



May 3, 2021

## ATTACHMENT TO NOTICE OF EXEMPTION

### Depth Constraint and Fleet Advisory for the California Dungeness Crab Commercial Fishery

The California Department of Fish and Wildlife (Department) has taken final action under the Fish and Game Code and Title 14 of the California Code of Regulations with respect to the above-referenced project. On May 3, 2021, the Director of the Department signed a declaration issuing a Depth Constraint for California commercial Dungeness crab fishery in Fishing Zones 1 and 2 and continuing the existing Fleet Advisory statewide in response to marine life entanglement risk.

For the purposes of the California Environmental Quality Act (CEQA, Pub. Resources Code, Section 21000 et seq.), the Department approved the project relying on the Class 7 categorical exemption for "Actions by Regulatory Agencies for Protection of Natural Resources" and the Class 8 categorical exemption for "Actions by Regulatory Agencies for Protection of the Environment" contained in CEQA Guideline Sections 15307 and 15308, Title 14, CCR, respectively.

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

In compliance with CEQA, the Department approved the project relying on the categorical exemptions contained in CEQA Guidelines of Title 14, CCR: Section 15307 (Action by Regulatory Agencies for Protection of Natural Resources) and Section 15308 (Action by Regulatory Agencies for Protection of the Environment). The exemptions apply to agency actions to protect natural resources and the environment, respectively. This action implements a Depth Constraint and Fleet Advisory, which will have the overall effect of reducing the entanglement risk by prohibiting fishing in areas where whale aggregations are known to be present and educating fishermen of areas of whale presence and entanglement risk. Therefore, this action is the proper subject of CEQA's Class 7 and 8 categorical exemptions.