

## 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:

**From:** (Public Agency): California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

Project Title: Amend subsections 632(b)(9), 632(b)(37), 632(b)(41), 632(b)(42), and 632(b)(91), Title 14, CCR, Re: State Marine Recreational Management Areas

Project Applicant: N/A

Project Location - Specific: California State Waters

Project Location - City: NA

Project Location - County: Humboldt, Sonoma, Marin,  
San Luis Obispo

Description of Nature, Purpose and Beneficiaries of Project:

The regulation amendments will help ensure California's five State Marine Recreational Management Areas (SMRMAs) are used to protect and conserve the marine resources within their designated area as intended when they were implemented. Additionally, the amendments to improve consistency of regulatory language will help reduce any confusion about regulations that apply to SMRMAs.

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: Cal. Code Regs., tit. 14, §§ 15307, 15308
- Statutory Exemptions. State code number:

Reasons why project is exempt:

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:

Date: June 21, 2022 Title: Executive Director

Signed by Lead Agency  Signed by Applicant.

Date Received for filing at OPR:

**ATTACHMENT TO NOTICE OF EXEMPTION**  
**Adoption of Amendments to Subsections 632(b)(9), 632(b)(37), 632(b)(41),**  
**632(b)(42), and 632(b)(91)**  
**Title 14, California Code of Regulations**

The California Fish and Game Commission (Commission) has taken final action under the Fish and Game Code and the Administrative Procedure Act (APA) with respect to the project. In taking its final action for the purposes of the California Environmental Quality Act (CEQA, Public Resources Code, Section 21000 *et seq.*), the Commission adopted on June 15, 2022 the amendments to subsections 632(b)(9), 632(b)(37), 632(b)(41), 632(b)(42), and 632(b)(91), Title 14, California Code of Regulations (CCR), relying on the categorical exemption for “Actions by Regulatory Agencies for Protection of Natural Resources and the Environment” contained in CEQA Guidelines sections 15307 and 15308. (CCR., Title 14, sections 15307, 15308.)

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

In adopting the amendment to subsections 632(b)(9), 632(b)(37), 632(b)(41), 632(b)(42), and 632(b)(91) Title 14, CCR, the Commission relied for purposes of CEQA on the Classes 7 and 8 categorical exemptions. In general, these exemptions apply to agency actions to protect natural resources and the environment. The amendments to the regulations are intended to ensure the five State Marine Recreational Management Areas are used to protect and conserve the marine resources within their designated area as intended when they were implemented, as well as improving consistency amongst protected area designations, by specifying take restrictions in those areas. Therefore, the activity is one that is the proper subject of CEQA’s Classes 7 and 8 categorical exemptions.