



October 5, 2021

NOTICE OF PREPARATION OF AN ENVIRONMENTAL DOCUMENT AND PUBLIC SCOPING MEETING NOTICE FOR THE PINK SHRIMP FISHERY MANAGEMENT PLAN PROJECT

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15050 in Title 14, Division 6, of the California Code of Regulations (CCR), the California Fish and Game Commission (Commission) is the Lead Agency responsible for the approval of a Fishery Management Plan (FMP) for the commercial pink shrimp (*Pandalus jordani*) trawl fishery (proposed project). The California Department of Fish and Wildlife (Department) has prepared a draft FMP and is assisting in preparing an environmental document—addressing the potential impacts associated with the proposed project—that meets CEQA requirements (Title 14, CCR, Section 750 *et seq.*).

The purpose of this Notice of Preparation (NOP) is to provide an opportunity for the public, interested parties, and public agencies to comment on the scope and proposed content of the environmental document. A draft Initial Study (IS) has been prepared, which serves as a preliminary analysis of the project's potential impacts (see CCR, Title 14, Section 781.5.), and is available at <https://wildlife.ca.gov/Notices> for public review and comment for a 30-day public review period from October 4, 2021 to November 3, 2021.

Pursuant to CEQA Guidelines Section 15082, responsible and trustee agencies and other interested parties, including members of the public, must submit any comments in response to this notice no later than 30 days after receipt of the notice. Written comments regarding the proposed scope of the environmental analysis can be sent via email to Anthony.Shiao@wildlife.ca.gov or by mail to:

Attn: Anthony Shiao
California Department of Fish and Wildlife
1933 Cliff Drive, Suite 9
Santa Barbara, CA 93109

All comments must be received no later than November 3, 2021. Responsible agencies are requested to indicate their statutory responsibilities in connection with this project when responding.

Scoping Meeting

The Department will hold a public scoping meeting on October 21, 2021, from 9:00 AM to 10:00 AM. This meeting will take place virtually. Please visit the Department's website at <https://wildlife.ca.gov/Notices> for additional information.

Project Location

The project would establish a management framework for the California pink shrimp commercial trawl fishery through a fishery management plan (FMP). The range of this fishery is limited by a combination of biological and regulatory factors. Pink shrimp are found at depth shallower than 1,200 ft (~360 m) in sandy mud habitat (Dahlstrom 1973). Shrimp trawling is currently prohibited inside state waters (Fish and Game Code (FGC) §§ 8833, 8835, 8836, & 8842); it is also subject to exclusion from the federal Essential Fish Habitat Conservation Areas (EFHCA; 50 CFR §§ 660.11, 660.12, & 660.79). Figure 1 below represents the project area by incorporating the maximum depth where pink shrimps occur, the limit of the state jurisdiction, and existing EFHCAs.

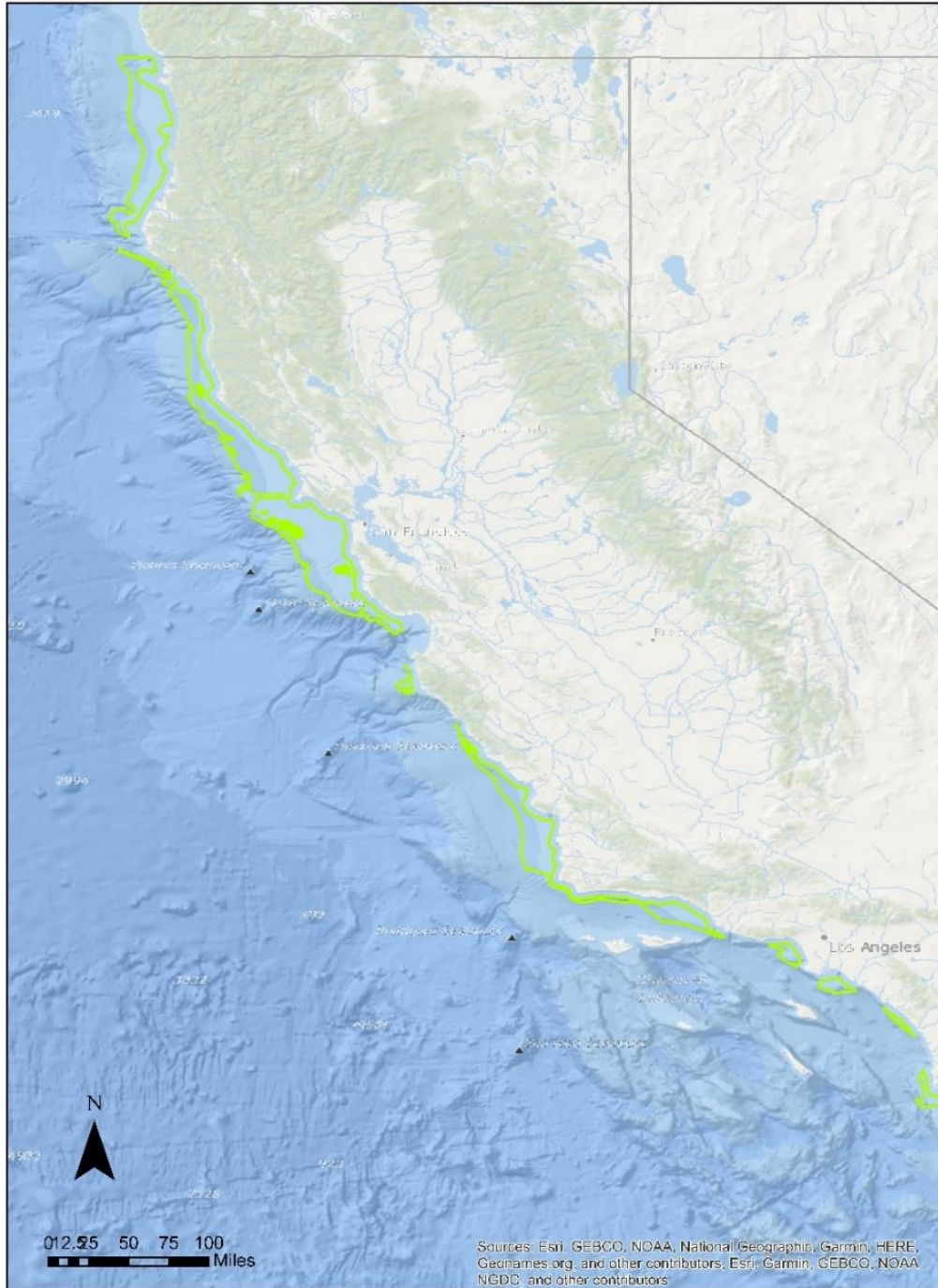


Figure 1. Project Area (Area outside of state jurisdiction and less than 360-meter depth off California Coast; bounded by green line with solid green areas denoting federal conservation areas where bottom trawling is prohibited.)

Description of project:

The proposed project is the pink shrimp FMP. The FMP will establish a comprehensive management framework for the commercial pink shrimp trawl fishery to be implemented through a concurrent rulemaking action. While pink shrimp trawling is prohibited in California state waters, it can still take place in federal waters.

California state government retains jurisdiction over the vessels that land pink shrimp in California ports. Oregon and Washington, which target the same pink shrimp stock, also exercise similar jurisdictions over landings occurring in their respective ports.

Pink shrimp (*Pandalus jordani*) is an oceanic shrimp species that range from southeast Alaska down through Baja California (Figure 2). However, they are only abundant enough to support a commercial fishery between British Columbia and Point Arguello, California during most years (Hannah and Jones 2007). As such most fishing activities in California have occurred north of Point Conception. Fishing south of Point Conception can be conducted under a general open access permit, as opposed to a limited-entry one (Title 14, California Code of Regulations (CCR), § 120.2).



Figure 2. Range of pink shrimp (*Pandalus jordani*).

The pink shrimp fishery runs from April 1 to October 31 of each year, though vessels may not start fishing until May based on a suite of market and environmental conditions. As mentioned above, California has prohibited shrimp trawling within state waters. However, fishing in federal waters off California is still allowed, and since 2016, the majority of shrimp caught off northern California waters were landed in Oregon as opposed to California (Figure 3).

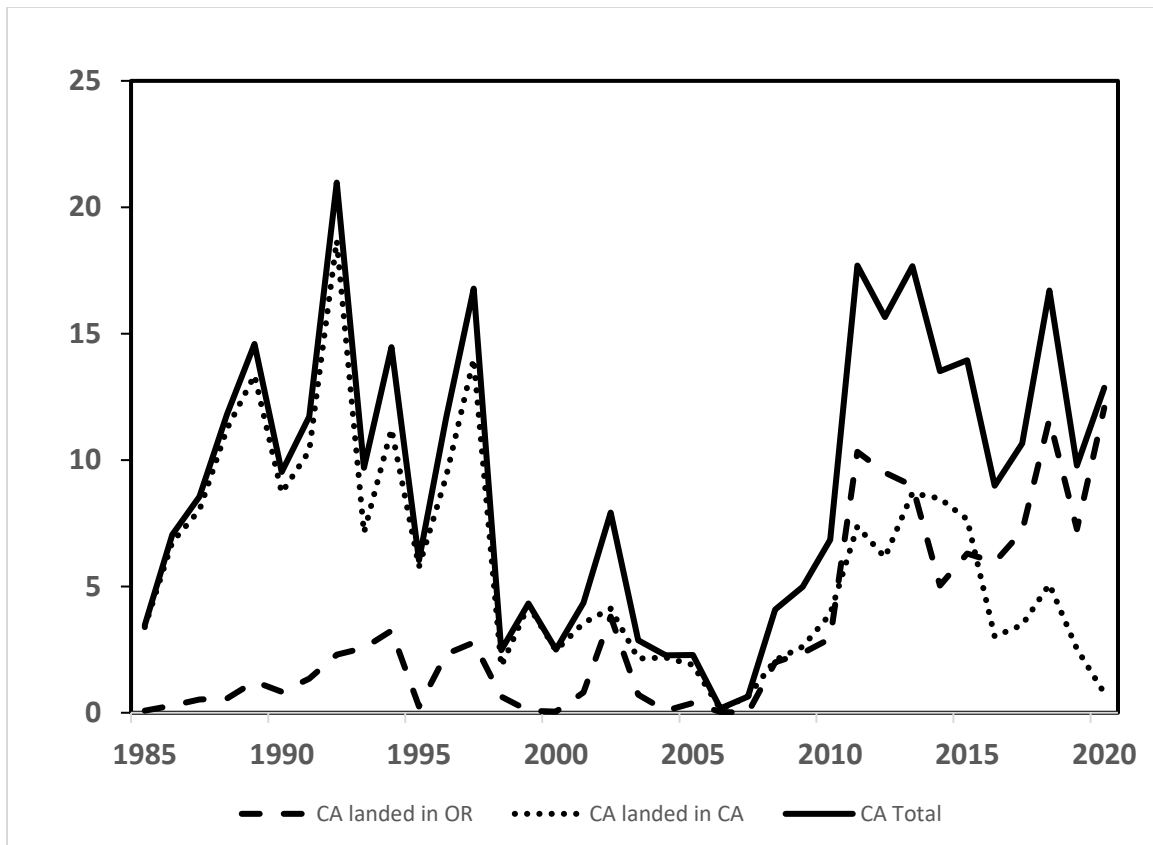


Figure 3. Landing state and weight of landings (million lb) of pink shrimp harvested in California waters, 1985-2020 (Source: CDFW MLDS).

The proposed FMP would establish a harvest control rule (HCR) for the commercial pink shrimp fishery utilizing catch reference points (June catch per trip) as a proxy for spawning stock biomass in a given year and an environmental indicator (sea level height) as a proxy for recruitment success. The reference points and the environmental indicators were developed by the Oregon Department of Fish and Wildlife (ODFW) and adopted by the Washington Department of Fish and Wildlife. Both states have incorporated these reference points into their pink shrimp FMPs. Use of these reference points by California would ensure uniform coastwide management of this fishery.

The FMP would also establish a requirement for all pink shrimp trawl vessels operating north of Point Conception to attach lights along the footrope of their trawl gear to reduce catch of non-target species. Research by ODFW and Pacific States Marine Fisheries Commission indicates that attaching LED lights on nets reduced eulachon bycatch by 90.5% and juvenile rockfish catch by 78%, with negligible impacts on shrimp retention (Hannah et al. 2015). Because of the threatened status of the southern distinct population segment of eulachon under the federal Endangered Species Act (75 FR 13012), the conservation of this fish species carries an utmost importance in the context of state and federal laws and policy. This effective, low-cost solution to address eulachon bycatch is currently being used voluntarily in California and regulations requiring LED use will be proposed in

connection with this FMP. The adoption of this requirement will also bring California in line with the similar requirements in Oregon and Washington. The requirement only applies to fishing activities north of Point Conception due to the rarity of both pink shrimp and eulachon further south.

The FMP would also prescribe a framework allowing fish businesses to estimate pink shrimp landings while the shrimps are mixed with ice. 14 CCR § 197 requires landing receipts to be recorded with the accurate weight of any fish landings, and Fish and Game Code § 8042 further requires seafood processors to pay landing fees by the number of pounds of fish delivered to them by fishermen. However, the fishery has been keeping its catch in ice until processing due to the speed at which the product degrades when out of ice. The new rule would allow the businesses to continue this practice but still maintain accountability under § 197.

Finally, the FMP will render Subsection 8842(b) of the California Fish and Game code inoperative, as applied to only the pink shrimp fishery once the implementing regulations are in place. This would remove ambiguity about the legality of pink shrimp trawling in state waters and clarify that prior to the authorization of any pink shrimp trawling in state waters the standards specified in 8842 (d) must be met.