

Notice of Exemption

Appendix E

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

From: California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

County Clerk, County of: N/A

Project Title: Regulatory Action to Amend Section 28.15, Title 14, CCR, Regarding California Halibut Recreational Bag and Possession Limits

Project Applicant: N/A

Project Location - Specific: State oceanic waters north of Point Sur

Project Location - City: N/A

Project Location - County: N/A

Description of Nature, Purpose and Beneficiaries of Project:

To promote sustainability of the California halibut (halibut) population without jeopardizing this popular recreational fishery, the proposed certificate of compliance regulation change will continue the existing two-fish daily bag and possession limit in northern California, established by emergency regulation, through a regular rulemaking.

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. California Code Regulations, Title 14, sections 15307, 15308
- Statutory Exemptions. State code number:

Reasons why project is exempt:

See attachment

Lead Agency: California Fish and Game Commission

Contact Person: Melissa Miller-Henson, Executive Director Telephone: (916) 653-4899

Signature:  Date: February 22, 2024 Title: Executive Director

Signed by Lead Agency Signed by Applicant. Date Received for filing at OPR:

Attachment to Notice of Exemption

Amend Section 28.15, Title 14, California Code of Regulations Regarding California Halibut Daily Bag and Possession Limit Certificate of Compliance

The California Fish and Game Commission (Commission) has taken final action under the California Fish and Game Code with respect to the proposed project, the amendment of Section 28.15, Title 14, California Code of Regulations (CCR).

Categorical Exemptions to Protect Natural Resources

This rulemaking action maintains, restores, and enhances populations of wild California halibut in northern California. The amendment to Section 28.15 reduces the daily bag and possession limit to two fish for California halibut taken north of Point Sur, to safeguard stocks due to fluctuating fishery effort shifts and environmental conditions. The California Department of Fish and Wildlife (Department) requested the change to promote the sustainability of the California halibut population while reducing recreational take, without jeopardizing this popular recreational fishery. Accordingly, the action is exempt from the California Environmental Quality Act (CEQA; Public Resources Code Section 21000 et seq.), pursuant to CCR, Title 14, sections 15307 and 15308 (actions by regulatory agencies for protection of the environment).

The Commission adopted an emergency regulation on May 17, 2023. By this regular rulemaking (certificate of compliance) adopted February 14, 2024, the existing two-fish daily bag and possession limit for recreational take of California halibut in northern California established by emergency regulation is made indefinite.

The project was prompted by the need to extend the existing two-fish bag limit in northern California beyond the one-year maximum time frame provided by the emergency regulation. It is expected that the fishery will require additional time to rebuild following high levels of take caused by an effort shift from salmon and nearshore groundfish closures, and environmental conditions, documented in 2023.

Due to the necessity displayed by the emergency regulation, and interest from the recreational fishing industry for increased stability in the California halibut population, the Commission has determined that the fishery should not revert to a bag limit of three fish north of Point Sur.

Because this project will help maintain, restore, and enhance populations of wild California halibut throughout California, it is exempt from CEQA pursuant to CCR, Title 14, sections 15307 and 15308.