

# 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):** CA Fish and Game Commission  
PO Box 942209  
Sacramento, CA 95814

(Address)

Project Title: Recreational Sea Urchin Bag Limit Exemption

Project Applicant: N/A

Project Location - Specific:  
Caspar Cove, Mendocino County, and Tanker Reef, Monterey County

Project Location - City: Specific Project Location - County: Multiple

Description of Nature, Purpose and Beneficiaries of Project:

The proposed project would exempt all recreational purple sea urchin take by hand and hand-held tools in Caspar Cove from any daily bag limit for three years. The proposal would also exempt all recreational sea urchin take by hand and hand-held tools at Tanker Reef from any daily bag limit for three years.

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: 6, 7, & 8; 14 CCR 15306, 15307, & 15308
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Class 6, 7, & 8 categorical exemptions exempt actions for information collection, the protection of natural resources, and the protection of the environment, respectively. The proposed project qualifies because it is designed to help collect data and conserve vulnerable kelp patches for the benefit of the whole ecosystem in Northern California (See Attachment).

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: Original signature on file Date: 12/15/2020 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 Recreational Sea Urchin Bag Limit Exemption**

The California Fish and Game Commission (Commission) has taken final action under the Fish and Game Code and the Administrative Procedure Act with respect to the proposed project on December 9, 2020. On August 19, 2020, the Commission noticed the proposal to amend Section 29.06 to Title 14 of the California Code of Regulations (CCR), and it subsequently adopted the proposed rulemaking on December 9, 2020.

### **Categorical Exemption for Information Collection**

In compliance with the California Environmental Quality Act (CEQA; Public Resources Code Section 21000 et seq.), the Commission adopted the regulation by relying on the categorical exemption contained in CEQA Guideline Section 15306 (Action by Regulatory Agencies for Information Gathering). The exemption applies to agency actions for information gathering which do not result in a serious or major disturbance to an environmental resource.

The proposed regulations would test the concept of controlling overpopulated sea urchins through recreational diving activities. By gathering data and information for scientific assessment by California Department of Fish and Wildlife staff, the project is designed to lead to the restoration of diminishing kelp forests in Central and Northern California. As such, the proposal is an activity that is the proper subject of CEQA's Class 6 categorical exemption.

### **Categorical Exemptions to Protect Natural Resources and the Environment**

In compliance with the California Environmental Quality Act (CEQA; Public Resources Code Section 21000 et seq.), the Commission adopted the regulation by also relying on the categorical exemptions contained in CEQA Guidelines Sections 15307 (Action by Regulatory Agencies for Protection of Natural Resources) and 15308 (Action by Regulatory Agencies for Protection of the Environment). The exemptions apply to agency actions to assure the maintenance, restoration, and enhancement of natural resources and the environment, respectively.

The proposed regulations would help conserve depleted kelp stands in Caspar Cove, Mendocino County and vulnerable kelp stands at Tanker Reef, Monterey County. Restoring these kelp stands will benefit the surrounding ecosystems and the sea life that depends on them, including the vulnerable abalone species. As such the proposal is an activity that is the proper subject of CEQA's Class 7 and 8 categorical exemptions.