

JUL 01 2020

2020070063

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: N/A

From: (Public Agency): California Fish and Game Commission
1416 Ninth Street, Suite 1320

Sacramento, CA 95814
(Address)

Project Title: Amend sections 163 and 164, Title 14, CCR, Re: Commercial Pacific Herring Eggs on Kelp

Project Applicant: N/A

Project Location - Specific:

San Francisco Bay

Project Location - City: San Francisco Project Location - County: See Attachment

Description of Nature, Purpose and Beneficiaries of Project:

Adopt amendments to Pacific Herring Fishery Management Plan (Herring FMP) implementing regulations concerning the commercial Pacific herring eggs on kelp fishery. See attachment for more details.

Name of Public Agency Approving Project: California Fish and Game Commission

Name of Person or Agency Carrying Out Project: California Department of Fish and Wildlife

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number:
Statutory Exemptions. State code number: California Fish and Game Code subdivision 7078(e)

Reasons why project is exempt:

The California Fish and Game Commission adopted the Herring FMP on October 10, 2019 prior to approving this project. The regulations that constitute this project are regulations implementing the Herring FMP and thus explicitly fit within the referenced statute of California Fish and Game Code subdivision 7078(e). See attachment for more details.

Lead Agency
Contact Person: Melissa Miller-Henson Area Code/Telephone/Extension: (916) 653-4899

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Melissa@FGC Date: 6/30/20 Title: Executive Director

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

ATTACHMENT TO NOTICE OF EXEMPTION

Adoption of Amendments to Sections 163 and 164, Title 14, California Code of Regulations (CCR), Re: Commercial Pacific Herring Eggs on Kelp

Project Title

Amend sections 163 and 164, Title 14, CCR, relating to the California Pacific Herring Fishery Management Plan (Herring FMP) implementing regulations that affect the Pacific herring eggs on kelp (HEOK) fishery.

Project Location

The project is located within state waters in coastal northern and central California, specifically San Francisco Bay, and encompasses eight counties: Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma.

Project Description

The proposed project is the amendment of regulations adopted by the California Fish and Game Commission (Commission) on October 10, 2019, to implement the fishery management plan for Pacific herring under the State's jurisdiction. The proposed regulatory amendments specifically concern sections 163 and 164, Title 14, CCR that affect the HEOK fishery, and are intended to support the viability of the HEOK fishery, help improve the quality of the HEOK product, and remove or update burdensome or unnecessary regulations that are not applicable to the HEOK fishery.

Exemption from California Environmental Quality Act (CEQA) Review

On October 10, 2019, the Commission adopted the Herring FMP and implementing regulations, including sections 163 and 164, Title 14, CCR. The regulations that constitute this project (amendments to sections 163 and 164, Title 14, CCR) are regulations that implement the Herring FMP and thus explicitly fit within the referenced statute of California Fish and Game Code subdivision 7078(e) that provides an exemption from an additional review process under CEQA.