

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: N/A

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

Project Title: Recreational Take of Rockfish, Cabezon, Greenling (RCG) and Lingcod Emergency

Project Applicant: N/A

Project Location: California State Ocean Waters

Project Location – City: N/A

Project Location – County: N/A

Description of Nature, Purpose, and Beneficiaries of Project:

The emergency regulations restore access to fishing depths that have been closed to recreational fishing for rockfish, cabezon and greenling (RCG) and lingcod since 2023 to avoid encounters with quillback rockfish; set a sub-bag limit for canary rockfish; and add the cryptic-species sunset rockfish to the list of federal groundfish species. The purpose of the project is to restore access to fishing grounds based upon updated scientific stock assessment information for the quillback rockfish stock off California, implement a sub-bag limit for canary rockfish, and add sunset rockfish limits. Overall, the proposed actions preserve natural resources and are protective of the environment.

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, 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

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: August 14, 2025

Title: Executive Director

Signed by Lead Agency

Signed by Applicant.

Date Received for filing at OPR:

**Attachment to Notice of Exemption for
Amending Sections 1.91, 27.25, 27.30, 27.35, 27.40 and 28.55 of Title 14 of
the California Code of Regulations
Regarding Recreational Take of Rockfish, Cabezon, Greenling (RCG) and
Lingcod Emergency**

At its August 14, 2025 meeting, the California Fish and Game Commission (Commission) took final action under the California Fish and Game Code and the Administrative Procedure Act with respect to the above-named project. In taking its final action for the purposes of the California Environmental Quality Act (CEQA; Public Resources Code Section 21000 *et seq.*), the Commission adopted emergency amendments to sections 1.91, 27.25, 27.30, 27.35, 27.40 and 28.55 of Title 14 of the California Code of Regulations (CCR) (“Project”), relying on 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 (class 7 and 8 categorical exemptions in CCR, Title 14). Class 7 and 8 categorical exemptions apply to agency actions to protect natural resources and the environment.

The Commission action removes unneeded depth constraints that were put in place to protect quillback rockfish north of Point Conception (34°27’ N. lat.). The currently unwarranted restrictions highly constrain and concentrate recreational fishing access and efforts to a limited area of the state’s waters. The adopted regulations remove these unneeded constraints, thereby alleviating this risk of redirection of recreational fishing efforts and pressure on RCG and lingcod stock in both federal and state waters. Based upon an updated and more robust understanding of the stock, the depth restrictions are no longer warranted. Adopting scientifically-based seasons, depth constraints, and other management measures provides for the protection of populations of quillback rockfish and other RCG species and lingcod to ensure their continued existence. The adopted regulations also implement a sub-bag limit for canary rockfish and add sunset rockfish limits which also serve to protect these rockfish species. Overall, the actions preserve natural resources and are protective of the environment.

No Exceptions to Categorical Exemptions Apply

Based on review of all available information, the Commission also concluded that the relevant exceptions to categorical exemptions set forth in California Code of Regulations, Title 14, Section 15300.2, subdivisions (b) though (f), do not apply.

Cumulative Impacts: The Project presents no risk of cumulative impacts from successive projects of the same type. All fishery management measures that would impact the fisheries affected by this regulation must be consistent with the mandates of the federal Magnuson–Stevens Fishery Conservation and Management Act and the state Marine Life Management Act. Both of these statutory schemes require that management measures maintain stock levels that will effectuate optimum yield (OY) and maximum sustainable yield (MSY). These management measures and future management measures will maintain the OY and the MSY to ensure that significant impacts will not occur through continued operation and management of the state nearshore fishery and the federal Pacific coast groundfish fishery. In short, due to federal and state regulation of fishery management for the affected species, there is no risk of cumulative impacts from successive projects of the same type.

Significant Effect: There is also no reasonable possibility that the regulations will have a significant effect on the environment due to unusual circumstances, based on the California Supreme Court's 2015 decision in *Berkeley Hillside Preservation v. City of Berkeley*. Compared to the activities that fall within Classes 7 and 8 generally, which include natural resource enhancement activities such as the regulatory effort here, there is nothing unusual about the emergency regulations. In addition, even if there were unusual circumstances, no potentially significant effects on either a project-specific or cumulative basis are expected. The emergency regulations are intended to protect RCG and lingcod stocks from experiencing overfishing, localized or otherwise.

Scenic Highways: There will be no impacts to scenic resources within designated scenic highways because the action will only affect the marine environment.

Hazardous Waste Site: The Project is not located on or near a hazardous waste site that is on a list compiled pursuant to Section 65962.5 of the California Government Code because the Project only affects recreational fishing activity in the marine environment.

Historic Resources: The Project will not impact the significance of any historic resources because the Project only affects recreational fishing activity in the marine environment.

Since none of the circumstances described in CEQA Guidelines Section 15300.2, subdivisions (b) through (f) exist, none of the exceptions to the Class 7 and Class 8 categorical exemptions apply.