

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

Project Title: Amend Section 236, Title 14, California Code of Regulations, Regarding Importation of Live Aquatic Plants and Animals for Research Purposes

Project Applicant: N/A

Project Location - Specific: Statewide

Project Location - City: NA

Project Location - County: NA

Description of Nature, Purpose and Beneficiaries of Project: The purpose of the project is to specify the process for importing live aquatic plants or animals by a registered aquaculturist solely for the purpose of research, including when a disease or pathogen has been detected in a shipment prior to importation. The project addresses gaps in existing regulations where there is no mechanism allowing registered aquaculturists to import and conduct research on aquatic plants or animals that are known to have a disease or pathogen prior to shipment by amending Section 236, Title 14, California Code of Regulations. The amendments specify that importing live aquatic plants or animals for the purpose of research will be subject to approval and permit conditions specified by the California Department of Fish and Wildlife. Additionally, the amendments restrict importation to closed-system facilities that prevent release, and with no intent to outplant or offer for sale. The proposed changes will serve as an avenue for facilitating further research of diseases in controlled environments.

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 of Regulations, Title 14, Section 15306
- Statutory Exemptions. State code number:

Reasons why project is exempt: The Class 6 exemption is related to projects for basic data collection, research, experimental management, and resource evaluation activities that do not result in a serious or major disturbance to an environmental resource. The exemption applies to this project because the amended regulations will specify the process for importing live aquatic plants or animals by a registered aquaculturist solely for the purpose of research, including when a disease or pathogen has been detected in the shipment prior to importation. The regulations will limit the use of importation to closed-system facilities that prevent release, and with no intent to outplant or offer for sale. The registered aquaculturist will be required to maintain all the aquatic plants or animals identified in the permit in a fully closed system that does not have an outlet into the waters of the state.

There is currently no mechanism to allow registered aquaculturists to import and conduct research on aquatic plants or animals that are known to have a disease or pathogen prior to shipment. In the interest of addressing this gap in regulations, with allowances made for catastrophic diseases (and other disease categories), and allowing research under safe and prescribed conditions, the Commission determined that the amendment was necessary and will not result in a serious or major

disturbance to an environmental resource. The Commission's adoption of the regulations is an activity that is the proper subject of CEQA's Class 6 categorical exemption.

Lead Agency

Contact Person: Melissa Miller-Henson

Telephone: (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: 12/24/2024 Title: Executive Director

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