountability and Project Delivery Within and Between Agencies (27,28,29,31,32,33,35)
  - Create clear guidance on jurisdiction to reduce redundancy and designate 1 load agency (for a given effort)
  - Make all permit applications and status information available online
  - Create unified application and review process for beneficial actions (JARPA 2.0)
  - Increase coordination between technical, compliance, and funding staff within and between Resource Agencies
  - Create regional or statewide inter-agency collaborative compliance teams For restoration projects (Strike Teams)
  - Evaluate potential for creating a separate “track” for permitting restoration work across state agencies
  - Create dedicated funding source for restoration focused agency staff (planning, permitting, funding)
- Statewide CEQA Compliance for Larger Restoration Projects (9,10,11,12)
  - Amend language in CEQA Cat Ex Class 7&8 to exclude eco restoration from definition of “construction” (Action by Regulatory Agencies for Protection of Resources)
  - Create certified regulatory program to provide CEQA compliance for large/landscape scale conservation actions
  - Develop Programmatic Compliance/Permit for State Funding Programs
- Create an exemption in the Coastal Act to enable vegetation management for fuel load reduction (16)
- Elevate role and opportunity for trusted regional entities (RCDs, Conservancies, land trusts) to drive regional restoration collaboration, investments, compliance and function as permit ambassadors (30)
- Ensure that new environmental and administrative pathways or policies are reviewed to avoid intentional or unintentional regulatory action that will create new barriers. (36)
- Support AB2518 to indemnify private landowners for unforeseen impacts resulting from implementation of restoration or conservation actions (22) (in progress)