

Notice of Exemption

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

From: CA Dept. of Fish and Wildlife
715 P Street
Sacramento, CA 95814

Project Title: Finding Proposed Establishment of a Nonessential Experimental Population of the California Condor in the Pacific Northwest (Fish and Wildlife Service Final Rule Docket No. FWS-R1-ES-2018-0033) to be consistent with the requirements of Fish and Game Code sections 3858 and 2080.6

Project Location - Specific: Pacific Northwest, including portions of Northern California

Project Location - City:

Project Location - County: Mendocino, Trinity, Del Norte, Glenn, Humboldt, Butte, Lake, Lassen, Shasta, Plumas, Modoc, Colusa, Nevada, Siskiyou, Sierra, Tehama, Yuba

Description of Nature, Purpose, and Beneficiaries of Project:

The proposed project will further the conservation of the California Condor by reintroducing the species to the Pacific Northwest of the United States, including areas within Northern California such as Yurok Ancestral Territory and Redwood National and State Parks. This step advances the goals of the California Condor Preservation Project to add additional release sites for the State endangered and fully protected species and federal endangered species.

Name of Public Agency Approving Project: CA Department of Fish and Wildlife (CDFW)

Name of Person or Agency Carrying Out Project: same as above

Exempt Status: (check one)

- Ministerial (§ 21080(b)(1); 15268)
- Declared Emergency (§ 21080(b)(3); 15269(a))
- Emergency Project (§ 21080(b)(4); § 15269(c))
- Categorical Exemption. State type and section number: 14 CCR 15307
- Statutory Exemption. State code number: _____
- Other (Cal. Code Regs., tit. 14, § 15061, subd. (b)(3).)

Reasons why project is exempt:

See Attached

Lead Agency Contact Person: Scott Gardner, Wildlife Branch Chief, (916) 801-6257

DocuSigned by:
 Signature: Scott Gardner
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 Title: wildlife Branch chief

Date: 12/10/2021

Signed by Lead Agency Date received for filing at OPR: _____



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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P.O. Box 944209
Sacramento, CA 94244-2090
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



ATTACHMENT TO NOTICE OF EXEMPTION

Finding Proposed Establishment of a Nonessential Experimental Population of the California Condor in the Pacific Northwest (Fish and Wildlife Service Final Rule Docket No. FWS-R1-ES-2018-0033) to be consistent with the requirements of Fish and Game Code sections 3858 and 2080.6

The California Department of Fish and Wildlife (CDFW), by and through its Director, has taken final action to find the proposed Establishment of a Nonessential Experimental Population of the California Condor in the Pacific Northwest to be consistent with the requirements of Fish and Game Code sections 3858 and 2080.6. In taking its final agency action for purposes of the California Environmental Quality Act (CEQA), the California Department of Fish and Wildlife (CDFW) issued findings relying on the categorical exemption for "Actions by Regulatory Agencies for Protection of Natural Resources" contained in CEQA Guidelines section 15307.

CDFW has completed its review of the United States Fish and Wildlife Service's Final Rule for the Establishment of a Nonessential Experimental Population of the California Condor in the Pacific Northwest (Final Rule, Docket No. FWS-R1-ES-2018-0033) issued in March 2021 and the related August 2020 joint environmental assessment (EA) and finding of no significant impact (FONSI) published by Redwood National and State Parks (hereafter referred to as EA/FONSI).

The Final Rule establishes a nonessential experimental population ("NEP") of the California condor in the Pacific Northwest, under section 10(j) of the Endangered Species Act of 1973, as amended. Establishment of this NEP will facilitate reintroduction of California condors to the region and authorize incidental taking of the California condor within a defined NEP area. Based on the best scientific and commercial data available (in accordance with 50 CFR 17.81), USFWS found that releasing the California condors into the Pacific Northwest will further the conservation of the species while allowing for broad support among stakeholders. They also found that the nonessential experimental population status is appropriate for the reintroduced population because it is not essential to the continued existence of the species in the wild.

CDFW has determined that the project, finding the proposed Establishment of a Nonessential Experimental Population of the California Condor in the Pacific Northwest to be consistent with the requirements of Fish and Game Code sections 3858 and 2080.6, is exempt pursuant to CEQA Guideline section 15307,

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the exemption for “Actions by Regulatory Agencies for Protection of Natural Resources”. The proposed project will further the conservation of the California Condor by reintroducing the species to the Pacific Northwest of the United States, including areas within Northern California such as Yurok Ancestral Territory and Redwood National and State Parks. This step advances the goals of the California Condor Preservation Project to add additional release sites for the State endangered and fully protected species and federal endangered species. Specifically, the project includes:

- field research, including regular monitoring, capture and marking wild free-flying birds, supplemental feeding, physical examinations and sample collection (e.g., feathers, blood), contaminant studies, on-site treatment, transport, and mortality studies for condors within the NEP;
- expansion of the existing captive breeding program to support reintroduction via increased reproduction of captive condors, with the intent of releasing captive-bred condors in the Pacific Northwest and establishing a wild and self-sustaining breeding population;
- expansion of the condor release program to five release sites (currently at four release areas in central California, southern California, Baja California, and Arizona/Utah), a critical component of the California Condor Preservation Project; and
- habitat protection in the form of buffers (i.e., 200 m) at occupied condor nest sites meant to preserve the structural integrity of habitat around nests and minimize visual and auditory impacts associated with human activities near nest sites within the NEP.