



California Fish and Game Commission
1416 Ninth Street, Room 1320
Sacramento, CA 95814

STATE OF CALIFORNIA
EDMUND G. BROWN JR., GOVERNOR

NATURAL RESOURCES AGENCY



California Department of Fish and Wildlife
1416 Ninth Street, 12th Floor
Sacramento, CA 95814

**NOTICE OF PREPARATION OF A DRAFT
PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT
AND NOTICE OF PUBLIC SCOPING MEETINGS.**

To: Interested Parties

Project: A programmatic analysis of the State Marine Aquaculture Program management framework governing aquaculture activity on state water bottom leases issued by the California Fish and Game Commission.

Lead Agency: California Fish and Game Commission

Location: State waters: marine and brackish waters of the State, with primary focus on the Southern California Bight.

In 2006, the State enacted Senate Bill 201 (SB201) which requires the Department, in consultation with the Aquaculture Development Committee, to "prepare programmatic environmental impact reports for existing and potential commercial aquaculture operations in both coastal and inland areas of the state [if certain conditions are met]...."¹ This Programmatic Environmental Impact Report (PEIR) is being prepared pursuant to the California Environmental Quality Act (CEQA) and its implementing regulations, with additional analysis of factors required by SB201 to provide a framework for managing potential future coastal marine finfish aquaculture projects.

The purpose of the PEIR is to develop and evaluate a Management Framework for the State Coastal Marine Aquaculture Program (Program) for current and future culturing of shellfish and algae and future finfish aquaculture on state water bottom leases issued by the California Fish and Game Commission (Commission), and to inform decision makers and the general public about the potential environmental impacts of existing and future marine aquaculture projects which would be considered under the Program.

¹ Fish and Game Code §15008 (a).

This report will be prepared as a programmatic level document. A PEIR is a type of tiered CEQA document that is intended to be broad in nature. Not all impacts from all future projects will be able to be determined or analyzed in this document. The intent of the PEIR is to analyze reasonably expected or determined impacts from the proposed Program with additional environmental impact analyses to be done when specific aquaculture projects are proposed in the future.

The PEIR will programatically evaluate the various types of marine aquaculture facilities which currently exist or may be reasonably anticipated in the future, and that would have generally similar types of environmental impacts which could be mitigated in similar ways. The PEIR process is intended to provide the Department of Fish and Wildlife (Department) with the environmental information required to evaluate the proposed Program; to identify methods for reducing adverse environmental impacts; and to ensure that a range of alternatives is considered prior to the approval of the Program. As individual new projects are brought before the Commission for leases in the future, this guidance can support the preparation of project-specific CEQA evaluations that will provide detailed guidance to the individual aquaculturist.

Public Scoping Meetings and Comment Period

The purpose of public scoping is to obtain comments from public agencies and the public on the scope and types of environmental impact analysis that should be conducted and included in this PEIR, particularly that which is germane to each agency's statutory responsibilities in connection with the proposed project. Other agencies, such as the California Coastal Commission, the State and Regional Water Boards, the California State Lands Commission and a number of coastal counties will need to rely on analysis within this PEIR for their respective aquaculture-related evaluations and permit processes for individual new projects. The Department will be seeking comments from these agencies such that the PEIR may help reduce redundant environmental analysis required for aquaculture permitting in California.

The Department wishes to notify the public of this Program in order to continue an open forum for discussion and public participation in the planning process that was initiated for this PEIR by the original Notice of Preparation (NOP) and Public Scoping sessions posted and held in 2007. Because of the elapsed time that has intervened since the original, the purpose of this renewed NOP is to solicit further comments about the proposed Program, including possible Program alternatives, and the scope and content of the environmental information to be included in the PEIR, in accordance with CEQA. Additional background on the Program and PEIR are provided in the attached Appendix below.

The scoping period for the Program associated with this Notice of Preparation will commence on **March 23, 2018 and will conclude on April 22, 2018**. Due to the time limits mandated by State law, comments must be sent at the earliest possible date but no later than 30 days after official commencement of the CEQA scoping period.

All parties, including the public and State agencies, are encouraged to submit comments in writing.

The Department will be conducting two public scoping meetings:

April 10, 2018, 6:30 PM – 8:00 PM
Sonoma County Water Agency
404 Aviation Blvd.
Santa Rosa, CA 95403
[Directions \(Google Maps\)](#)

April 12, 2018, 6:30 PM – 8:00 PM
Port of San Diego
3165 Pacific Highway
San Diego, CA 92101
[Directions \(Google Maps\)](#)

Attendees to either of these meetings are encouraged to submit their comments in writing to ensure an accurate reflection of the intended message. In lieu of attending the meeting, interested parties may submit written comments either by email to:

AquaculturePEIR@wildlife.ca.gov

or by regular mail sent to:

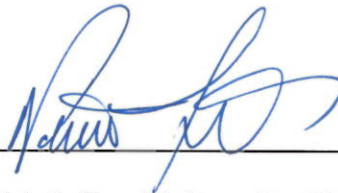
Marine Aquaculture PEIR - Scoping Comments
CDFW Aquaculture Program
830 S Street
Sacramento, CA 95811

As stated above, comments must be received by the Department by end of the business day on **April 22, 2018**.

Individuals and agencies who have questions, would like a copy of this notice or additional information, or wish to receive emailed updates on the PEIR, please contact Randy Lovell, State Aquaculture Coordinator, at AquaculturePEIR@wildlife.ca.gov.

Date: March 22, 2018

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Valerie Termini, Executive Director
California Fish and Game Commission

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Program Description Summary: Coastal Marine Aquaculture Program

I. Background

State law governing the cultivation and harvest of shellfish in the coastal waters of California has been in place since early statehood in the 1850's. With the later formation of the Fish and Game Commission and the Department of Fish and Wildlife, both have been actively involved in the oversight and regulation of marine aquaculture from the 1930's to the present time. Aquaculture continues to this day in both freshwater and marine environments throughout the state. Although most of the aquaculture in the United States – and California - is located in inland freshwater, most of the future growth potential is anticipated to occur from fish and shellfish farms located in coastal marine waters.

Over 90% of U.S. seafood demand is met by imports, and the trade deficit is significant and growing. Seafood is the most widely imported food product into the U.S. with nearly \$19.5 billion in annual imports in 2016 (an increase of 3.5 percent from 2015), while exports in 2016 were valued at \$5 billion (a decrease of 3.1 percent from 2015). Wild-catch fishery harvests are relatively level, and are not expected to expand in response to rapidly-growing global, national, and state populations. Although aquaculture is the world's fastest-growing food production sector in the world, California and the U.S. have not yet reflected a similar trend in domestic growth. The further development of coastal marine aquaculture in California may potentially alleviate this increasing supply and demand gap. The Federal government has planned for significant growth in the aquaculture sector, and is encouraging a five-fold increase in production by 2025.

Permitting of marine aquaculture in state waters (out to 3 miles) could result in an increase in jobs and economic activity for the state, an increased domestic seafood supply, a potential reduction in carbon footprint associated with more localized production, and a potential reduction in the need to harvest certain wild stocks of fish. There are also public concerns about the potential environmental impacts associated with increased coastal marine aquaculture development. The growing interest in the cultivation of marine finfish in offshore environments over the last few decades has led to rapid bio-technological developments affecting feasibility and choice of culture species, system design, feed formulation, fish health management, and siting considerations.

Senate Bill 201 was signed into law in May 2006, and incorporated into Fish and Game Code Sections 15008 and 15400. This legislation prohibits a person from engaging in marine finfish aquaculture in state waters without a lease from the Commission. It further sets new standards and calls for the Commission to adopt regulations governing

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the terms of leases for marine finfish aquaculture². Finally, it requires the Department to prepare a PEIR for existing and potential future commercial aquaculture operations in coastal areas of the state³.

The PEIR will identify and programmatically evaluate potential environmental impacts of construction and operation of marine aquaculture facilities, as well as discuss thresholds of significance and mitigation measures to reduce these impacts. The impacts and mitigation measures identified in the PEIR will provide a scientific basis for identifying necessary updates to the Department's existing regulatory program.

II. Program Objective

The broadest objective of the Program is to fulfill the requirements of SB201 in developing an updated regulatory program relating to marine aquaculture, including marine finfish aquaculture. The PEIR is intended to serve as a first step towards identifying the characteristics of the regulatory program, as well as providing a guide to applicants of new marine aquaculture projects in California. The PEIR will describe the regulatory setting, permits, potential environmental impacts of marine finfish aquaculture in California including the impacts of a No Program Alternative, and consider examples of best management practices to reduce the potential for impacts.

In addition, the PEIR is intended as a learning tool for project reviewers and the public who may be unfamiliar with the broad range of activities in the aquaculture industry. It will cover common aquaculture practices; potential species for culture; and potential impacts associated with various aquaculture techniques. Because a wide variety of methods could potentially be used by the industry, best management practices that include performance-based criteria may be developed which can more effectively be applied to many common activities, regardless of specific method.

III. Status of the Project and Next Steps

The Program under review in the PEIR will include a baseline description of existing marine aquaculture activities and their regulatory oversight that exists at this time; baseline descriptions will include species, methods, and locations of activity, which primarily consists of shellfish cultivation conducted in specific regions and bays spread along the entire state coastline. The impact analysis of a future coastal marine aquaculture program, however, will focus primarily on the addition of marine finfish aquaculture activities that, due to various factors, will likely locate in or near the

² Fish and Game Code §15400(b).

³ Fish and Game Code §15008.

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Southern California Bight (i.e. from the Mexican border up to at least Point Arguello and as far north as Morro Bay). The (future) Program is in the early stages of conceptual development by the Department, which is evaluating several aspects and alternatives.

Examples of potential Program Alternatives that could be subject to evaluation in the PEIR include, but may not be limited to, the following:

- No Program;
- Phased or delayed implementation;
- Implementation allowing for certain upper limits of cumulative capacity or scale, such as scenarios consisting of more smaller operations vs. fewer larger operations, either with or without a pre-determined cumulative cap;
- Implementation allowing for proposed projects with fewer pre-determined limitations on number or size of operations.

IV. Program Environmental Impact Report

Consistent with the requirements of CEQA, the primary purposes of the PEIR are to (1) support the development and adoption of an updated regulatory program, and (2) provide an initial document that analyzes a broad range of similar projects such that it can serve as a first-tier environmental compliance document, simplifying the environmental review process for future, specific aquaculture projects. The PEIR will be used to analyze these subsequent projects' potential environmental effects; inform decision makers, other responsible agencies, and members of the public regarding the range of environmental impacts potentially associated with the Program; and recommend measures to mitigate any significant adverse impacts. This PEIR will analyze the preferred alternative and other Program alternatives identified during the screening process. The PEIR will evaluate the Program's potential impacts to the environment, which may include, but may not be limited to, effects in the following areas.

Aesthetics	Land use and planning
Agriculture and Forestry Resources	Mineral Resources
Air quality	Noise
Biological resources	Population and Housing
Cultural resources	Public Services
Geology/Soils	Recreation
Greenhouse Gas Emissions	Transportation/Traffic (incl. Navigation)
Hazards and Hazardous Materials	Tribal resources
Hydrology and water quality	Utilities/Service Systems