

2019070339

Notice of Exemption

Appendix E

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

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

County Clerk

County of: \_\_\_\_\_

(Address)

N/A

Project Title: Amend Section 180.6, Title 14, CCR, Re: Hagfish Traps

Project Applicant: N/A

Project Location - Specific:
Ocean waters from Crescent City to San Diego

Project Location - City: N/A Project Location - County: N/A

Description of Nature, Purpose and Beneficiaries of Project:
Amendment to subsection (b) of Section 180.6, Title 14, CCR changes barrel trap number in possession and use from the permittee to the vessel. Addition of subsection (c) will require that hagfish traps buoys be marked with the vessel's California commercial boat registration number.

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));
[X] Categorical Exemption. State type and section number: Cal Code Regs., Title 14 §§ 15307,15308
Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:
See attached.

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: [Handwritten Signature] Date: 6/18/19 Title: Acting Executive Director

[X] Signed by Lead Agency [ ] Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at: [Handwritten] Office of Planning & Research

JUN 18 2019
STATE CLEARINGHOUSE

**ATTACHMENT TO NOTICE OF EXEMPTION**  
**Adoption of Amendments to Section 180.6**  
**Title 14, California Code of Regulations (CCR)**  
**RE: Hagfish Traps**

The California Fish and Game Commission (Commission) has taken final action under the Fish and Game Code (FGC) and the Administrative Procedure Act (APA) with respect to the project adopted on June 13, 2019. In taking its final action for the purposes of the California Environmental Quality Act (CEQA, Pub. Resources Code, § 21000 *et seq.*), the Commission adopted the amendment to subsection (b) and addition of subsection (c) of Section 180.6, Title 14, CCR relying on the categorical exemptions for “Actions by Regulatory Agencies for Protection of Natural Resources” and “Actions by Regulatory Agencies for Protection of the Environment” contained in CEQA Guidelines sections 15307 and 15308. (Cal. Code Regs. tit. 14, §§ 15307, 15308.)

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

In adopting the amendment to subsection (b) and addition of subsection (c) of Section 180.6, Title 14, CCR, the Commission relied, for purposes of CEQA, on Class 7 and Class 8 categorical exemptions. In general, these exemptions apply to agency actions taken to benefit natural resources and the environment. This amendment anticipates a benefit to the environment by limiting the allowable number of barrel traps to the vessel, rather than by the number of general trap permittees aboard the vessel. This amendment will limit the take of hagfish, and limit the number of traps on the seafloor with vertical lines attached to the traps that could potentially impact other marine life. The proposed addition of subsection (c) of Section 180.6, Title 14, CCR requiring the vessel’s California commercial boat registration number to be marked on the buoy marking any hagfish trap will allow California Department of Fish and Wildlife (Department) law enforcement staff to monitor and enforce vessel trap limits. Therefore, the activity is one that is the proper subject of CEQA’s Class 7 and Class 8 categorical exemptions.