

**Notice of Exemption**

2019120485

**Appendix E**

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044  
County Clerk  
County of: N/A

**From:** (Public Agency):  
California Fish and Game Commission  
PO Box 944209, Sacramento, CA 94244-2090

(Address)

**Project Title:** Amend Title 14, California Code of Regulations (CCR), Section 473,  
Possession of Non-game Animals: Nutria

**Project Applicant:** California Fish and Game Commission

**Project Location - Specific:**

Statewide

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

**Description of Nature, Purpose and Beneficiaries of Project:**

Amendment of Section 473 would ban possession of live nutria (*Myocastor coypus*), to prevent new introductions of the destructive rodent to the state.

**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.** State type and section number: Sections 15307, 15308, Title 14, CCR  
☐ **Statutory Exemptions.** State code number: \_\_\_\_\_

**Reasons why project is exempt:**

The proposed amendments do not have the possibility of impact on the environment because the changes are an effort to protect the State's wildlife, wetland habitats, waterways, water supplies, water conveyance and flood protection infrastructure, and agriculture from the detrimental impacts caused by invasive nutria (*Myocastor coypus*).

**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:** Melissa A. Miller-Henson **Date:** 12/18/19 **Title:** Executive Director

☒ Signed by Lead Agency

☐ Signed by Applicant

Governor's Office of Planning & Research

**Authority cited:** Sections 21083 and 21110, Public Resources Code.

**Date Received for filing at OPR:** \_\_\_\_\_

**Reference:** Sections 21108, 21152, and 21152.1, Public Resources Code.

DEC 19 2019

STATE CLEARINGHOUSE

Revised 2011

December 12, 2019

**ATTACHMENT TO NOTICE OF EXEMPTION**  
**Amendment of Section 473, Title 14, California Code of Regulations (CCR)**  
**Possession of Nongame Animals: Nutria**

The California Fish and Game Commission (Commission) has taken final action under the Fish and Game Code and the Administrative Procedure Act (APA) with respect to the project discussed on December 11, 2019. In taking its final action for the purposes of the California Environmental Quality Act (CEQA, Publication Resources Code, Section 21000 *et seq.*), the Commission adopted the regulations relying on the CEQA exemption for projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**Regulations**

In an effort to protect the State's wildlife, wetland habitats, waterways, water supplies, water conveyance and flood protection infrastructure, and agriculture from the detrimental impacts caused by invasive nutria (*Myocastor coypus*), the amendment of Section 473 would ban the possession of live nutria to prevent new introductions of the destructive rodent to the state. The California Department of Fish and Wildlife has implemented a multi-million dollar nutria eradication program and the regulation is an important part of this effort.

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

Staff analyzed use of the categorical exemptions under the California Environmental Quality Act (CEQA) as it relates to this regulatory action.

The Commission's adoption of the proposed regulations is an action subject to CEQA. The review by staff pursuant to CEQA Guidelines Section 15300, Title 14, CCR, leads staff to conclude that adopting of the regulations would properly fall within the Class 7 and Class 8 categorical exemptions (sections 15307, 15308). The two exemptions are related to agency actions authorized by statute to protect natural resources and the environment.

The proposed amendments do not have the possibility of impact on the environment because the changes are an effort to protect the State's wildlife, wetland habitats, waterways, water supplies, water conveyance and flood protection infrastructure, and agriculture from the detrimental impacts caused by invasive nutria (*Myocastor coypus*),

**No Exceptions to Categorical Exemptions Apply**

As to the exceptions to categorical exemptions set forth in CEQA Guidelines section 15300.2, including the prospect of unusual circumstances and related effects, staff has reviewed all of the available information possessed by the California Department of Fish and Wildlife relevant to the issue and does not believe adoption of the regulations poses any unusual circumstances that would constitute an exception to the categorical exemptions set forth above.