

Notice of Exemption

To:

Office of Land Use and Climate Innovation
State Clearinghouse

P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

[CEQA Submit](#)

From:

CA Department of Fish and
Wildlife

715 P Street
Sacramento, CA 95814



Project Title: Memorandum of Agreement between United States Fish and Wildlife Service and California Department of Fish and Wildlife Regarding Cooperation on Management of Gray Wolf in California and Authorization of Entities to Implement Less-Than-Lethal Wolf-Livestock Conflict Reduction Measures

Project Location: Statewide

Project Description: The Project consists of a Memorandum of Agreement Between the California Department of Fish and Wildlife and the United States Fish and Wildlife Regarding Cooperation on Management of Gray Wolf in California (Agreement) and authorization of entities to implement less-than-lethal wolf-livestock conflict reduction measures to promote the conservation and management of the gray wolf (*Canis lupus*) in California. As part of the Agreement, the California Department of Fish and Wildlife (CDFW) anticipates designating entities as partners in wolf conservation, including sheriff's offices, local jurisdictions, non-government organizations, universities, and others for the use of sustained pursuit and nonlethal projectiles to deter wolf-livestock conflicts.

Gray wolves in California are listed as endangered under the California Endangered Species Act (CESA) and the Federal Endangered Species Act (ESA). CDFW has authority to take gray wolves for propagation, management, and law enforcement purposes pursuant to Fish and Game Code section 1001, CESA, and CESA's implementing regulations. CESA allows for regulated take of gray wolves for the purpose of conservation of the species in extraordinary cases where population pressures within a given ecosystem cannot be otherwise relieved. (Fish & G. Code, § 2061.) CDFW also has authority to authorize individuals and public agencies to take CESA-listed species for management purposes. (Fish & G. Code, § 2081, subd. (a).) With respect to the gray wolf's status as a Federally listed species in California under the ESA, CDFW has authority to designate entities to take gray wolves to carry out conservation programs and when acting in the course of official duties under the 2015 Section 6 Cooperative Agreement between the United States Fish and Wildlife Service (USFWS) and CDFW.

The Agreement outlines the procedures by which CDFW may designate partner entities in wolf conservation to engage in non-lethal hazing activities to deter wolf-livestock interactions. CDFW has determined that sheriff's offices, local jurisdictions, non-governmental organizations, universities, and others are important partners in wolf conservation, specifically in implementing deterrence and nonlethal practices on wolves engaging or attempting to engage in depredation of livestock. The Agreement and subsequent authorizations will support the propagation and management of the gray wolf in California.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW)

Person or Public Agency Carrying Out Project: Same as above.

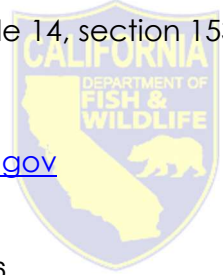
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Exempt Status:

- Statutory Exemption.
- Categorical Exemption: Class 7; California Code of Regulations, title 14, section 15307.

Reasons why project is exempt: See attached.

CDFW Contact Person: Chad Dibble, 916-206-9171, chad.dibble@wildlife.ca.gov



DocuSigned by:
Chad Dibble
 Signature: _____ Date: 5/27/2026
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Chad Dibble, Deputy Director, Wildlife Branch, California Department of Fish and Wildlife

Date received for filing at SCH: _____



May 27, 2026

ATTACHMENT TO NOTICE OF EXEMPTION
Memorandum of Agreement between United States Fish and Wildlife Service and California Department of Fish and Wildlife Regarding Cooperation on Management of Gray Wolf in California and Authorization of Entities to Implement Less-Than-Lethal Wolf-Livestock Conflict Reduction Measures

The California Department of Fish and Wildlife (CDFW) has taken final action to approve the Memorandum of Agreement between the United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife Regarding Cooperation on Management of Gray Wolf in California (Agreement) and begin implementing the authorization process to implement the less-than-lethal wolf-livestock conflict reduction measures called for in the Agreement (the Project). In taking its final agency action for purposes of the California Environmental Quality Act (CEQA), CDFW approved the Project by relying on the Class 7 categorical exemption for “Actions by Regulatory Agencies for Protection of Natural Resources” contained in CEQA Guidelines section 15307 (Cal. Code Regs., tit. 14, § 15307).

As trustee for the state’s wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of gray wolves (*Canis lupus*) in California. (Fish & G. Code, §§ 711.7, subd. (a), 1802.) Pursuant to section 1001 of the Fish and Game Code, CDFW has authority to take¹ any species for “scientific, propagation, public health or safety, prevention or relief of suffering, or law enforcement purposes[.]” Moreover, the California Endangered Species Act (CESA) directs CDFW to utilize its authority to conserve endangered species, including the endangered gray wolf, by all necessary methods and procedures, including law enforcement activities, propagation, live trapping, transplantation, and, in extraordinary cases, regulated taking. (Fish & G. Code, §§ 2055, 2061.) CESA’s implementing regulations further provide that CDFW may take endangered species for management and law enforcement purposes. (Cal. Code Regs., tit. 14, § 783.1, subd. (c).)

CESA allows CDFW to authorize individuals, public agencies, universities, zoological gardens, and scientific or educational institutions to engage in take activities of gray wolves for scientific, educational, or management purposes. (Fish & G. Code, § 2081, subd. (a).)

¹ For purposes of the Fish and Game Code, including the California Endangered Species Act, “take” means “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” (Fish & G. Code, § 86.)

In addition to being listed as endangered under CESA, gray wolves in California are also listed as endangered under the Federal Endangered Species Act (ESA). The ESA authorizes the USFWS to enter into cooperative agreements with state agencies for the purposes of conservation of ESA-listed species. (16 U.S.C. § 1535, subd. (c).) In 2015, the USFWS and CDFW entered into a Cooperative Agreement that authorizes CDFW to designate employees or agents to take² gray wolves to carry out conservation programs and when acting in the course of official duties. (See also 50 C.F.R. § 17.21, subd. (c)(5) [authorizing state conservation agencies, including CDFW, to engage in otherwise prohibited take when acting in the course of official business “provided that such taking is not reasonably anticipated to result in . . . the death or permanent disabling of the specimen”].)

In April 2026, the USFWS and CDFW entered into the Agreement to further the cooperation between the USFWS and CDFW by outlining the need and process for CDFW to authorize the use of sustained pursuit and nonlethal projectiles by qualified entities, including but not limited to employees, agents, contractors, volunteers, grantees, permittees and other representatives, on gray wolves to prevent, deter, and reduce conflicts between wolves and livestock. The Agreement specifies the scope of agency that CDFW may designate, which is limited to the specific purpose of “hazing or otherwise deterring gray wolves from interacting with livestock using sustained pursuit and/or less-than-lethal projectiles (which include rubber slugs/pellets, weighted bean/lead shot bags, pepper balls, and paintballs fired from firearms or other devices for use with those projectiles).”

CDFW has determined that the approval of the Project is necessary for the continued statewide propagation, conservation and management of the gray wolf in California. Wolf depredations on livestock create extreme pressures on ecosystems and threaten the continued propagation of the species throughout the state. The Project will further the cooperation between CDFW and USFWS for the purpose of authorizing certain partner entities to conduct nonlethal hazing of gray wolves to prevent livestock depredations. The approval of and process for such nonlethal take authority to partner entities as set forth in the Agreement will expand CDFW’s ability to deter and reduce wolf depredations on livestock, which will in turn support the long-term propagation, conservation and management of the species by preventing wolves from becoming reliant on or accustomed to livestock as prey or becoming habituated to human activity.

CDFW’s review effort under CEQA Guidelines section 15061 (Cal. Code Regs., tit. 14, § 15061) led it to conclude the Project is an activity that falls within the Class 7 categorical exemption, as discussed below.

² Under the ESA, “take” means “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” (16 U.S.C. § 1532, subd. (19).)

Class 7 Categorical Exemption

As discussed below, CDFW finds the Project is exempt from CEQA pursuant to CEQA Guidelines section 15307, which sets forth the Class 7 categorical exemption. Class 7 consists of actions: i) taken by regulatory agencies as authorized by state law; ii) to assure the maintenance, restoration, or enhancement of a natural resource; iii) where the regulatory process involves procedures for protection of the environment. (Cal. Code Regs., tit. 14, § 15307.) CDFW's wildlife preservation activities are expressly enumerated as falling within Class 7. (*Ibid.*)

- i. The Project consists of an action taken by a regulatory agency (CDFW), as authorized by state law. CDFW's taking of endangered species for propagation, management, and law enforcement purposes is authorized under the Fish and Game Code, including CESA and its implementing regulations. CDFW is authorized to use "all methods and procedures which are necessary to bring any endangered species . . . to the point at which [the provisions of CESA] are no longer necessary." (Fish & G. Code, § 2061.) Such authorized methods and procedures include regulated taking "in the extraordinary case where population pressures within a given ecosystem cannot be otherwise relieved." (*Ibid.*) CDFW also has the authority to authorize partner entities to engage in take activities for management purposes (Fish & G. Code, section 2081, subd. (a).) Accordingly, CDFW is authorized under state law to enter into the Agreement with USFWS to set forth the authority and procedure for designating state agency of nonlethal take to partner entities.
- ii. The Project consists of actions to assure the maintenance, restoration, or enhancement of a natural resource (gray wolves in California). CDFW has determined that the Project is necessary for the continued recovery (i.e., the maintenance, restoration and enhancement) and management of the species across the state. Wolf–livestock conflicts represent a serious threat to the propagation and recovery of the species. Indeed, the 2016 Conservation Plan for Gray Wolves in California encourages the deployment of nonlethal practices to prevent, reduce, and eliminate conflicts between wolves and livestock. By entering into the Agreement with USFWS to authorize and determine the scope of extending nonlethal take authority to partner entities, CDFW will enhance the number of entities able to haze and deter wolves engaging in depredation of livestock. The Project will assure the maintenance, restoration, and enhancement of gray wolves by reducing the species' dependence on livestock as prey and preventing it from becoming habituated to humans; and
- iii. The Project involves procedures for protection of the environment. As discussed above, the purpose of the Project is to promote the conservation and management of gray wolves in California by supporting their continued recovery statewide. CDFW has designed the Project to protect gray wolves by conditioning the take authorization in a number of ways, including but not limited

to: (i) limiting the hazing methods authorized to nonlethal projectiles and prohibiting such use in areas where wolf attractants (e.g., bone piles, carcasses) are present; (ii) requiring authorized entities to be certified in the use of nonlethal projectiles and compliant with all relevant laws related to the use and storage of firearms; and (iii) directing authorized entities to target specific impact areas on the body of a wolf when discharging nonlethal projectiles to minimize the risk of injury to the wolf. The Project is not expected to have any other impacts to the environment.

In sum, the Project is an action taken by a regulatory agency as authorized by state law to assure the maintenance, restoration, or enhancement of a natural resource, involving procedures for the protection of the environment, and as such, falls within the Class 7 categorical exemption to CEQA.

In addition, because the Project is necessary for the continued preservation and recovery of gray wolves in California, the Project is a wildlife preservation activity that is expressly exempt from the requirements of CEQA under the Class 7 categorical exemption.