

Notice of Exemption**2019110497****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): CA Dept Fish and Wildlife

P.O. Box 944209
Sacramento, CA 94244-2090

(Address)

Project Title: November 2019 CA commercial Dungeness Crab Delay in Season Opening

Project Applicant: _____

Project Location - Specific:
ocean waters statewideProject Location - City: Ocean waters Project Location - County: Ocean waters

Description of Nature, Purpose and Beneficiaries of Project:

A delay in the opening of the commercial Dungeness crab season. Please see attachment.

Name of Public Agency Approving Project: CA Dept of Fish and WildlifeName of Person or Agency Carrying Out Project: CA Dept 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: Section 15307 (Class 7); 15308 (Class 8)
☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:
see attached

Lead Agency

Contact Person: Craig Shuman Area Code/Telephone/Extension: (916) 445-0459
Regional Manager

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: [Signature] Date: 11/22/19 1705 Title: Director☒ 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 OPP: Governor's Office of Planning & Research**NOV 25 2019****STATE CLEARINGHOUSE**



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Director's Office
P.O. Box 944209
Sacramento, CA 94244-2090
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 22, 2019

ATTACHMENT TO NOTICE OF EXEMPTION

Closure of the California Dungeness Crab Commercial Fishery

The California Department of Fish and Wildlife (Department) has taken final action under the Fish and Game Code with respect to the above-referenced project. On November 22, 2019, the Director of the Department signed a declaration delaying the November 22 opening of the commercial Dungeness crab fishery to December 15, 2019.

For the purposes of the California Environmental Quality Act (CEQA, Pub. Resources Code, Section 21000 et seq.), the Department approved the project relying on the Class 7 categorical exemption for "Actions by Regulatory Agencies for Protection of Natural Resources" and the Class 8 categorical exemption for "Actions by Regulatory Agencies for Protection of the Environment" contained in CEQA Guideline Sections 15307 and 15308, Title 14, CCR, respectively.

Categorical Exemptions to Protect Natural Resources and the Environment

In compliance with CEQA, the Department approved the project relying on the categorical exemptions contained in CEQA Guidelines of Title 14, CCR: Section 15307 (Action by Regulatory Agencies for Protection of Natural Resources) and Section 15308 (Action by Regulatory Agencies for Protection of the Environment). The exemptions apply to agency actions to protect natural resources and the environment, respectively.

The proposed project will close the commercial Dungeness crab fishery in response to a significant marine life entanglement risk. Lines and buoys of Dungeness crab traps pose a marine life entanglement risk, especially for whales migrating through California waters. The closure will have the overall effect of reducing the entanglement risk by removing traps from the marine environment in areas where whales continue to be present, and thereby is the proper subject of CEQA's Class 7 and 8 categorical exemptions.