

October 31, 2022

ATTACHMENT TO NOTICE OF EXEMPTION

Adoption of Amendments to Section(s) 105.1 and 182
Title 14, California Code of Regulations
Commercial Ocean-Caught Salmon Landing Restrictions

On October 31, 2022, the California Department of Fish and Wildlife (Department) 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 Department adopted amendments to sections 105.1 and 182, 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 section 15307 and 15308 (Classes 7 and 8 Categorical Exemptions, CCR, Title 14, sections 15307 and 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 provide regionally accurate data on salmon stocks to ensure sustainable management practices. West coast jurisdictions where salmon are caught in the ocean rely on a comprehensive, west-coast wide coded wire-tag monitoring program to determine the stock composition of catch that occurs regionally. Commercial vessels typically depart from a port, catch their fish within a reasonable distance from that port, and then that catch is sampled in the port from which it was landed. Catch composition from the coded wire-tags is used to determine how much of each salmon stock is caught, and the time and location of catch. This information is used to limit the amount of catch on stocks that are overfished while allowing more fishing pressure in the times and areas where the most abundant stocks are likely to occur. Allowing fish caught in California to be landed out of state would contaminate stock composition data used to make decisions about sustainable management. Therefore, because the Project would maintain and ensure sustainable management of fishery resources and the environment, these regulatory changes are the proper subjects of CEQA’s Classes 7 and 8 categorical exemptions.