



CALIFORNIA FISH PASSAGE FORUM

Policy & Permitting Committee Meetings

Present: Anna Halligan, Erika Lovejoy, Garrett Altmann

Absent: Stephanie Falzone, John Sayers

Meeting attendance:

https://docs.google.com/spreadsheets/d/1NApL93PWEhVy2thUfWbRoe0ILJVullm5_YTjQfazKil/edit?usp=drive_link

10/15/25 Agenda

- Status of Case Studies
- Updates on Restoration-related Policy
- Updates and discussion of Permitting
- Upcoming Tribal Resources Webinars

10/15/25 Meeting Minutes:

Status of Case Studies

Holly has sent the Quiota Creek Case study to Tim Robinson, with a request for COMB to provide some images and fill in some final details. Once COMB gets back to us, we will format and publish the case study.

The processing of case studies on Upper Noyo, Strawberry Creek, No-Name Gulch has been lower priority compared to other Forum tasks, so that case study has not been processed yet, but hopefully it will be before the end of the year to meet our work plan goals.

The case study candidate list can be found here:

Holly added the south coast project which utilized emergency permitting following an atmospheric river, referenced in August notes (Santa Anita Creek Fish Passage Project from South Coast Habitat Restoration.

[Permitting Case Study Candidate List](#)

Updates on Restoration-related Policy

The California Watershed Coalition publishes a summary of State Bills of Interest. See the full document as attachment A at the end of these meeting notes.

Bills relevant to the Forum include:

SB 427. Blakespear (D-Encinitas). Habitat Conservation Fund.

This bill would eliminate the sunset on the annual \$30 million appropriation to the Habitat Conservation Fund and require the Controller to continue to annually transfer \$30,000,000 from the General Fund indefinitely.

Status: Passed and chaptered on 10-3-25.

AB 902. Schultz (D-Burbank). Transportation planning and programming: barriers to wildlife movement.

This bill would require the regional transportation plan or sustainable communities strategy to identify and analyze connectivity areas, permeability, and natural landscape areas that are partially or fully within the region of the metropolitan planning organization or transportation planning agency, and consider the impacts of development and the barriers caused by transportation infrastructure and development to wildlife and habitat connectivity.

Status: Died in the Senate.

AB 717. Aguiar-Curry (D-Winters). Water rights: appropriation: small restoration use.

This bill would authorize any person to obtain a right to appropriate water for a small restoration use, as defined. The bill would also authorize a person to apply for a restoration management permit from the Department of Fish and Wildlife, and if the permit is issued, the person would be required to include a copy of any conditions required by the restoration management permit with the required certification.

Existing law exempts certain stream segments subject to certain minimum streamflow requirements from the provisions of the act upon proper registration.

Status: Died in the Assembly.

SB 375. Grove (R-Bakersfield). Wildfire prevention activities: Endangered Species Act: California Environmental Quality Act: California Coastal Act of 1973.

This bill would exempt from the requirements of CEQA a project for the reduction of fuels in areas within moderate, high, and very high fire hazard severity zones, as provided.

Status: Died in the Senate.

Updates and discussion of Permitting

Sustainable Conservation is engaging with CDFW now to remove the planned sunset for the Habitat Restoration Enhancement Act (HREA), and is continuing to advocate to agency partners and the water to remove some restrictions, especially the size restriction of 500 cumulative feet of impact. NOAA and FRGP increased their dewatering length to 1000 feet, which could be a helpful precedent to justify the increase for HREA habitat.

The committee also discussed the restrictions built into the programmatic permit secured through FRGP. To cover the whole state in a programmatic, the permit is more restrictive than individual regional basin

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plans, Region 1 for example, allows a temporary exceedance of water quality standards. This means the project may have more restrictions than if a sponsor had secured their own permit, instead of using the FRGP programmatic, though examining and justifying this could be onerous.

SusCon will connect with the new permitting staff from the FRGP program, letting them know that HREA, SRGO, and other permits are options for applicants, and have FRGP consider regional plans.

Upcoming Tribal Resources Webinars

Landscape Stewardship Network is planning a webinar series on restoration resources for the tribes, focusing on the cutting green tape initiatives. The first one in December will focus on utilizing permitting pathways, and other resources. "What are the tools that are out there and how can you access them?"

The Yurok tribe to present, and another tribe who had trouble.

The agenda for the second webinar is not set. Erika is trying to get information from the tribal practitioners to hear what their challenges are, and what they may like to cover. A recurring challenge for the tribes seems to be how permitting consultations are handled, and inefficiencies in communication with agencies (One major one is tribe contacted by 10 different agencies about same project).

2025 STATE BILLS OF INTEREST

1. SB 375. Grove (R-Bakersfield). Wildfire prevention activities: Endangered Species Act: California Environmental Quality Act: California Coastal Act of 1973.

This bill would exempt from the requirements of CEQA a project for the reduction of fuels in areas within moderate, high, and very high fire hazard severity zones, as provided.

Status: Died in the Senate.

2. SB 427. Blakespear (D-Encinitas). Habitat Conservation Fund.

This bill would eliminate the sunset on the annual \$30 million appropriation to the Habitat Conservation Fund and require the Controller to continue to annually transfer \$30,000,000 from the General Fund indefinitely.

Status: Passed and chaptered on 10-3-25.

3. SB 601. Allen (D Santa Monica). Waste Discharge.

This bill would require the state water board to, on or before June 30, 2028, adopt a primary drinking water standard at least as stringent as the national primary drinking water standard adopted by the United States Environmental Protection Agency that was in effect on January 19, 2025, as specified. This bill would authorize the state board to adopt water quality control plans for any waters of the state, which would include nexus waters, which the bill would define as all waters of the state, except as specified. The bill would require, when applying to a city or a county for a building or construction permit, a person who conducts a business operation that is a regulated industry and seeks permission for construction activities over one acre to demonstrate enrollment with the NPDES or WDR permit programs by providing specified information under penalty of perjury on the initial building or construction permit application, or renewal thereof.

Status: Died in the Assembly.

4. SB 607. Wiener (D- San Francisco). California Environmental Quality Act: categorical exemptions: infill projects.

This bill would require a lead agency to limit the scope of an environmental impact report to the condition of a categorical exemption that the lead agency determines, after a preliminary review of the project, disqualifies the project from eligibility under the categorical exemption. The bill would exempt from the requirements of CEQA, except as provided, a rezoning that is consistent with an approved housing element.

Status: Died in the Senate.

5. AB 454. Kalra (D-San Jose). Migratory birds: California Migratory Bird Protection Act. Existing law, operative January 20, 2025, makes it unlawful to take or possess any migratory nongame bird as designated in the federal Migratory Bird Treaty Act, or any part of a migratory nongame bird, except as provided. This bill would instead extend the California Migratory Bird Protection Act indefinitely.

Status: Passed and chaptered on 10-6-25.

6. AB 491. Connolly (D-San Rafael). California Global Warming Solutions Act of 2006: climate goals: natural and working lands.

This bill would specify that it is the goal of the state to achieve each of the targets established by the Natural Resources Agency by the applicable date for the target, with priority given to activities that most rapidly, significantly, and cost effectively reduce emissions of greenhouse gases. The bill would also revise the definition of “natural carbon sequestration” for purposes of the above-described provisions.

Status: Died in the Assembly.

7. AB 581. Bennett (D-Ventura). State shrub.

This bill would establish the big berry manzanita (*Arctostaphylos glauca*) as the official state shrub.

Status: Passed and chaptered on 10-9-25.

8. AB 623. Dixon (R-Newport Beach). Fuel modification and reduction projects: California Environmental Quality Act: coastal development permits: exemptions.

This bill would exempt a fuel modification project to maintain defensible space of 100 feet from each side and from the front and rear of a building or structure from the requirements of CEQA.

Status: Died in the Assembly.

9. AB 717. Aguiar-Curry (D-Winters). Water rights: appropriation: small restoration use.

This bill would authorize any person to obtain a right to appropriate water for a small restoration use, as defined. The bill would also authorize a person to apply for a restoration management permit from the Department of Fish and Wildlife, and if the permit is issued, the person would be required to include a copy of any conditions required by the restoration management permit with the required certification.

Existing law exempts certain stream segments subject to certain minimum streamflow requirements from the provisions of the act upon proper registration.

Status: Died in the Assembly.

10. AB 794. Gabriel (D-Encino) California Safe Drinking Water Act: emergency regulations.

This bill would provide that the authority of the state board to adopt an emergency regulation pursuant to these provisions includes the authority to adopt requirements of a specified federal regulation that was in effect on January 19, 2025, regardless of whether the requirements were repealed or amended to be less stringent.

Status: Died in the Assembly.

11. AB 902. Schultz (D-Burbank). Transportation planning and programming: barriers to wildlife movement.

This bill would require the regional transportation plan or sustainable communities strategy to identify and analyze connectivity areas, permeability, and natural landscape areas that are partially or fully within the region of the metropolitan planning organization or transportation planning agency, and consider the impacts of development and the barriers caused by transportation infrastructure and development to wildlife and habitat connectivity.

Status: Died in the Senate.

12. AB 1139. Rogers (D-Santa Rosa). California Environmental Quality Act: exemption: public access: non-motorized recreation.

This bill would “exempt from CEQA review the opening for public use of trails created by trespass on formerly private lands. Such unplanned and authorized trails are often conflict in with wildlife needs and behavior, such as when they lead to wetlands. The CEQA process allows public input, biological analysis, and consideration of alternatives before a final trail plan is adopted.”

Status: Approved and chaptered on 10-6-25.