



California Endangered Species Act (CESA) Permits



The California Endangered Species Act (CESA) states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. The California Department of Fish and Wildlife (CDFW) will work with all interested persons, agencies and organizations to protect and preserve such sensitive resources and their habitats.

CESA prohibits the take of any species of wildlife designated by the California Fish and Game Commission as endangered, threatened, or candidate species. CDFW may authorize the take of any such species if certain conditions are met.

Types of Permits

[Incidental Take Permits \(ITP\) - 2081 \(b\) \(https://www.wildlife.ca.gov/Conservation/CESA/ITP-Review-Standards\)](https://www.wildlife.ca.gov/Conservation/CESA/ITP-Review-Standards)

Section 2081 subdivision (b) of the Fish and Game Code allows CDFW to authorize take of species listed as endangered, threatened, candidate, or a rare plant, if that take is incidental to otherwise lawful activities and if certain conditions are met. These authorizations are commonly referred to as incidental take permits (ITPs).

[Consistency Determination \(CD\) - 2080.1 \(https://www.wildlife.ca.gov/Conservation/CESA/Consistency-Determinations\)](https://www.wildlife.ca.gov/Conservation/CESA/Consistency-Determinations)

If a species is listed by both the federal Endangered Species Act and CESA, Fish and Game Code section 2080.1 allows an applicant who has obtained a federal incidental take statement (federal Section 7 consultation) or a federal incidental take permit (federal Section 10(a)(1)(B)) to request that the Director of CDFW find the federal documents consistent with CESA. If the federal documents are found to be consistent with CESA, a consistency determination (CD) is issued and no further authorization or approval is necessary under CESA.

[Safe Harbor Agreement \(SHA\) - 2089.2-2089.26 \(https://www.wildlife.ca.gov/Conservation/CESA/Safe-Harbor-Agreements\)](https://www.wildlife.ca.gov/Conservation/CESA/Safe-Harbor-Agreements)

A Safe Harbor Agreement (SHA) authorizes incidental take of a species listed as endangered, threatened, candidate, or a rare plant, if implementation of the agreement is reasonably expected to provide a net conservation benefit to the species, among other provisions. SHAs are intended to encourage landowners to voluntarily manage their lands to benefit CESA-listed species. California SHAs are analogous to the federal

safe harbor agreement program and CDFW has the authority to issue a consistency determination based on a federal safe harbor agreement.

Other Related Permits

Memorandum of Understanding (MOU) – 2081 (a) (#la-498631512-memorandum-of-understanding-mou--2081-a)

Voucher Collection Permits for Threatened and Endangered Plant Species (#la-498631513-voucher-collection-permits-for-threatened-and-endangered-plant-species)

Natural Community Conservation Planning (NCCP) (#la-498631514-natural-community-conservation-planning-nccp)

Lake or Streambed Alteration (LSA) Agreement (#la-498631516-lake-or-streambed-alteration-lsa-agreement)

Scientific Collection Permit (SCP) (#la-498631517-scientific-collection-permit-scp)

Habitat Conservation Planning Branch (<https://www.wildlife.ca.gov/Explore/Organization/HCPB>)

1416 Ninth Street, 12th Floor, Sacramento, CA 95814

(916) 653-4875

California Endangered Species Act (/Conservation/CESA)

[Incidental Take Permits \(/Conservation/CESA/Incidental-Take-Permits\)](#)

[Consistency Determinations \(/Conservation/CESA/Consistency-Determinations\)](#)

[Safe Harbor Agreements \(/Conservation/CESA/Safe-Harbor-Agreements\)](#)

[Choosing the Right CESA Permit \(/Conservation/CESA/Permits\)](#)

[Comparing CESA to the Federal Endangered Species Act \(/Conservation/CESA/FESA\)](#)

Related Programs

- [Endowments \(/Conservation/CESA/Endowments\)](#)
- [Lake and Streambed Alteration \(LSA\) Program \(/Conservation/LSA\)](#)
- [Natural Community Conservation Planning \(NCCP\) \(/Conservation/Planning/NCCP\)](#)
- [California Environmental Quality Act \(CEQA\) Program \(/Conservation/CEQA\)](#)
- [Native Plant Program \(NPP\) \(/Conservation/Plants\)](#)
- [SM](http://www.conservation.ca.gov/omr/lawsandregulations/Pages/SMARA.aspx) [Surface Mining and Reclamation Act \(SMARA\) \(http://www.conservation.ca.gov/omr/lawsandregulations/Pages/SMARA.aspx\)](#)

CESA Fees

Permit Type	Project Cost	Mitigate at CDFW-Approved Bank?	Fee Required ^[1]
Consistency Determination	NA	Yes	\$6,016.25
	NA	No	\$7,520.25
Incidental Take Permit	≤\$100,000.00	Yes	\$6,016.25
		No	\$7,520.25
	\$100,000.00-\$500,000.00	Yes	\$12,032.25
		No	\$15,040.25
	≥\$500,000.00	Yes	\$24,064.50
		No	\$30,080.75
Incidental Take Permit Minor Amendment	NA	NA	\$7,520.25
Incidental Take Permit Major Amendment	NA	NA	\$15,040.25
Complexity Fee	NA	NA	≤\$10,000.00 ^[2]

(<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=146406&inline>)

^[1]Fees are based on amounts enrolled in Senate Bill 839 (approved by Governor on September 13, 2016), and annually adjusted pursuant to Fish and Game Code section 713.

^[2]When applying the complexity fee, the total amount of all fees cannot exceed \$35,000.00

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