Permitting for Small Dam Removal in California

A Guide for Restorationists and Regulators

The purpose of this guide is to provide agency staff and restoration practitioners with information to help navigate the permitting process for small dam removal, including authorizations that may be required, permit dependencies, and permitting pathways, with a focus on restoration-specific permitting tools.

Small Dam Removal in California

Many existing dams are no longer used for their intended purpose and may be aging and becoming structurally unsound. The cost of repairing and maintaining these obsolete structures can be significant and is often more expensive than removal itself. Furthermore, the adverse ecological impacts of these structures are now better understood. In many instances, removing obsolete unsafe barriers promotes aquatic connectivity and ecosystem recovery benefits for communities and the environment, while frequently enhancing recreation opportunities, property values, and climate resilience. The benefits of dam removal have led to the inclusion of such activities in several of California's restoration permit pathways, reducing compliance costs and regulatory timelines.

Disclaimer: The information presented in this guide is not legal advice and should not be acted upon as such. This document is not intended to serve as a substitute for referring to regulations and primary permit documents, and users should refer to them for full eligibility criteria, procedures, and requirements. This guide does not guarantee a project's eligibility for a particular permitting pathway. Final authorizations will be determined by regulatory agency staff.

How Small Dams are Defined

This guide focuses on permitting the removal of **small dams,** as defined in several programmatic permits for restoration in California, which use the definition from the California Division of Safety of Dams (DSOD) as **dams of non-jurisdictional size**.

Dams of non-jurisdictional size (i.e., those "small dams" whose removal is typically eligible for coverage under programmatic permits) are defined by the California Water Code § 2010 as: Any artificial barrier which is (a) **less than 25 feet in height** from the natural bed of the stream or watercourse at the downstream toe of the barrier, or from the lowest elevation of the outside limit of the barrier to the maximum possible water storage elevation and (b) was designed to have an **impounding capacity of less than 50 acre-feet.***

These dams are also generally not under Federal Energy Regulatory Commission (FERC) jurisdiction.**

*The North Coast NMFS Programmatic Biological Opinion and Coastal Commission Federal Consistency Determination for the North and Central Coast have a limit of less than 2000 acre-feet of storage to define small dams eligible for removal. Please refer to the table below for additional details on project eligibility. The South Coast NMFS PBO limits eligibility based on sediment retention as well.

**The Water Board Statewide Restoration General Order (SRGO), may cover removal of facilities under FERC jurisdiction upon receipt of written approval by the Deputy Director for the Division of Water Rights.

While many of the available restoration pathways described in this guide are generally available for these smaller structures, significant complexity (e.g., large sediment volumes or significant contamination potential) may require pursuit of more traditional and onerous regulatory compliance pathways. Reviewing each programmatic permit described in this guide is essential to understand any potential

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limitations on the use of the programmatic permit in a more complex scenario.

Authorizations Commonly Required

Laws that will likely be triggered by a small dam removal project include, but are not limited to:

- California Environmental Quality Act (CEQA)
- National Environmental Policy Act (NEPA)
- Section 404 of the Clean Water Act, through the U.S. Army Corps of Engineers (USACE)
- Section 401 of the Clean Water Act through the State Water Resources Control Board and Regional Water Quality Control Boards
- Porter-Cologne Water Quality Control Act, Waste Discharge Requirement (WDR), through the State Water Resources Control Board and Regional Water Quality Control Boards
- Section 402 of the Clean Water Act, through the State Water Resources Control Board.
- Section 7 of the Federal Endangered Species Act (ESA), through the National Marine Fisheries Service (NMFS, for anadromous fish, e.g. salmonids and lamprey) and/or U.S. Fish and Wildlife Service (USFWS, for most terrestrial and freshwater species, e.g. amphibians, birds, reptiles, plants).
- The California Endangered Species Act (CESA), through California Department of Fish and Wildlife (CDFW).
- Fish and Game Code Section 1600, Lake and Streambed Alteration (LSAA), through CDFW.
- National Historic Preservation Act, with the State Historic Preservation Officer (SHPO) as one of the mandatory consulting parties for the Section 106 process. If the undertaking has the potential to impact tribal cultural resources, consultation with relevant Tribal Historic Preservation Officers (THPOs) is also required.

Local city or county, transportation related, and certain location-dependent permit requirements (e.g. Sacramento-San Joaquin Delta, federal lands) are not included in this guide.

Permitting Summary Table

The **table at the end of this document** includes information about CEQA, NEPA, state and federal agencies, laws that can be triggered by restoration activities, and **information about the suite of restoration-specific and standard pathways**, including project size limits, activities covered, the application process, and the benefits and details of each.

Small Dam Removal Project Activities

Implementing small dam removal projects may require the use of heavy equipment (e.g., self-propelled logging yarders, mechanical excavators, backhoes). Some small dams can be removed using hand tools, such as jackhammers. Some programmatic authorizations allow for the use of explosives to remove small dams. Project activities such as in-water work and dewatering involve implementing additional protection measures.

Explore the **Protection Measures Selection Tool** to help select applicable environmental protection measures from USFWS, NMFS, and the Water Board programmatic restoration permits based on project activities and species presence. Discuss protection measures and any proposed modifications thereto during the pre-application process.

Restoration-Specific Pathways

Some types of restoration-specific pathways are:

- **Exemptions and exclusions** (e.g. CEQA Categorical Exemption 15333, CEQA Statutory Exemption for Restoration Projects, NEPA Categorical Exclusions)
- **Programmatic permits, which include a list of activities covered, exclusions, and eligibility**

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requirements (e.g. NFMS and USFWS programmatic biological opinions, Water Board General Orders, Army Corps regional general permits and nationwide permits)

- **Programs that issue a single authorization in lieu of multiple permits** (e.g. CDFW Habitat Restoration and Enhancement Act, CDFW Restoration Management Permit)

Pre-Application Consultation

The pre-application process is key to successfully using any of these pathways. Once there is a conceptual design, contact staff from the agencies that may need to issue an authorization for the project (if they weren't already involved in the project) to get their input before submitting permit applications.

Invite staff from agencies relevant to the project to attend a pre-application consultation meeting, and a site visit. Pre-consultation meetings and site visits may be completed on an agency-by-agency basis or with multiple agencies attending one meeting and site visit. Involving multiple agencies in pre-consultation and site visits can facilitate quick resolution of seemingly conflicting requirements. At the site visit and during these discussions, applicants can get feedback from agency staff on project design and environmental protection measures, and agency staff can discuss the project together. The applicant can come away with a better sense of what permitting pathways the project is likely eligible for, and information to include in applications.

Three State Regulatory Tools that Work Well Together: CatEx 15333, SHRP, and HREA

These three regulatory tools have been used together for small dam removal projects, including Dennett Dam Removal, and Jenny Creek Barrier Removal Project, about which the California Fish Passage Forum produced a permitting case study.

(1) CEQA Categorical Exemption 15333 – Small Habitat Restoration Projects (CatEx 15333) has a size limit of **5 acres or less**. This size limit includes all areas directly disturbed, such as work areas, areas dewatered, new access routes, staging areas in wetlands or uplands, and temporary and permanent disturbance. Existing access routes are not included in this calculation. Categorical Exemptions "shall not be used for a project which may cause a substantial adverse change in the significance of a **historical resource**." If the dam to be removed is a historical resource, another CEQA pathway would need to be used. See Dam Removal and Historic Preservation: Reconciling Dual Objectives by American Rivers for more information on National Historic Preservation Act compliance for dam removal projects.

(2) For **Clean Water Act (CWA) 401 Water Quality Certification**, the State Water Resources Control Board has a General Order for Small Habitat Restoration Projects (SHRP). Projects must be eligible for CatEx 15333 and must also disturb no more than **500 cumulative linear feet of stream**. This includes any dewatering activities. Projects must not be a compensatory mitigation project, and the construction duration period cannot exceed five years. Contact your local Regional Board staff to discuss your project.

(3) In lieu of individual permits for compliance with the **CESA** and **LSAA**, the **CDFW** Habitat Restoration and Enhancement Act (HREA) is statutorily linked to the SHRP, which is linked to CatEx 15333. Projects that have received a SHRP Notice of Applicability (NOA) can use the **1653 process**, through which CDFW has **30 days** to determine if a 1653 request is complete and eligible for coverage under HREA. Projects that are eligible for the SHRP, but do not have a SHRP NOA (often used for projects that receive funding and 401 Water Quality Certification through CDFW's Fisheries Restoration Grant Program) can use the **1652**

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process. CDFW has 60 days to determine if a 1652 request is complete and eligible for coverage under the HREA.

Projects that are 5 Acres or Less and Over 500 Linear Feet

There continue to be restoration projects that are within the 5-acre size limit of CatEx 15333 but exceed the 500 cumulative linear foot limit of the SHRP and HREA. These projects often use a combination of the CEQA CatEx 15333 with permitting pathways available from CDFW and the Water Boards that can be used for projects over those size limits.

These pathways include the Water Board Statewide Restoration General Order (SRGO) for 401 Water Quality Certification and WDRs, and from CDFW, a Restoration Management Permit (RMP) or Restoration Consistency Determination (CD), which do not have acreage or linear foot limits on project size.

Projects that are Larger than 5 Acres and Over 500 Linear Feet

These projects may be eligible for the SRGO and could potentially get an RMP or Restoration CD.

Restoration-specific CEQA pathways for projects that cannot use CatEx 15333 include the Statutory Exemption for Restoration Projects (SERP), administered by CDFW, and the Programmatic EIR for the SRGO (SRGO PEIR).

Programmatic Biological Opinions from USFWS and NFMS

In 2022, USFWS issued a Statewide Restoration Programmatic Biological Opinion (USFWS PBO) for ESA Section 7 consultation, which includes small dam removal as an eligible project type. The USFWS PBO was developed at the same time as the SRGO, and these pathways were designed to be as similar as possible in their project types and protection measures.

The NOAA Restoration Center administers PBOs for the North Coast, Central Coast, Central Valley, and South Coast. These PBOs are similar in many ways, but there are also important differences between Program areas. See the table at the end of this document for details on dewatering limits in the NMFS PBOs and read the details of the PBO(s) you plan to use, including eligibility information, data requirements for small dam removal projects, and application and post-project construction monitoring forms before contacting agency staff to discuss your project.
For projects impacting species listed under both the federal ESA and CESA, CDFW can issue Restoration Consistency Determinations for projects covered by the USFWS PBO, North Coast, Central Coast, and Central Valley PBOs.

2026 Army Corps Nationwide Permits and Small Dam Removal

For years, Nationwide Permit 27 (NWP 27 Aquatic Ecosystem Restoration, Enhancement, and Establishment Activities) has been used for small dam removal projects in California. The 2026 version of NWP 27, issued on March 15, 2026, states that it **does not authorize dam removal activities**. Low-head dam removal in California may be authorized by NWP 53 – Removal of Low-Head Dams. NWP 53 **Does not** authorize work in navigable waters **to restore the stream in the vicinity of the low-head dam**, including the former impoundment area. NWP 27 or other Corps permits may authorize such activities. More than one NWP can be used on a single project, so NWP 53 and NWP 27 may **be used together** for small dam removals accompanied by stream restoration work in California.

American Rivers has issued a Fact Sheet about Low Head Dam Safety indicating these dams are

typically less than 25 feet high, similar to how small dams are defined in other programmatic permits.

Army Corps Regional General Permits (RGPs)

In the Sacramento District, RGP 16 Aquatic Habitat Restoration and Enhancement Activities can be used to authorize small dam removal. It cannot currently be used with the SHRP, but could be used with the SRGO, so it may be better suited for projects impacting a stream length larger than the limits set forth as eligibility criteria for the SHRP and HREA.

There are other RGPs in the Sacramento, San Francisco, and Los Angeles Corps Districts that may authorize restoration activities in specific places (e.g. Santa Cruz Permit Coordination Program).

Fisheries Restoration Grant Program (FRGP)

RGP-12 (San Francisco District) and RGP 78 (Los Angeles District) are only for projects that receive funding from CDFW's Fisheries Restoration Grant Program (FRGP). FRGP also provides CEQA coverage and Clean Water Act 401 certification for eligible projects that receive funding under the program.

Working with Federal Partners

The Partners for Fish and Wildlife Program is a voluntary program that provides free technical and financial assistance to private landowners interested in improving wildlife habitat on their lands. If interested, contact the California State Coordinator or your local Partners Program biologist. Partners Program staff may be able to assist with federal authorizations (Army Corps 404, USFWS and NMFS Section 7, NEPA, NHPA).

If working on federal lands, such as **U.S. Forest Service land** or **Bureau of Land Management** land, NEPA Categorical Exemptions may be available for use, and federal agency staff may be able to help identify the appropriate Categorical Exemption to use and navigate the federal NEPA process.

Permitting Linkages and Dependencies

Army Corps — USFWS, NMFS, and NHPA

Army Corps permit decisions are subject to other federal laws, such as the **Endangered Species Act** and **National Historic Preservation Act (NHPA).**

No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless **ESA section 7 consultation** addressing the consequences of the proposed activity on listed species or critical habitat has been completed. This requirement can be satisfied by using the USFWS and NMFS PBOs described on the previous page.

NWPs and RGPs do not authorize activities that may have the potential to cause effects on properties listed, or that are eligible for listing, in the National Register of Historic Places until the requirements of **Section 106 of the NHPA** have been satisfied.

To assist with NHPA compliance for NWP covered projects, the Sacramento District Regulatory Division has established Guidelines for Compliance with Section 106 of the National Historic Preservation Act of 1966, which contain information needed to initiate consultation with the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO). This information is required to be submitted with any request for authorization of a Nationwide Permit or a Letter of Permission, and should be provided with all permit requests. See more about Cultural Resources Agency Consultation here.

Army Corps — Water Boards

For small dam removals, the need for a Section 401 Clean Water Act Water Quality Certification (through the Water Boards) is triggered by the activity's need for an Army Corps Section 404 permit. The approving Water Board (State Board or Regional Board) certifies that the federal action is consistent with state law through 401 Water Quality Certification. This can be done under a

General Order like the General Order for Small Habitat Restoration Projects (SHRP) or the Statewide Restoration General Order (SRGO). In some instances, an individual 401 Water Quality Certification may be required.

Army Corps — NEPA

NEPA compliance is covered when permitted under an Army Corps nationwide permit (NWP) or Regional General Permit (RGP).

Reporting and Monitoring

Review post-construction reporting forms and monitoring requirements for any pathways you plan to use and discuss monitoring with agencies during the pre-application process.

The **NMFS PBOs** require surveys to document the presence/absence of target salmonid species upstream of the dam removal site before and after project implementation. Photo documentation of pre- and post-project conditions taken from established photo points, and photo documentation of erosion control measures employed must be submitted with the post-construction monitoring form. As-built conditions of channel width, slope and maximum jump height must also be submitted, along with fish relocation data. Additional data needs vary by PBO; be sure to review these carefully for the project area in which you are working.

The ESA Section 7(a)(2) Review Form (application form) for the **USFWS PBO** includes pre-project photo-monitoring data (in accordance with CDFW photo-monitoring guidelineshttps://pubs.usgs.gov/tm/tm2a11/) and a proposed monitoring plan in the list of information to include.

The Post-Construction Report Form states that, "If a monitoring plan was submitted and approved during the ESA Section 7(a)(2) Review Form process, please summarize the results here or attach. Please attach photo documentation of pre- and post-project conditions. Attach as a separate file. Photos should be taken from the four cardinal directions and from established photo points for comparison to pre-project photo documentation." Photo documentation for erosion control is also submitted with the Post-Construction Form.

All injury or mortality of listed species must be reported to USFWS Ecological Services Program within 48 hours. Any incidental take that occurred during project construction must be reported in the Post-Construction Report Form.

Submit the Post-Construction Report Form to the respective USFWS Field Office (and copy the Action Agency) by December 1st each year.

If there are ongoing revegetation or species monitoring beyond the report due date, provide a report annually on December 1st until success criteria have been met, or monitoring has ceased, The standard for revegetation success is 60% percent absolute cover compared to pre-project conditions at the project site or at least 60% cover compared to an intact, local reference site. If an appropriate reference site or pre-project conditions cannot be identified, success criteria will be developed for review and approval on a project-by-project basis, based on the specific habitat impacted and known recovery times for that habitat and geography.

The **SHRP** and **SRGO** both require a monitoring plan, for which the level of detail of monitoring and associated reporting shall be:

- For the **SHRP**, commensurate with the scope and size of the restoration project
- For the **SRGO**, commensurate with the scope, complexity, and objectives of the project, and in consideration of project site conditions

More Resources

For more information about regulatory agencies, restoration-specific permitting pathways, example projects, and much more, visit acceleratingrestoration.org.

To discuss permitting strategy for a project or specific permitting questions, contact the Accelerating Restoration team at restoration@suscon.org for free technical assistance.

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SMALL DAM REMOVAL PERMITTING SUMMARY TABLE

Agency/Authority	What is the Law, and When is it Required?	Permit Pathway / Approval	When to Consider Using this Pathway	ELIGIBILITY: Project Size Limits	ELIGIBILITY: Activities Covered	Application Process (Action Needed to Comply/Apply)	Benefits/Details
California Environmental Quality Act (CEQA) The California Environmental Quality Act (CEQA) generally requires state and local government agencies to inform decision makers and the public about the potential environmental impacts of proposed projects and to reduce those environmental impacts to the extent feasible.	A public agency must comply with CEQA when it undertakes an activity defined by CEQA as a "project." A project is an activity undertaken by a California public agency or a private activity which must receive some discretionary approval from a government agency (meaning that the agency has the authority to deny the requested permit or approval, as distinguished from ministerial projects—which are those where the public agency or body has to determine only whether a project conforms with applicable statutes, ordinances or regulations) which may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment. Local agencies (e.g., Open Space Authorities, Water Districts, Resource Conservation Districts, etc.) may need to comply with CEQA when accepting funding or accepting responsibility for implementing a project.	Categorical Exemption 15333 - Small Habitat Restoration Projects	Public agency action on a "project" (e.g. issuing a permit, funding, implementing a project) that qualifies for CEQA categorical exemption 15333, or another Categorical Exemption (see CEQA Guidelines §§ 15300-15333)	≤ 5 acres (all areas directly disturbed temporarily or permanently, such as work areas, including dewatering, access routes, staging areas (wetlands and uplands)). Do not include areas of potential indirect disturbance when calculating project size.	Maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife. **Has been used for small dam removal projects.**	The CEQA lead agency (see Section 15367) may file the Notice of Exemption. Local agencies filing NOEs with the local county clerk of the county where the project will be located must also file the NOE with the Governor's Office of Land Use and Climate Innovation (LCI).	• A faster/lower cost alternative to preparing a CEQA document (e.g., Initial Study/Negative Declaration). • Per Sec. Crowfoot's 1/7/21 memo, the presence of endangered, rare, or threatened species, or the use of mechanized equipment, respectively, does not preclude the use of CatEx 15333 per se. • Consider conducting a California Historical Resources Information System (CHRIS) search to demonstrate that your project would not result in significant adverse impacts on a historical resource. • Categorical exemptions shall not be used for a project which may cause substantial adverse change in the significance of a historical resource.
		CEQA Program EIR for the State Water Resources Control Board Statewide Restoration General Order (SRGO PEIR)	Public agency action on a "project" (e.g. issuing a permit, funding, implementing a project) whose impacts have been analyzed under the SRGO PEIR. Actions or supplemental analyses such as completing a memo to file/ findings, addendum, or supplemental EIR could be performed.	No limits on size of project footprint or stream length.	Projects that result in a net increase in aquatic or riparian resource area functions and/or services. May include multiple benefits. Meets the definition of a restoration project in the General Order.	• See Figure ES-2 CEQA Process Flow Chart for a summary of how the SRGO PEIR can be used. • Utilize the analyses completed and, if needed, only do supplemental analysis for impacts not covered by the SRGO PEIR. Actions or supplemental analyses such as completing a memo to file/findings, addendum, or supplemental EIR could be performed. • CEQA lead agency files a Notice of Determination (NOD) with the LCI. The Water Board (see below) is often the CEQA lead agency. • See SRGO PEIR FAQ for answers to common questions.	• Reduced effort for CEQA compliance for projects within its scope • The SRGO PEIR could be used to satisfy the CEQA requirement of other CEQA lead agencies (in addition to the Water Board) if the project meets the definition of a restoration project and all other applicable assumptions in the SRGO PEIR. • See Appendix J: Mitigation Monitoring and Reporting Program, for the mitigation measures summarized in Table 1-1 by resource. Mitigation measures for Cultural Resources (CUL-1 through CUL-4) start on page J-10 and mitigation measures for Tribal Cultural Resources (TRC-1 and TRC-2) start on page J-35). The full text of the impact analysis and mitigation measures are in Chapter 3 of the Consolidated Final PEIR.
		Statutory Exemption for Restoration Projects (SERP) Administered by California Department of Fish & Wildlife (CDFW) SERP has been extended through January 1, 2030.	Public agency action on a "project" (e.g. issuing a permit, funding, implementing a project) that qualifies for SERP.	No limits on size of project footprint or specific limits on dam height or impoundment. **Could be used for larger dams.**	Projects that are exclusively/solely for the purpose of restoration and result in a net benefit to climate resiliency, biodiversity and sensitive species recovery.	CEQA lead agency request a SERP consultation, and/or discuss whether SERP or SRGO PEIR is the best pathway for a project by contacting the regional CGT staff person or restorationpermitting@wildlife.ca.gov. See the SERP Process flow chart for more details. A CEQA lead agency shall file an NOE with the LCI within 48 hours of approval (e.g. issuing a permit, funding project implementation, or deciding to undertake a project).	• For projects that don't qualify for a categorical exemption (see above) for other statutory exemptions, SERP serves as a faster/lower cost alternative to preparing a traditional CEQA document. • Based on the statute's criteria, a CEQA lead agency makes a determination that the project qualifies for SERP. If determinations are collectively sufficient, CDFW Director issues concurrence • CDFW encourages and supports lead agency efforts to meet and confer with local advocacy groups, neighbors, affected public agencies, elected officials, and California Tribes prior to submitting their SERP determinations to CDFW. • Guide from CDFW on CEQA for restoration projects
		Individual project CEQA action	Public agency action on a "project" where the pathways above, CDFW's FRGP program on page 11 of this document, or another existing CEQA document does not apply.	No size limits	Any activity	Lead agency prepares an Initial Study (IS) to determine whether the project might result in significant environmental effects; prepare a negative declaration (ND), mitigated negative declaration (MND), or EIR, depending on the initial study. See CEQA 101 for more information.	• Can require a public process. • Longer timelines compared to using a programmatic CEQA document. • Tribal consultation is required per AB-52. Involving Tribes early in the project design process, before consultation through AB-52, is recommended and can benefit project outcomes.

Notes: This table is provided for informational purposes and does not offer legal advice. Local permits (e.g., County grading permits, etc.) may need to be obtained for your project. Published October 16, 2026.

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State Water Resources Control Board (State Water Board) and **Regional Water Quality Control Boards** (Regional Water Boards) The State Water Board and the nine Regional Water Boards, collectively known as the California Water Boards (Water Boards) protect water quality and allocate surface water rights in California.	The State Water Board and Regional Water Boards have authority under Section 401 of the Clean Water Act to certify, waive, or condition any activity that may result in a discharge. The State's Water Quality Certification Program also satisfies the Porter-Cologne Water Quality Control Act (i.e., Waste Discharge Requirements (WDRs). If a CWA 404 permit is needed, Water Quality Certification from the State or a Regional Water Board is required. See the map of all nine Regional Water Boards here.	Order for Small Habitat Restoration Projects (SHRP)	For qualifying small habitat restoration projects that require Water Quality Certification, with a construction period not to exceed 5 years. The SHRP does not currently include WDRs. Must be eligible for CEQA categorical exemption 15333 (see above). Cannot be used for compensatory mitigation projects.	≤ 5 acres and 500 cumulative linear feet of disturbance to stream segment, including dewatering.	Aquatic and riparian habitat restoration and related water quality improvement projects with the primary purpose of habitat restoration. **Has been used for small dam removal projects.**	• Submit a Notice of Intent (NOI) and application fee to the Regional Water Board where the project will take place. • The State or Regional Water Board, may at its discretion, issue a Notice of Applicability (NOA), indicating that the project activities are authorized under this Order. • Clearly describe that the activities being proposed as part of the project are truly restoration and would qualify as a restoration project per the definition in Categorical Exemption 15333.	• Faster/simpler process compared to standard individual Water Quality Certification; coordinated with CDFW's HREA authorization (see below). • If your project is located in Waters of the U.S. (WOTUS), inform the Water Board how you will be engaging with the Corps and what Corps permit, if any, you will be using, as well as your timeline for project completion. • At this time, cannot be used with Army Corps Regional General Permit 16 (Sacramento District, see below). • Because SHRP is statutorily linked to CDFW's Habitat Restoration and Enhancement Act (HREA), if you plan to use HREA, recommend pre-consultant meeting(s) with Water Board and CDFW to align agency requirements for faster approval (see below).
		Statewide Restoration General Order (SRGO)	For projects exceeding the project footprint allowed under the SHRP. Projects that impact either Waters of the State (WOTS) or Waters of the U.S. (WOTUS). Can be used for mitigation and projects that are not voluntary.	For eligible projects exceeding size limits for the Order for Small Habitat Restoration Projects (see above) For **small dams** (less than 25 ft in height from the natural bed of the stream or designed to have an impounding capacity of less than 50 acre-feet.	Aquatic and riparian habitat restoration and related water quality improvement projects, including small dam removal. See Attachment A for eligibility and project type descriptions.	• Consult the approving Water Board and comply with the administrative process [See Figure A-1, p. A-2]. • Request a pre-application meeting as soon as the project concept is developed, or at least 30 days prior to submitting the Notice of Intent (NOI). • In Step 5 of the process, submit the NOI and application fee to the approving Water Board. • Email your Regional Water Board contact and copy the State Water Board and your Army Corps permitting contact when submitting your NOI for noticing and informational purposes.	• Faster/more efficient process compared to standard individual Water Quality Certification/WDRs. • General Protection Measures are generally aligned with USFWS and NMFS Restoration Programmatic Biological Opinions and were coordinated with CDFW for consistency with their restoration permitting pathways (see below). • Can be used with the SRGO PEIR for CEQA compliance, or with a different CEQA compliance pathway such as the SERP, or CatEx 15333 (for projects ≤ 5 acres). • Facilities under Federal Energy Regulatory Commission (FERC) jurisdiction may be covered under the SRGO upon receipt of written approval by the Deputy Director for the Division of Water Rights. • See Sustainable Conservation's SRGO FAQ for answers to common questions.
		Individual project Water Quality Certification or Waste Discharge Requirements	For larger projects that impact "state" and/or "federal" waters and do not qualify for the SRGO (See SRGO Exclusions and Prohibited Activities).	No size limits. **Could be used for larger dams.**	Any activity can be proposed. Activities can be denied a permit, when warranted.	Request a pre-application meeting as soon as the project concept is developed. Submit an "application: discharges of dredged or fill material to waters of the state" to the approving Water Board (see map of Regional Boards. Projects the cross Regional Board boundaries are reviewed by the State Board).	• Lengthier process than obtaining coverage under the SRGO. • Less standardized process than using the SRGO and associated general protection measures. • Water Board staff must prepare a generally lengthier individual permit, instead of an NOA for enrollment under the SRGO.
	The federal Clean Water Act requires discharges of construction stormwater to Waters of the U.S. to be regulated by a National Pollutant Discharge Elimination System (NPDES) permit.	402 NPDES Construction Stormwater General Permit	For projects that impact 1 or more acres of lands outside of impacts covered by the Water Quality Certification.	No limit on size of project footprint	Activities subject to this permit include but are not limited to clearing, grading, excavation, stockpiling, and demolition activities that expose or disturb soil.	Prepare and submit an application to be covered under the Construction Stormwater General Permit.	• Requires development of a site-specific plan that details how construction activities will not result in discharges to Waters of the State (e.g., erosion control best management practices, dewatering plan. • Only include impact areas outside Waters of the State. • Projects that directly disturb less than 1 acre of area outside of Waters of the State do not need 402 NPDES construction stormwater permit coverage.

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California Department of Fish and Wildlife (CDFW) The mission of the California Department of Fish and Wildlife (CDFW) is 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's Environmental Review and Permitting Programs implement sections of the California Fish and Game Code (FGC), California Code of Regulations (CCR), and other statutes and regulations. The California Endangered Species Act (CESA) is a California environmental law that conserves and protects plant and animal species at risk of extinction. A CESA-listed species, or any part or product of the plant or animal, may not be imported into the state, exported out of the state, "taken" (i.e., killed), possessed, purchased, or sold without proper authorization.	Projects approved by CDFW, pursuant to the Habitat Restoration and Enhancement Act (HREA) will not require additional permits from CDFW, such as Lake and Streambed Alteration Agreement (LSAA) or California Endangered Species Act (CESA) permit.	Habitat Restoration and Enhancement Act (HREA)	For small-scale, voluntary aquatic habitat restoration projects (projects cannot be required as mitigation). Can be especially helpful for those qualifying projects that would otherwise need both an LSAA and CESA permit from CDFW.	≤ 5 acres and 500 cumulative linear feet of stream segment or coastline (includes total area of temporary and permanent direct disturbance including upland and wetland areas).	Projects must be voluntary projects with the primary purpose of improving fish and wildlife habitat. Must meet eligibility requirements for the SHRP, but not required to use the SHRP (see above). **Has been used for small dam removal projects.**	Highly recommended that you contact your CDFW Regional staff for pre-consultation and include the Regional Water Board to discuss usage of the SHRP (see details above). HREA Request Forms are on CDFW's HREA webpage. Electronic copies of completed HREA Request Forms may be submitted to CDFW through the EPIMS Document Repository. Completed paper HREA Request Forms must be mailed to the local CDFW Regional Office. Submit one hardcopy of either the 1652 or 1653 form, fees, and all attachments.	• Faster/simpler process – approval in up to 30 days with the Water Board SHRP NOA (Section 1653 pathway), otherwise up to 60 days for projects that do not have a SHRP NOA (Section 1652 pathway, often used for eligible projects that receive Section 401 coverage through CDFW's Fisheries Restoration Grant Program (FRGP), use an existing programmatic 401, or projects that are pursuing CDFW and Water Board permitting simultaneously). • Projects do not require CESA financial assurances or mitigation, resulting in significant cost savings as compared to the standard CESA permitting process. • May not be the most efficient pathway if you do not need CESA coverage. Discuss your project with CDFW staff before applying.
	Fish and Game Code 1670 (the Restoration Management Permit Act) allows CDFW to authorize take of CESA-listed species, candidate species, Species of Special Concern/common species, fully protected species, rare plants; and impacts to rivers, streams, or lakes if those impacts are part of a qualifying restoration project.	Restoration Management Permit (RMP)	For restoration projects that need authorization or state-defined take of CESA-listed species, candidate species, Species of Special Concern/common species, fully protected species, and rare plants; as well as Lake and Streambed Alteration. For projects under 5 acres, HREA may be a more efficient option.	No limit on size of project footprint, stream length, or size of the dam to be removed. **Could potentially be used for larger dams or for a series of smaller dams.**	A project with the primary purpose of restoration that also results in a substantial net benefit to native fish, wildlife, plants, and/or their habitat. Project may also have secondary or incidental benefits.	If you are interested in discussing a potential RMP for your restoration project, please contact the regional CGT staff person or restorationpermitting@wildlife.ca.gov. Consider using the eligibility and application tips document created by Sustainable Conservation to understand the definition of an RMP "qualifying restoration project" and to help you provide the required application information as specified in the RMP Act. The document is available on this web page.	• Consolidates take authorization for CESA-listed species, candidate species, Species of Special Concern/common species, fully protected species, and rare plants; as well as Lake and Streambed Alteration into a single permit, that currently has no application fee • No financial assurance or full mitigation requirements like those in FGC Section 2081.b – saves significant time and expense. • General and species protection measures for avoidance and minimization are aligned with other efficient permitting authorizations (e.g., SRGO, USFWS and NMFS PBOs) and may be incorporated by reference into an RMP.
	FGC section 2080.1 allows an applicant who has obtained a federal incidental take statement or incidental take permit to request that the Director of CDFW find the federally authorized take consistent with CESA. If CDFW issues a consistency determination (CD), no further authorization or approval is necessary under CESA.	Restoration Consistency Determination (Restoration CD)	When a habitat restoration project needs "incidental take" permit coverage for species that are both state and federally listed, and none of those species are state fully protected species (FPS).	If you are applying for a CD off of a PBO, the size of the dam removed will be limited to what is allowed in the PBO you are using. CDs may also be issued from individual project BOs.	Habitat restoration projects, including small dam removal	Pre-consultation is crucial! Contact the Cutting the Green Tape team to discuss your project before submitting your application for federal take coverage. Treat the process almost like a joint consultation and keep your CDFW staff person in the loop as you apply for federal take authorization.	• For species listed under both CESA and federal ESA. • Faster/simpler CESA coverage as compared to a CESA incidental take permit or Restoration Management Permit (RMP). • No financial assurance or full mitigation requirements. • Can work in conjunction with the USFWS and NMFS Restoration Programmatic Biological Opinion for the North Coast, Central Coast, Central Valley (see below) and individual biological opinions. • Exemption from CESA fees for voluntary habitat restoration projects. • New restoration permitting guide from CDFW
	FGC Section 1602 requires any person, state, or local government agency, or public utility to notify CDFW prior to beginning any activity that may substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake.	1600 Lake and Streambed Alteration (LSA)	For projects that do not qualify for HREA or RMP (see below). If CDFW determines that the activity may substantially adversely affect fish and wildlife resources, a Lake or Streambed Alteration Agreement will be prepared.	No size limit	Any activity	• Submit notification of LSA. Notifications for Standard Agreements must use the EPIMS Permitting Portal. • For project and site specific LSA questions, contact the CDFW Region where the project is located. • See the LSA fee schedule.	• An LSA Agreement typically has longer timelines for approval as compared to using the processes listed above. • Note that "any river, stream, or lake" includes those that are dry for periods of time as well as those that flow year-round. If you are not certain whether a particular activity requires notification, CDFW recommends you notify.

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	Section 2081.b of the FGC allows CDFW to authorize take of species listed as endangered, threatened, or candidate pursuant to CESA, and Title 14, Section 786.9 of the CCR similarly allows CDFW to authorize take of plants listed as rare pursuant to the Native Plant Protection Act (NPPA), if that take is incidental to otherwise lawful activities and if certain conditions are met.	CESA Incidental Take Permit (ITP)	For projects that do not qualify for any of the above-mentioned pathways.	No size limits	Any activity	To initiate the ITP process, contact the appropriate CDFW Regional Office based on the location of the proposed project. A local Environmental Scientist will help guide the ITP application and will maintain contact throughout the ITP process. Voluntary restoration projects are not subject to CESA application fees.	• Typically longer timelines as compared to using the processes listed above. • Requires financial assurances and mitigation to offset species impacts. • These permits are most commonly issued for construction, utility, transportation, and other infrastructure-related projects. • Permittees must implement species-specific minimization and avoidance measures and fully mitigate the impacts of the project (Fish & G. Code § 2081 (b); Cal. Code Regs., tit. 14, §§ 783.2-783.8).
U.S. Fish and Wildlife Service (USFWS) USFWS implements the Endangered Species Act (ESA) and is responsible for most terrestrial and freshwater species but also has responsibility for several marine mammal species. Designated critical habitat or the presence of federally protected plant or animal species triggers ESA compliance needs and is often revealed in a biological survey as part of CEQA compliance.	Federal agencies consult with USFWS to avoid jeopardizing the existence of listed species and/or their critical habitat, which would violate the ESA. These consultations are conducted under Section 7 of the ESA. See the Section 7 Consultation Handbook for more. Non-federal parties, including individuals, cannot consult directly under Section 7. However, there are many ways to make a "federal nexus" between a non-federal project and a federal agency. A **"federal nexus"** usually comes in the form of requesting another federal permit (often a 404 permit from the Army Corps), or funding from a federal agency (e.g., USFWS Partners Program, NOAA Restoration Center).	Programmatic Informal Consultation for FRGP - Letter of Concurrence/	For projects that are awarded FRGP funding.	See FRGP program details	Projects that restore, enhance, or protect salmonid habitat in anadromous watersheds.	Apply for FRGP funding and work with your FRGP representative to determine appropriate permitting pathways.	• Eligible applicants include state and local government agencies, public entities, Tribes, and nonprofits. • FRGP also provides the coverage for CEQA, Water Quality Certification/WDRs, and Army Corps 404 permitting. See below in Programs that Cover Permitting from More than One Agency/Authority.
		USFWS Statewide Restoration Programmatic Biological Opinion (PBO)	For restoration projects (as defined in the PBO) with federally listed species or their critical habitat that may be adversely impacted by a project. Allows for late-arriving federal action agencies to use the PBO (e.g., National Parks Service, U.S. Forest Service etc.)	No limit on size of project footprint but includes annual incidental take limits for each species. For **small dams** (less than 25 ft in height from the natural bed of the stream or designed to have an impounding capacity of less than 50 acre-feet).	Aquatic and riparian habitat restoration and related water quality improvement projects, **including removal of small dams**. See the detailed list of project types in Section 2.1.3 of the PBO.	Follow the administrative process as described in the PBO. Work with a federal Action Agency and/or your local USFWS Field Office, Coastal, Partners, Refuge, or Fisheries and Aquatic Conservation Program to apply using the ESA Section 7(a)(2) Review Form. After an ESA Section 7(a)(2) form is submitted to USFWS Ecological Services (ES) for approval the goal is that a Project Proponent will be notified about their project's coverage under the PBO in 30 to 60 days (see also Figure 2: Administration Flow Chart in the PBO).	• Simplified process: uses an ESA Section 7(a)(2) Review Form for coverage under an existing programmatic biological opinion, rather than preparation of an individual Biological Assessment/Biological Opinion (BA/BO). • Simplified post construction requirements. • Fastest approval can happen when USFWS is the lead federal action agency (e.g., when USFWS funds the project or when the project is on USFWS property). • As of 2/7/2025, formal ESA consultation for 47 animals and 21 plants, and 36 critical habitats. • Also includes concurrence on the Not Likely to Adversely Affect (NLAA) determination for 11 species and 4 critical habitats.
		Individual Section 7 Consultation	For projects that do not qualify to use the processes listed above.	No size limits	Any activity	Use the Consultation Package Builder (IPaC) to help build a biological assessment.	• In addition to the time it takes to develop a biological assessment, the process to obtain a biological opinion from USFWS can take 135 days or more.

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National Marine Fisheries Service (NMFS) NOAA Fisheries, also known as NMFS, implements the Endangered Species Act by protecting endangered and threatened marine and anadromous species—from whales and seals to sharks, salmon, and corals. NFMS also works with other public agencies and stakeholders involved in restoration projects, by providing funding and technical assistance throughout California, Idaho, Oregon, and Washington.	**Section 7** of the Endangered Species Act, when projects have a "federal nexus". A **"federal nexus"** usually comes in the form of requesting another federal permit (often a 404 permit from the Army Corps), or funding from a federal agency (e.g., USFWS Partners Program or NOAA Restoration Center (RC)).	**Informal consultation – Letter of Concurrence**	For projects not likely to adversely affect federally listed species or under NFMS jurisdiction or their habitat.	No size limits	Any activity	Submit species surveys, habitat assessment or other relevant information to assist NMFS in assessing potential project impacts.	• Simpler process than obtaining a biological opinion. • Determine if this is the appropriate pathway in accordance with local agency staffer based on site-specific conditions.
		North Coast NMFS Programmatic Biological Opinion (PBO)	For projects the NOAA RC's Arcata Field Office Region (see map here), that encompass the Eel and Mattole Rivers to the South and Smith and Klamath Rivers to the North (including areas in Oregon for the Klamath River). Allows for late-arriving action agencies.	Max of 1,000 contiguous ft. of stream reach may be dewatered at any given time. Dams must be <25 ft in height from the natural bed of the stream or designed to have an impounding capacity of <2000 acre-feet.	Salmonid habitat and upslope watershed restoration, **including removal of small dams**.	Read the Programmatic Biological Assessment (PBA), PBO, application, and post-project monitoring form. Contact NOAA RC staff (see How to Apply) to discuss your project before applying. Small dam removal is one of the project types needing technical agency review. If NOAA RC determines the project still requires technical input, either because there has been no prior agency technical review or because that review was on different technical specifications, NOAA RC will ensure that appropriate agency technical review is completed.	• Faster/lower cost process: individual Biological Assessment/Opinion not needed. • To be eligible for coverage under the Central Coast, Central Valley, and South Coast PBOs, dams must be **<25 ft in height** from the natural bed of the stream or designed to have an impounding capacity of less than **50 acre-feet**. • Generally, dam removal projects accepted for coverage under these PBOs (1) have a small volume of sediment available for release relative to the transport capacity of the stream channel (in the South Coast, relative to the size of the watershed and impounding no more than 900 cubic yards of sediment), such that when released by storm flows, the sediment will have minimal effects on downstream habitat as verified by a qualified engineer and reviewed by a NMFS engineer, or (2) will be designed to remove sediment trapped by the dam down to the elevation of the target thalweg including design channel and floodplain dimensions. • Projects may be deemed ineligible if (1) sediments stored behind the dam have a reasonable potential to contain environmental contaminants [dioxins, chlorinated pesticides, polychlorinated biphenyls, or mercury] beyond the freshwater probable effect levels summarized in the NOAA Screening Quick Reference Table guidelines, or (2) the risk of significant loss or degradation of downstream spawning or rearing areas by sediment deposition is considered to be such that the project requires more detailed analysis. • Sites shall be considered to have a reasonable potential to contain contaminants of concern if they are downstream of historical contamination sources such as lumber or paper mills, industrial sites, or intensive agricultural production going back several decades (i.e., since chlorinated pesticides were legal to purchase and use). Preliminary sediment sampling is advisable (and required by the South Coast PBO) in these areas to determine if a project would be eligible for the Program. • One of two methods will be used to restore the channel in a small dam removal project: Natural channel evolution or "stream simulation" design. The PBOs describe the conditions under which each of these methods may be used.
		Central Coast NMFS Programmatic Biological Opinion (PBO)	For projects within the NOAA RC's Santa Rosa Field Office Region (see map here)	Maximum length of stream dewatered per project is 1,000 linear feet. Dams must be <25 ft in height from the natural bed of the stream or designed to have an impounding capacity of <50 acre-feet.	Salmonid habitat and upslope watershed restoration, **including removal of small dams**.	Read the PBO, application, and post-project monitoring form. Contact NOAA RC staff (see How to Apply) to discuss your project before applying. More complex project types covered by the Program will require a higher level of oversight (those with complex designs requiring engineering review) and review by NMFS regulatory agency staff and agency engineers.	
		Central Valley NMFS Programmatic Biological Opinion (PBO)	For projects within the NOAA RC's Sacramento Field Office Region (see map here)	In cases where the entire channel cross-section must be dewatered, the maximum length of contiguous stream that can be dewatered is 1,000 feet. Same dam size limit as the Central Coast PBO.	Salmonid habitat and upslope watershed restoration that will result in a net increase in aquatic or riparian functions or services, **including removal of small dams.**	Read the PBO, application, and post-construction monitoring form. Contact the NOAA RC (see How to Apply) and follow the administrative process. See Section 1.3.3 of the PBO More complex project types covered by the PBO will require a higher level of oversight (those with complex designs requiring engineering review) and review by NMFS regulatory agency staff and agency engineers.	
		South Coast NMFS Programmatic Biological Opinion (PBO)	For projects in NOAA's Long Beach Office jurisdiction (see map here)	Projects must not dewater or disturb more than 500 contiguous linear feet of stream. Dams to be removed must impound <900 cubic yards of sediment.	Salmonid habitat and upslope watershed restoration that restores degraded steelhead habitat. One small dam removal is allowed every other year.	Read the PBO, application, and post-project monitoring forms. Contact NOAA RC staff (see How to Apply) to discuss your project before applying. Dams in high-risk areas such as urbanized streams, base level dams (where head cuts could be sent up multiple tributaries), and dams located in heavily incised channels will receive additional engineering review.	
		Individual Section 7 Consultation	For projects that do not qualify to use the processes listed above.	No size limits	Any Activity	Prepare a biological assessment using species surveys and habitat assessment data.	• The process to obtain a biological opinion can take 135 days or more as compared to using a programmatic biological opinion, which allows for approval in 30 to 60 days.

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U.S. Army Corps of Engineers (Army Corps) The Army Corps, through the Regulatory Program, administers and enforces Section 10 of the Rivers and Harbors Act of 1899 (RHA) and Section 404 of the Clean Water Act (CWA).	Under RHA Section 10, a permit is required for work or structures in, over or under navigable waters of the United States. Under **CWA Section 404**, a permit is required for the discharge of dredged or fill material into waters of the United States. Many waterbodies and wetlands in the nation are waters of the United States and are subject to the Corps' regulatory authority.	Regional General Permit RGP 16 – Aquatic Habitat Restoration and Enhancement Activities (Sacramento District) (expires 8/14/2029)	For aquatic and riparian restoration projects within Army Corps Sacramento District with no net loss in aquatic resource functions and services Cannot be used with the current version of the SHRP that does not include Waste Discharge Requirements (WDRs).	No size limits on project footprint (stream length or acres). For removal of **small dams.** Assume the same size of small dam allowed for removal under the Central Valley NMFS PBO.	Aquatic habitat restoration and enhancement activities, including, but not limited to **removal of small dams, and associated restoration in the vicinity of the dam**.	Effective May 1, 2026, the Sacramento District expects all new requests for pre-application meetings, permits, jurisdictional determinations, and no permit required letters to be submitted through the Regulatory Request System (RSS). The San Francisco District and Los Angeles District also use the RSS. For RGP 16 and NWP 53, the permittee must submit a pre-construction notification (PCN) to the district engineer prior to commencing the activity. The PCN must include a delineation of waters, wetlands, and other special aquatic sites on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. For NWPs, read the NWP General Conditions and Regional Conditions for California. No activity is authorized under any NWP or RGP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. No activity is authorized under any NWP or RGP which may have the potential to cause effects on properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied (see Section 106/SHPO section below) All Corps permit decisions are subject to various other Federal laws applicable to Federal actions, such as the Endangered Species Act, the National Historic Preservation Act, and the Magnuson-Stevens Fisheries Conservation and Management Act.	• A more efficient way to acquire Section 10 Rivers and Harbors Act and Section 404 Clean Water Act permits than to apply for a Standard Permit. • In the Sacramento District, consider using this RGP instead of two NWPs below. • NEPA compliance has been completed for this permitting pathway. • Compensatory mitigation is not required since covered activities must be restoration or enhancement in nature, resulting in an overall net increase in aquatic resource functions and services. • The permittee must justify that the proposed long-term benefits would outweigh any short-term adverse effects. • Read all of the General Conditions and see associated NMFS BO, USFWS PBO, and USFWS Concurrence for FRGP.
		NWP 53 – **Removal of Low-Head Dams** (expires 3/14/2031)	If your project requires a 404 permit from the Army Corps and is eligible. More than one NWP can be used for a project.	"Low-head dam" is generally defined as a dam or weir built across a stream to pass flows from upstream over all, or nearly all, of the width of the dam crest and does not have a separate spillway or spillway gates, but it may have an uncontrolled spillway.	Removal of low-head dams. Does not authorize work in navigable waters to restore the stream in the vicinity of the low-head dam, including the former impoundment area. NWP 27 (below) or other Corps permits may authorize such activities.		• A more efficient way to acquire Section 10 Rivers and Harbors Act and Section 404 Clean Water Act permits than to apply for a Standard Permit. • NEPA compliance has been completed for this permitting pathway. • As a general rule, compensatory mitigation is not required for activities authorized by this NWP because the removal of the low-head dam will result in a net increase in ecological functions and services provided by the stream. However, the district engineer may determine for a particular low-head dam removal activity that compensatory mitigation is necessary to ensure that the authorized activity results in no more than minimal adverse environmental effects.
		NWP 27 - **Aquatic Ecosystem Restoration, Enhancement, and Establishment Activities** (expires 3/14/2031)	With NWP 53 for restoration in the vicinity of low-head dam removal. Must be designed to resemble an ecological reference.	No specific limit on stream length limit or project footprint	As of 3/15/2026, does not authorize dam removal activities, but may be used with NWP 53 for low-head dam removal to cover restoration of the stream in the vicinity of the dam, if needed.		• Read eligibility details, reporting requirements, and general conditions of NWP-27 before applying to use it. Explain in the project description how the project would result in a net increase to aquatic resource functions and/or services. • Activity must be planned, designed, and implemented so it results in an aquatic ecosystem that resembles an ecological reference.
		Individual Section 404 Permit	For activities that cannot be authorized under an RGP or NWP.	No size limits	Any activity		• Consists of Letters of Permission and Standard Permits • Can require a public process and alternatives analysis • Longer timelines than when using RGPs or NWPs

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National Environmental Policy Act (NEPA) The National Environmental Policy Act (NEPA) requires federal agencies (e.g., Army Corps, USFWS, NMFS) to assess the environmental effects of their proposed actions prior to making decisions.	NEPA applies when a project is proposed on federal lands, is funded in whole or in part by federal money or will require authorization from a federal agency. If more than one federal agency is involved in a proposed action, a lead agency must be designated.	**Categorical Exclusion or NEPA Document - Environmental Assessment or Environmental Impact Statement**	If one or more of the following apply to the project: • Requires a federal license or permit • Receives any funding from a federal agency • Is proposed on federal lands • Requires passage across federal lands	No size limits	Categorical Exclusions each cover a set of activities. A NEPA document for an individual project may include any activities.	Complete lead federal agency's categorical exclusion checklist form and prepare studies/documentation *OR* Prepare the necessary documentation to tier off an Environmental Assessment (EA) or Environmental Impact Statement (EIS) *OR* Prepare for coverage under an EA or EIS Joint NEPA/CEQA documents can be prepared. See the CEQA guidelines (Section 15221 - NEPA Document Ready Before CEQA Document) and the NEPA CEQA Handbook for more information.	• NEPA is the responsibility of a federal agency. State or local agencies can provide information to assist the federal agency with NEPA compliance as needed. • Federal agencies, together with state, Tribal or local agencies, may act as joint lead agencies. • Consider whether the project could qualify for the categorical exclusion for restoration or other available categorical exclusions. Categorical exclusions are classes of actions that do not individually or cumulatively have a significant effect on the human environment. Actions that are categorically excluded do not require the preparation of an EA or EIS. • If you are working on a project is on federal land, such as U.S. Forest Service land or Bureau of Land Management Land, federal agency staff may be able to assist with NEPA compliance, including by advising on categorical exclusions that are available for in stream restoration, fish passage, and barrier/infrastructure removals. • In some cases, an efficient permitting pathway (e.g. Army Corps Regional General Permit or Nationwide Permit) includes NEPA compliance for that agency.

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Section 106 / State Historic Preservation Offices (SHPO) SHPOs, created by the National Historic Preservation Act (NHPA), exist in every state. In California, the SHPO is part of California State Parks. The SHPO is a mandatory consulting party in the Section 106 review process.	Section 106 of the National Historic Preservation Act of 1966, as amended, [16 USC 470, 36 CFR § 800], commonly known as Section 106, requires all federal agencies to take into account the effects of their undertakings on Historic Properties and afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings, prior to the approval of the expenditure of any federal funds or to the issuance of any federal license or federal permit.	SHPO consultation through the Section 106 process.	If the project involves a federal undertaking (e.g., obtaining a CWA 404 permit, 408 Permission, etc.). Historic Properties include, but are not limited to, archaeological districts, historic districts, sites, buildings, structures, objects, sacred sites, sites of religious and cultural significance to tribes and others, traditional cultural places, traditional cultural landscapes that are included in, or eligible for inclusion in, the National Register of Historic Places (NRHP).	No size limits	Any activity	The lead federal agency is a key player in this process, and is the agency that has jurisdiction over the undertaking. Prepare an application for consultation with SHPO. The federal agency must decide early on how and when to involve the public. SHPO requires, as part of their findings review, documentation of consultation or attempts to consult with federally recognized Tribes and relevant interested parties. In addition to the SHPO, mandatory consulting parties for Section 106 as applicable, include federally-recognized Tribes and their Tribal Historic Preservation Officers (THPO), local government with jurisdiction over the APE, and the project applicant. Though not mandated by Section 106, it is recommended to consult on an equal level with non-federally recognized Tribes. Other interested parties may participate as consulting parties. Typically, projects that will impact historic resources will be required to implement measures to document the historical resources on site (e.g., take photos of the historic features, conduct historical research and submit documentation of the feature to a local database/historical society, avoidance of Tribal/historic resources and hiring Tribal resource monitors).	• Clearly define the Area of Potential Effect (APE) and determine the level/type of resource assessment necessary for the project with the federal lead agency in collaboration with SHPO and any relevant THPOs. • Early consultation with Tribes benefits the process and project outcomes. If the undertaking has the potential to impact Tribal resources, consultation with THPO is necessary. Consultation with Tribes can help identify potential impacts early in the process. • A pre-application meeting with SHPO and/or THPO is highly recommended. • Ensure you have all the necessary, up-to-date information needed by SHPO and/or THPO in your initial application. • Refer to the consultation timelines in SHPO's regulations and build these timelines into your project schedule. • Information should be gathered from the Native American Heritage Commission (NAHC) Sacred Lands File and the California Historical Resources Information System (CHRIS) to support the application for consultation. • The Section 106 consultation also provides supporting information for a SERP concurrence (see above section on CDFW) or CEQA document preparation (see above section on CEQA). • The Army Corps Sacramento District produced Guidelines for Cultural Resources Documents to Comply with Section 106 of the NHPA. • The National Park Service has developed a concise and informative summary of the implementing regulations.

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California Coastal Commission Under the authority of the California Coastal Act of 1976 (Coastal Act), the California Coastal Commission (Commission), in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone. The Coastal Zone is a legislatively-defined geographic region that establishes the area regulated under the Coastal Act, encompassing both the land and water areas along the length of the CA coastline from the Oregon border to the Mexico border. The coastal zone established by the Coastal Act does not include San Francisco Bay, where development is regulated by the Bay Conservation and Development Commission (BCDC, see below)	The Coastal Act regulates "**development**" through its coastal permitting and planning programs, including through certification of Local Coastal Programs (LCPs) for cities and counties within, or partially within, the coastal zone. LCPs are developed within cities and counties and are certified by the Coastal Commission. The Coastal Act defines development broadly to include activities beyond construction, including but not limited to actions that result in changes in density, discharge of materials, and removal of major vegetation.	NOAA Restoration Center Federal Consistency Determination (CD) for the North and Central Coast*	For eligible projects in the Coastal Zone that are submitted for NOAA RC funding or technical assistance, or an Army Corps permit, which creates a federal nexus for NMFS Section 7 consultation.	See dewatering limits for NMFS PBOs for the North Coast and Central Coast. Read and understand other eligibility requirements for the PBO you plan to use.	Salmonid habitat and related upslope watershed restoration, **including removal of small dams**, that benefits NOAA trust species	Read the Consistency Determination and Application Form to understand eligibility and information required. Contact the NOAA RC to discuss your project (see contact information under How to Apply). Submit an application and project information to the NOAA RC, instead of through a Corps application. The application form can be found on this web page.	• Faster/lower cost alternative to obtaining a Coastal Development Permit (CDP) or individual project CD from the Coastal Commission • Use with NMFS PBOs for Restoration on the North Coast and Central Coast (see above) • In the CD, a small dam is defined as less than **25 ft** in height from the natural bed of the stream or watercourse at the downstream toe of the barrier, or from the lowest elevation of the outside limit of the barrier to the maximum possible water storage elevation and (b) was designed to have an impounding capacity of less than **2000 acre-feet**.
		Coastal Development Permit (CDP)	Projects in the coastal zone that are not eligible for the CD above or are on the South Coast where there is no longer a CD, and are not eligible for a de minimis waiver or administrative CDP. De minims waivers may be granted to projects to projects with no potential for any adverse effect on coastal resources. Administrative CDPs are limited to projects with a total cost of $100,000 or less.	No limits on size of project footprint or size of dam to be removed	All activities, including removal of small or large dams	Conduct pre-application meeting(s) with Coastal Commission staff. If the Commission staff has up to 30 calendar days after receiving an application to determine whether it is complete. If complete, it must be brought before the Commission for a public hearing and vote within 180 days. This can be extended by an additional 90 days if the applicant agrees.	• The standard regulatory mechanism by which proposed development activities in the coastal zone are evaluated and brought into compliance with the policies of the Coastal Act and certified LCPs • The majority of CDPs are issued by local governments under LCPs, except for tidelands, submerged lands, and public trust lands, which remain under the jurisdiction of the Coastal Commission.

Notes: This table is provided for informational purposes and does not offer legal advice. Local permits (e.g., County grading permits, etc.) may need to be obtained for your project. Published October 16, 2026.

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San Francisco Bay Conservation and Development Commission (BCDC)	BCDC's jurisdiction is established in 2 state laws: The McAteer-Petris Act and The Suisun Marsh Preservation Act. State law gives BCDC the authority to issue or deny permits for any projects that "place fill, ...extract materials, or ... make any substantial change in use of any water, land or structure" within its jurisdiction. See the **Permits** section of the BCDC website for more information, and this overview map of BCDC's jurisdiction	**Administrative permits**	A project qualifies for an administrative permit if it is "minor repair or improvement." The definition for minor repair or improvement is found in the Commission's regulations sections 10601 and 10602. Project must also be consistent with the Suisun Marsh Protection Plan or with the certified Suisun Marsh Local Protection Program.	20,000 square feet or less extraction or dredging of no more than 10,000 cubic yards of materials to enhance tidal connectivity or restore habitat or the disposal of such materials within an existing site for such purposes	Habitat restoration or enhancement activities that would not have significant adverse habitat conversion impacts Includes the minimum amount of fill necessary to improve wildlife habitat	See the step-by-step guide to applying for an administrative permit. 1. Confirm your project qualifies for an administrative permit. 2. Schedule a pre-application meeting (not always necessary for minor projects) Obtain local discretionary approvals and other needed permits	• Administrative permit applications do not generally require a public hearing and vote by the Commission. In rare instances, the Commission may vote to require a public hearing and vote on an administrative permit application. • **Timeline:** Typically 4 to 8 months, but varies greatly depending on your overall project timeline. The BCDC permit is issued within 90 days of the time they receive a full and complete application. • **Cost:** $300 to $480,000, calculated based on the total project cost
		Major permits	Projects that require a major permit generally include larger projects and projects that could significantly impact San Francisco Bay and its shoreline.	No size limits	No specified project activities	See the step-by-step guide to applying for a major permit. The Commission votes on major permit applications. 1. Confirm your project will be processed as a major permit application or if it could be processed as another form of permit. 2. Schedule a pre-application meeting. 3. Attend advisory board meetings (if applicable)	• The BCDC major permit is meant for larger projects and projects that could significantly impact San Francisco Bay and its shoreline. • Timeline: Typically 9 months to 2 years, but varies greatly depending on your overall project timeline. The BCDC permit is issued within 90 days of the time they receive a full and complete application. • Cost: $700 to $1.2 million, calculated based on the total project cost
Programs that Cover Permitting from more than One Agency/Authority							
CDFW Fisheries Restoration Grant Program (FRGP)	Each year, FRGP issues millions of dollars in grants to public agencies, Native American Indian Tribes, and nonprofit organizations for projects that lead to process-based restoration, enhancement, or protection of anadromous salmonid habitat.	CEQA Mitigated Negative Declaration (MND), CWA 401 Certification from SWRCB, CWA Section 404 Army Corps permit (RGP-12 SF District, RGP 16 Sacramento District, or RGP 78 LA District). Coverage under Master CDP. Programmatic Informal Consultation for FRGP - Letter of Concurrence	For projects that receive funding from FRGP, Eligible applicants include state and local government agencies, public entities, Native American Tribes, and nonprofit organizations.	No Size Limits	A wide range of projects that focus on restoring, enhancing, or protecting salmonid habitat in anadromous watersheds of California.	FRGP opens its Proposal Solicitation Notice (PSN) in early spring. See more about the Grant Process. Proposals that conduct fishery habitat restoration activities using methods described in the CA Restoration Manual or other approved restoration manuals may be covered by the FRGP's Clean Water Act Section 404 (RGP 12 (SF District), RGP 16 (Central Valley), or RGP 78 (LA District)) and Section 401 programmatic permits. The applicant is responsible for reviewing the permits and incorporating their required conditions into their proposal. Certain activities (such as fish screens, infiltration galleries, large dam removals, etc.) are ineligible for FRGP programmatic permit coverage.	• Faster/simpler permitting processes for FRGP-funded projects. • CDFW helps to acquire permits from other agencies. Work with your FRGP representative to determine appropriate permitting pathways. • Other permits that may be required to implement the project must be obtained by the applicant. If the project includes dewatering and/or species exclusion/relocation, a CDFW ITP, CDFW HREA, RMP, or Restoration CD (see above) must be submitted to the CDFW grant manager before each species relocation activity. Many FRGP projects have used HREA. Other pathways such as an RMP or CD may be used depending on the project. • Applicants with projects in or near the Coastal Zone should confirm permit coverage with FRGP's Regulatory Coordinator. Interested applicants should be prepared to supply this additional CDP information to be covered by FRGP's Master CDP, if funded. Applicants with projects working in tidally influenced areas on the North and Central Coast are encouraged to reach out to NOAA RC staff before submitting a proposal. This allows the applicant to discuss the project and possible Coastal Act coverage under NOAA RC's Federal Consistency Determination (see above).

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