



CALIFORNIA FISH PASSAGE FORUM

Policy and Permitting Committee Meeting

Current Policy Updates:

From Analise Rivero and Kam Bezdek at Caltrout

From February 2024- AB2558 this bill expands the legal definition of "fish passage barriers" in the original code language for Caltrans codified by SB 857 in 2005, so instead of only stream crossings that can qualify, other things (i.e. sediment changes, road-caused blockages, etc) can legally qualify as barriers. It also sets a reporting requirement for Caltrans's efforts to remediate fish passage barriers on an annual basis. <https://trackbill.com/bill/california-assembly-bill-2558-department-of-transportation-projects-fish-passage/2518367/>

Currently there are two bond bills – SB 867 (currently has \$100M for dam removal / \$400M for dam safety) and AB 1567 (currently has \$65M for dam removal / \$900M for dam safety). Those are likely to change A LOT before a final unified bond proposal leaves the legislature and heads to the November ballot. We (CalTrout) are working with a group of more than 150 conservation/environmental justice/land trust orgs on a proposal that we are shopping around the legislature to hopefully amend those bills (CalTrout asks that are in this NGO proposal include \$100M for dam removal, \$10M for California Monitoring Program and \$100M for WCB Streamflow program – though the proposal has many other great conservation coffer filling asks as well). Assuming dam safety will stay in the bond, we will try to negotiate that dam removal be an eligible use of that funding so that we could access those larger amounts – apparently something dam safety proponents won't be supportive of, but we will see.

4/3 Meeting:

Present: Holly Steindorf, Anna Halligan, Sandra Jacobson, John Sayers (CA Parks)

Absent: Holly Eddinger

Meeting attendance:

https://docs.google.com/spreadsheets/d/1NApL93PWEhVy2thUfWbRoe0IJVullm5_YTjQfazKil/edit?usp=drive_link

4/3 Agenda

- Welcome Anna back from leave in Borneo and the Philippines!
- Discuss current direction and focus Goals for Committee

4/3 Meeting Minutes:

Science and Data Committee Meeting Agendas- Working Document- California FISHPassage Forum

The foreign policy and permitting committee meet every other month if there are enough committee members present for a meeting, this is the first meeting in some time. John Sayers from California State Parks has joined the meeting.

Anna Halligan reported back from an internal TU meeting focused on upcoming policy. Main takeaways is that state budget is challenged, that may affect projects from state opportunities that are not under contract or award. TU's new California director is Matt Clifford, who is their longstanding policy person.

Perhaps outside the work of this committee, but Anna also reported about TU's efforts on 6 PPD, the preservative chemical released from wear and tear of tires shown to be toxic to fish. TU water quality division is considering putting forth effort to sample for 6 PPD and considering locations good for sampling, such as nearby high usage bridges with steep slopes to the water where roadway runoff may enter streams. Anna reports that there is not a lot of substantive data about the amount of 6 ppdq in waterways, and legislation to have tire manufactures remove 6 PPD from tires may be limited by lack of data on its prevalence and effects. https://dtsc.ca.gov/2023/07/26/news-release_t-06-23/

The committee focused on the two planned goals for the policy and permitting committee, those are:

- **Gathering and reporting of policy and bond news** in California
- **Developing permitting focused case studies** that get practitioner perspective on what works and what does not in permitting for their projects.

The committee then discussed each of these items.

Gathering and reporting of policy and bond news

Quarterly, The Forum will communicate with a policy point person from each signatory organization tasked with staying apprised of legislation, policy, and funding that may affect fish passage work, or restoration work. A list of bills or bonds and a short status report will be compiled. These can be shared at Forum steering committee meetings, which occur 1-3 times annually. If deemed appropriate, they could also be shared to the forum listserv in a "policy news" report. See the policy update examples reported above.

Policy Contacts:

At CalTrout, Analise Rivero (arivero@caltrout.org) and Kam Bezdek (kbezdek@caltrout.org) will be the contacts. Anna Halligan will be the contact for trout unlimited. John mentions that Gena Lasko can be the contact at state parks. Holly will reach out to the other signatories to get their policy point person.

Developing permitting focused case studies

Similar to the case studies developed for barrier removal and remediation projects which describe project background location, purpose, monitoring efforts, and results, **The policy and permitting committee will oversee the development of a permitting focused case study, which solicits**

information from practitioners about the permitting journey for their projects, what methods they used, what worked well, and what did not, and their lessons learned throughout the process. The committee will put together a list of practitioners to Interview for the case study, tried to get a mix of different permitting approaches including programmatic permits through FRGP, as well as permits secured through the new general order process. Anna mentioned that TU has mostly relied on small habitat permits in the past but is going to start using the general order permits, and a difference between the permits could be how impacts are documented, among other things.

John mentions a valuable set of case studies could be for projects that are experiencing chronic holdups. Example he mentions the San Luis lateral streams contain barriers that are not getting remediated due to risk of Pike Minnow spread. Sandy mentions that the North Coast CalTrout office is exploring Pike Minnow eradication methods, which could justify barrier removals in areas with Pike Minnow. Anna mentions that local permits can hamper projects, and having case studies about these situations would be valuable instead of only focusing on successes.

Action Items:

- Holly to email each Forum Partner and start list of policy point people from each signatory. Already have Caltrout, TU and State Parks.
- Holly to create Permitting- Focused Case Study Template and send to committee for review before April 19th