

# 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 Sections 1.91, 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 28.26, 28.27, 28.28, 28.29, 28.47, 28.48, 28.49, 28.54, 28.55, 28.56, 28.58, 28.65, 28.90 Title 14, CCR, Re: Groundfish Regulations

Project Applicant: N/A

Project Location - Specific: California State Waters

Project Location - City: NA

Project Location - County: NA

**Description of Nature, Purpose and Beneficiaries of Project:**

The proposed regulation amendments will align state regulations with federal regulations for jointly managed species of groundfish, ensuring that currently depleted groundfish populations are conserved. See attachment for full description.

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:**

These exemptions are related to agency actions to protect natural resources and the environment. This regulatory proposal will protect and conserve depleted fish stocks. The Commission's adoption of regulations is an activity that is the proper subject of CEQA's Classes 7 and 8 categorical exemptions. See attachment for background.

**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: Nov. 15, 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 Sections 1.91, 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 28.26, 28.27, 28.28, 28.29, 28.47, 28.48, 28.49, 28.54, 28.55, 28.56, 28.58, 28.65, and 28.90 Title 14, California Code of Regulations**

On November 15, 2022, the California Fish and Game Commission (Commission) took final action under the California Fish and Game Code and the California 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 amendments to sections 1.91, 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 28.26, 28.27, 28.28, 28.29, 28.47, 28.48, 28.49, 28.54, 28.55, 28.56, 28.58, 28.65, and 28.90, Title 14, California Code of Regulations (CCR) (“Project”), relying on the categorical exemptions for “Actions by Regulatory Agencies for Protection of Natural Resources and the Environment” contained in CEQA Guidelines sections 15307 and 15308 (Classes 7 and 8 categorical exemptions, CCR, Title 14, sections 15307, 15308). Classes 7 and 8 categorical exemptions apply to agency actions to protect natural resources and the environment. The Project is intended to provide for consistent state and federal regulations, which were developed to reduce mortality of certain nearshore rockfish species (quillback and copper rockfish) and maintain access to other non-nearshore federal groundfish while keeping total mortality within federally set harvest limits. Therefore, because the Project would maintain, restore, and enhance fishery resources and the environment, these regulatory changes are the proper subjects of CEQA’s Classes 7 and 8 categorical exemptions.