

Notice of Exemption

Appendix E

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

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

Project Title: Amend Sections 28.06 and 28.65, Title 14, CCR Re: Recreational Gear Restrictions for White Shark (90-day Emergency Extension)

Project Applicant: N/A

Project Location - Specific: State waters south of Pigeon Point (San Mateo County)

Project Location - City: NA

Project Location - County: NA

Description of Nature, Purpose, and Beneficiaries of Project:

The proposed project would extend the emergency amendments to Title 14, California Code of Regulations (CCR), sections 28.06 and 28.65 regarding finfish fishing gear restrictions and the take of white sharks. The proposed extension would continue the requirement to immediately release hooked white sharks and prohibit removing white sharks from the water. The proposed extension would also continue the also prohibit the use of wire or metallic lines or leaders or hooks greater than one and one-half inches in maximum inside diameter when fishing from the shoreline (including beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore) or within 1,000 yards of the mean high tide line in ocean waters south of Pigeon Point (San Mateo County, 37° 11' N. lat.). This project extends the emergency rule originally adopted at the June 17-18, 2026 Fish and Game Commission meeting (Office of Administrative Law File Number 2026-0626-01E). The El Nino conditions that prompted the emergency are continuing and anticipated to increase through the fall, necessitating an extension of the emergency regulations.

The extension of the emergency amendments are necessary to further protect white sharks from illegal fishing activities and to help prevent incidents between hooked white sharks and ocean users in the same vicinity. White sharks are an important apex predator in the marine ecosystem and are protected under state and federal fishing regulations. There have been several incidents involving pier and beach anglers either intentionally targeting white sharks or accidentally hooking them with very heavy fishing gear; the incidents have resulted in the death of at least three white sharks this year. Additionally, in 2014, a swimmer was bitten by a white shark that had been hooked by a pier angler.

This year, a forecasted strong El Niño oceanic event is anticipated to increase the presence of white sharks in California coastal waters, which will increase their availability to anglers and the potential for human interactions with hooked sharks. Young white sharks are already being observed in significantly higher numbers in southern California. Because of this, an emergency situation exists that requires an immediate need to curtail illegal targeted fishing for white sharks, help ensure accidentally hooked sharks are released alive, and help prevent another incident where a hooked shark bites an ocean user or the heavy gear used to catch such sharks entangles a person in the water.

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: section 15307, Class 7
- ☐ Statutory Exemptions. State code number:

Reasons why project is exempt:

In response to this emergency situation, the California Fish and Game Commission amended Title 14, sections 28.06 and 28.65. This action would extend the emergency action. The categorical exemption is related to agency actions to protect natural resources. The Commission's adoption of these regulations is an activity that is the proper subject of CEQA's Class 7 categorical exemption. See attachment for background and additional details.

Lead Agency

Contact Person: Melissa Miller- Helson 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: October 19, 2026 Title: Executive Director

☐ Signed by Lead Agency ☐ Signed by Applicant. Date Received for filing at OPR: