

Sustainable Conservation

Summary of Expedited/Simplified Permitting for Voluntary Habitat Restoration Projects

Agency/ Authority	Permit/ Approval	Project Size Limits	Activities Covered	Location	Benefits/ Details
California Environmental Quality Act (CEQA)	Categorical Exemption 15333 for Small Habitat Restoration Projects	≤ 5 acres	Fish, plant, and wildlife habitat restoration	Statewide	> Faster/lower cost alternative to CEQA document (i.e., Initial Study/Negative Declaration)
California Coastal Commission (CCC)	Federal Consistency Determination (CD) – North & Central Coasts (With proposed southern expansion)	Small to Large	Salmonid habitat and related upland restoration Estuarine and coastal restoration	San Luis Obispo County to Oregon Border	> Faster/free alternative to obtaining a Coastal Development Permit (CDP) or individual project CD > Linked to NMFS Programmatic Biological Opinions; requires NOAA Restoration Center funding or technical assistance > Application Information
California Department of Fish & Wildlife (CDFW)	Habitat Restoration and Enhancement (HRE) Act / AB 2193	Currently ≤ 5 acres and 500 cumulative linear feet of streambank or coastline (linked to SWRCB 401 permit for Small Restoration Projects; see below)	Aquatic habitat restoration and water quality improvement projects	Statewide	> Fast and simple process: 30 day approval with SWRCB 401 for Small Restoration Projects, otherwise 60 days > Covers CA Endangered Species Act (CESA) and 1600 Lake and Streambed Alteration (LSAA) approvals through one application > HRE Act Guidance Document
California Department of Fish & Wildlife (CDFW)	Coho HELP Act	≤ 5 acres and 500 cumulative linear feet of streambank or coastline	Coho salmon habitat projects: wood placement to enhance fish habitat, bioengineered streambank restoration, and in- stream improvements (culvert upgrade, road crossing)	Coho Salmon Habitat	> Approval in 60 days or less > Covers CESA and LSAA approvals through one application
State Water Resources Control Board (SWRCB)	401 Water Quality Certification for Small Habitat Restoration Projects	≤ 5 acres and 500 cumulative linear feet of streambank or coastline (length subject to change with updates)	Aquatic habitat restoration and water quality improvement projects	Statewide	> Faster, simple process compared to standard 401 Water Quality Certification; coordinated with DFW's HRE and Coho HELP Acts (see above) > Must be eligible for CEQA categorical exemption 15333, though other CEQA compliance methods can be used

Agency/ Authority	Permit/ Approval	Project Size Limits	Activities Covered	Location	Benefits/ Details
National Marine Fisheries Service (NMFS)	Biological Opinion for the North Coast	Small to large projects limited to ≤ 1,000 feet of dewatering	Salmonid habitat and related upland restoration	Oregon Border to Mendocino County	<ul style="list-style-type: none"> > Faster/lower cost process: individual Biological Opinion not needed > Requires US Army Corps Permit or NOAA Restoration Center funding or technical assistance
National Marine Fisheries Service (NMFS)	Biological Opinion for the Central Coast (with proposed southern expansion)	Small to large projects limited to ≤ 1,000 feet of dewatering	Salmonid habitat and related upland restoration	Mendocino to San Luis Obispo County	<ul style="list-style-type: none"> > Faster/lower cost process: individual Biological Opinion not needed > Requires US Army Corps Permit or NOAA RC funding or technical assistance
US Army Corps of Engineers	Nationwide Permits (NWP) 13, 27, 33	NWP 13 - 500 cumulative linear ft of streambank or coastline (unless waived); No size limits for NWP 27 & 33	NWP 13 - Bank Stabilization NWP 27- Aquatic Habitat Restoration NWP 33- Temporary Construction Access and Dewatering	Statewide	> Efficient way to acquire Section 10 Rivers and Harbors Act and Section 404 Clean Water Act permitting when other regional/statewide permits aren't available
US Army Corps of Engineers	Regional General Permits (RGPs) 41, 70	No Size Limits	RGP 41 – Invasive Plant Removal RGP 70 - Bioengineered Streambank Stabilization	Los Angeles Corps District	<ul style="list-style-type: none"> > Faster approval than Nationwide Permits > Efficient way to acquire Section 10 Rivers and Harbors Act and Section 404 of the Clean Water Act permitting
US Fish & Wildlife Service	Programmatic Biological Opinions for Listed Species	Generally corresponds with US Army Corps NWP size limits	Activities conducted under US Army Corps NWPs-13, 27, and/or 33 (see above) are typically covered	Napa to Santa Cruz Counties	<ul style="list-style-type: none"> > Saves substantial time/resources since individual Biological Opinion not needed > Covers Federal Endangered Species Act (ESA) permitting for California Red-Legged Frog and Central California DPS tiger salamander
US Fish & Wildlife Service	Programmatic Biological Opinion for the Partners Program	Small to large projects	Invasive species control, fish passage barrier removal, migratory bird habitat restoration, wetland restoration	California Central Valley and Foothill Ring	<ul style="list-style-type: none"> > Covers Federal ESA permitting > Requires funding from US FWS Partners' Program
Resource Conservation District (RCD) Partners in Restoration Programs (PIR)	A variety of permits available (e.g., SWRCB, US FWS, NMFS BOs)	Generally ≤ 5 acres	Fish, plant and wildlife habitat restoration and water quality improvement projects	Mendocino, Marin, SLO, Cachuma, Yolo and Alameda RCDs	> Consolidated permitting program managed by RCDs

Questions? Email restoration@suscon.org or call 415-977-0380