



## Overview

For over 50 years, U.S. environmental laws and regulations, like the National Environmental Policy Act and the Clean Water Act, have helped nature rebound — [many rivers](#) once considered open sewers have been transformed into healthier systems. Despite this progress, ecological recovery is often stymied when these activities are regulated through the same permitting process designed to reduce environmental destruction. [Ecological restoration](#) focuses on improving current conditions, while regulations are built to protect natural resources from change, even if those ecosystems are degraded. This [misalignment](#) creates friction, delays, and ultimately prevents degraded ecosystems from being restored. State legislators have a real opportunity to improve permitting for ecological restoration and help these projects move forward faster.

## Policy Options

(\*\*Indicates bipartisan sponsorship)

- **California SB 155 (Enacted 2021):** Added Section 21080.56 to the California Public Resources Code, which provides an exemption under the [California Environmental Quality Act \(CEQA\)](#) for eligible restoration projects. [SB 174](#) (Enacted 2024) extends this exemption through January 1, 2030.
- **\*\*Colorado HB 1379 (Enacted 2024):** Includes exemptions and exclusions for voluntary stream restoration and does not require compensatory mitigation.
- **\*\*Florida CS/CS/SB 302 (Enacted 2026):** Requires development of design guidelines for nature-based solutions (NbS) and coastal protection by January 2027. Includes post-disaster fast-track permitting to replace failed infrastructure with NbS, and mandates public education on wetlands and mangroves.
- **\*\*Maryland HB 869 (Enacted 2022):** Requires the Department of the Environment to conduct a comprehensive evaluation of ecological restoration permitting.
- **\*\*Washington HB 1382 (Enacted 2021; Expired 2025):** Created the [Habitat Recovery Pilot Program](#) to speed up restoration permitting through expanded project eligibility, exemptions, streamlined local oversight, and collaborative review. Advocates are working with state legislators to make the program permanent.

## KEY POINTS

- The costs of permitting can use up to one-third of a restoration project's budget. ([Environmental Policy Innovation Center](#))
- Wetland loss has accelerated by more than 50% in the last decade, yet regulatory approval for wetland mitigation banks takes 1.5 times longer than required by law. ([U.S. Fish & Wildlife Service](#); [Environmental Policy Innovation Center](#))
- Agencies funding restoration work can save millions of dollars through accelerated permitting pathways. ([Sustainable Conservation](#))

## Other Resources

- **EPIC:** [Smart Permitting for Ecological Restoration](#)
- **EPIC:** [What is Permitting and Why Does it Matter?](#)
- **EPIC:** [There are Nine Types of Permitting Reform](#)
- **PPIC:** [Advancing Ecosystem Restoration with Smarter Permitting](#)
- **EPIC:** [50 States of Permitting](#)

