



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND GAME  
Marine Region  
3883 Ruffin Rd  
San Diego, CA 92123  
[www.dfg.ca.gov](http://www.dfg.ca.gov)

*EDMUND G. BROWN, Jr. Governor*  
*CHARLTON H. BONHAM, Director*



August 11, 2012

## **Notice of Availability of Draft Initial Study and Intent to Adopt a Negative Declaration for the California Department of Fish and Game's Proposed Regulations to Implement the Dungeness Crab Trap Limit Program**

To: Interested Parties

The passing of SB369 in 2011 added Section 8276.5 to the Fish and Game Code, which imposes trap limits on Dungeness crab vessel permit holders. A copy of Senate Bill 369 can be found at this link: [http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb\\_0351-0400/sb\\_369\\_bill\\_20110926\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0351-0400/sb_369_bill_20110926_chaptered.pdf). Permit holders will be assigned to one of seven trap tiers between 175 and 500 traps. The intention of the statute is to cap the total number of Dungeness crab traps allowed to be fished. This total number is not yet known, but would be no more than 175,000 traps. The program is intended to take effect by the 2013-2014 Dungeness crab season.

The legislative statute authorizes the Department, under the authority of the Director, to implement the program. The Department has drafted regulations addressing the procedures to apply for the new biennial trap permit, buoy tags and replacement tags, as well as the process to request a waiver in order to have another permit holder retrieve their traps, and the process to appeal a trap tier assignment. These rules are to be included in Section 132.1-132.5, Title 14, California Code of Regulations (CCR). The fees for the permit and tags will be added to Section 705, Title 14, CCR. The Department's proposed regulations can be viewed at this link: <http://dfg.ca.gov/marine/invertebrate/traplimit.asp>.

The proposed project under review in the Initial Study of the Negative Declaration is the package of regulations the Department is proposing to adopt prior to the 2013-14 commercial Dungeness crab season, in order to implement the trap limit program created by statute. The commercial fishery extends generally in state and federal ocean waters out to a depth of 70 fathoms, outside of bays and estuaries, from the California/Oregon border to Point Conception. This is the area where the program is intended to take effect. The Department has determined that implementation of these draft rules will have no significant adverse environmental or biological impacts. This analysis was conducted pursuant to, and in compliance with the California Environmental Quality Act (CEQA); therefore, as the lead agency under CEQA the Department is proposing to adopt a Negative Declaration.

Copies of the Negative Declaration and supporting documentation are available for public review at the following Marine Region Department offices:

- California Department of Fish and Game  
619 Second St.  
Eureka, CA 95501
- California Department of Fish and Game  
32330 North Harbor Dr.  
Fort Bragg, CA 95437
- California Department of Fish and Game  
5355 Skylane Blvd., Suite B  
Santa Rosa, CA 95403
- California Department of Fish and Game  
1812 Ninth St.  
Sacramento, CA 95814
- California Department of Fish and Game  
350 Harbor Blvd.  
Belmont, CA 94002
- California Department of Fish and Game  
20 Lower Ragsdale Dr., Suite 100  
Monterey, CA 93940
- California Department of Fish and Game  
3196 South Higuera St., Suite A  
San Luis Obispo, CA 93401
- California Department of Fish and Game  
1933 Cliff Dr., Suite 9  
Santa Barbara, CA 93109
- California Department of Fish and Game  
4665 Lampson Ave., Suite C  
Los Alamitos, CA 90720
- California Department of Fish and Game  
3883 Ruffin Rd.  
San Diego, CA 92123

Please call Ms. Christy Juhasz, Environmental Scientist, to make arrangements to review this material or to request an electronic copy of the document on compact disc,

at (707) 576-2887. You may also contact Mr. Pete Kalvass, Senior Environmental Scientist, at (707) 964-9080.

The Initial Study conducted by the Department evaluated the potential of the proposed project to generate adverse environmental impacts to: aesthetic; agriculture and forest resources; air quality; biological resources; cultural resources; geology/soils; greenhouse gas emissions; hazards/hazardous materials; hydrology/water quality; land use planning; mineral resources; noise; population/housing; public services; recreation; transportation/traffic; utilities and service systems; and mandatory findings of significance. The Initial Study conducted by the Department did not identify any potentially significant impacts which may result from the Department's regulations implementing the Dungeness crab trap limit program. The Department has not identified any impacts that would be considered significant under CEQA; however, all impacts identified, whether subject to CEQA mitigation requirements or not, were evaluated and where feasible, operational policies or procedures were instituted to minimize these impacts consistent with the Department's duty as Trustee for the State's natural resources. These actions should not be construed as an admission by the Department that such impacts are considered significant under CEQA.

At this time the Department is requesting Responsible Agency, Trustee Agency, and public review of the proposed project, Initial Study, and intent to adopt a Negative Declaration for the Draft Rules for Implementation of the Dungeness Crab Trap Limit Program.

**Please send any response you may have to this notice of Intent to Adopt a Negative Declaration at the earliest possible date, but not later than 30 days from the date of this notice in order for your comments to be considered.**

All comments must include the name, address, and daytime telephone number of the respondent. Comments may be submitted by mail to:

Dungeness Crab Trap Limit Program CEQA  
Department of Fish and Game  
5355 Skylane Blvd., Suite B  
Santa Rosa, CA 95403

Comments may also be submitted via e-mail (in Microsoft Word or Adobe PDF format only) to [cjuhasz@dfg.ca.gov](mailto:cjuhasz@dfg.ca.gov). E-mailed comments must include "Dungeness Crab Trap Limit Program CEQA Comments" in the subject line.

All comments must be received no later than 5 p.m. on September 10, 2012.

For further information, please contact Ms. Christy Juhasz at (707) 576-2887, or by email at [cjuhasz@dfg.ca.gov](mailto:cjuhasz@dfg.ca.gov). You may also contact Mr. Pete Kalvass at (707) 964-9080, or by email at [pkalvass@dfg.ca.gov](mailto:pkalvass@dfg.ca.gov).

Sincerely,

A handwritten signature in cursive script that reads "Tom Barnes". The signature is written in black ink and is positioned below the word "Sincerely,".

Tom Barnes  
Environmental Program Manager, State Managed Marine Species