

California Department of Fish and Wildlife

- Mission: To manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public.
- CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070.) As trustee, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.)

Cutting the Green Tape Initiatives - initiative to increase the pace and scale of environmental restoration.

- Statutory Exemption for Restoration Projects (SERP): Cal. Public Resource Code section 21080.56.
 - This section provides a new California Environmental Quality Act (CEQA) statutory exemption, until January 1, 2025, for fish and wildlife restoration projects that meet certain requirements, as approved by the lead agency and CDFW.
- Habitat Restoration and Enhancement Act: Fish & G. Code §§ 1650-1657.
 - Qualifying small scale (5 acres, cumulative 500 linear feet), voluntary habitat restoration projects approved by CDFW do not require additional permits from CDFW such as Lake and Streambed Alteration Agreements or California Endangered Species Act (CESA) permits.
- Restoration Management Permits; Developed in specific circumstances for restoration projects to create a single streamlined permit authorizing take of species present in project work area that are listed as threatened, endangered, or candidate species under CESA as well as fully protected species whose take is prohibited by Fish and Game Code sections 3511, 4700, 5050, or 5515. "Take" is defined as to hunt, pursue, catch, capture or kill, or attempt to do any of these things. (Fish & G. Code, § 86.)

California State Safe Harbor Agreement Program Act: Fish & G. Code, §§ 2089.2-2089.25.

- Voluntary program to encourage landowners to manage lands for net conservation benefits to threatened, endangered, candidate, declining, or vulnerable species. Through an approved agreement and based on a finding of net conservation benefit, landowner obtains authorization for incidental take of species addressed by the agreement.
- If a federal safe harbor agreement, or federal candidate conservation agreement with assurances, has been approved under federal law and addresses state threatened, endangered, candidate, or declining or vulnerable species, CDFW may issue a consistency determination providing that no further

authorization is necessary under CESA. (Fish & G. Code, § 2089.22.)

Experimental population authorizations

- Modeled on legislation related to the San Joaquin River Restoration Program, Fish and Game Code section 2080.6 provides a streamlined way for CDFW to concur with the federal rules governing a nonessential experimental population, and the exemptions to the take prohibition set forth in the federal rules.

Drought Emergency Regulations – Local Cooperative Solutions or Voluntary Approaches

- E.g.: Klamath River Watershed Emergency Curtailment Regulations, 2022
 - 23 C.C.R., § 875 (f): Local Cooperative Solutions – may be proposed by individuals or groups as an alternative means of reducing water use to meet emergency minimum flows, or to provide other fishery benefits, in lieu of curtailments. May be watershed-wide, for individuals, or for groundwater. Regulations incorporate coordination with CDFW, NMFS, and Shasta River Watermaster District, and require certain findings by or agreements with CDFW.