

## Committee Staff Summary for March 13, 2025 MRC

**2. Commercial Coonstripe Shrimp Fishery Management****Today's Item**Information Action 

Receive input and discuss potential long-term regulatory changes for a regular rulemaking following the Commission's adoption of emergency regulations in February 2025.

**Summary of Previous/Future Actions**

- |   |                            |
|---|----------------------------|
| • Department notified Marine Resources Committee (MRC) of coonstripe shrimp fishery concern | November 6-7, 2024; MRC    |
| • Commission approved emergency regulation to amend Section 180.15; referred topic to MRC   | February 12-13, 2025       |
| • <b>Today's update and discussion</b>  | <b>March 13, 2025; MRC</b> |
| • Discussion and potential MRC recommendation   | July 17, 2025; MRC         |
| • Notice hearing  | TBD                        |

**Background**

The commercial fishery for coonstripe shrimp (*Pandalus danae*) is a small, open-access trap fishery that has recently experienced increased participation. Prior to February 2025, there were no limits on the amount of gear or lines deployed. However, after two humpback whale entanglements in 2024 were attributed to coonstripe shrimp trap gear, the Commission took emergency action at its February meeting to establish limits.

The Department initially brought this topic to the attention of MRC at its November 2024 meeting. The Department highlighted concerns related to the recent whale entanglements and outlined plans to hold two public meetings with the fleet to gather input for developing both near-term and longer-term regulations. To ensure implementation before the next fishery season began (May 1, 2025), near-term regulations would require emergency action. Based upon fleet input, the Department proposed and the Commission adopted emergency regulations in February. The Commission also referred the commercial coonstripe shrimp topic to MRC to explore potential management measures for a future standard rulemaking. For further background, refer to exhibits 1-3.

The adopted emergency amendments to commercial coonstripe shrimp regulations (in Section 180.15, as detailed in exhibits 2 and 3) included:

- Established a management boundary at the Sonoma/Mendocino county border, northward to the California Oregon border and southward to the United States/Mexico border.
- Established northern fishery limits of 180 vertical lines, 15 traps per string, and a maximum depth of 30 fathoms (180 feet).
- Established southern fishery limits of 60 vertical lines, 40 traps per string, and no maximum depth limit.
- Defined the terms "groundline" and "vertical line."

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- Clarified how and when to contact Department law enforcement regarding compliance with regulations.
- Repealed the existing control date of November 1, 2001 and established a new control date of February 13, 2025.

The emergency regulations will be effective before the commercial fishing season opens on May 1, and will serve as a temporary solution to immediately curb potential increases in gear and participation until long-term management measures can be developed.

Today, the Department will provide a verbal update on its ongoing efforts to collaboratively explore long-term management options with the fleet, building upon the emergency measures for the commercial coonstripe fishery. The Department will bring to the July MRC meeting options for discussion and potential MRC recommendation.

### **Significant Public Comments (N/A)**

### **Recommendation (N/A)**

### **Exhibits**

1. [Staff summary from February 12-13, 2025 Commission meeting, Agenda Item 18 \(for background purposes only\)](#)
2. [Emergency statement and informative digest, dated January 6, 2025 \(for background purposes only\)](#)
3. [Department's February 2025 presentation regarding the recommended emergency regulation \(for background purposes only\)](#)

### **Committee Direction/Recommendation (N/A)**

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## 19. Commercial Take of Coonstripe Shrimp Emergency

### Today's Item

Information

Action

Consider adopting emergency regulations for the commercial take of coonstripe shrimp.

### Summary of Previous/Future Actions

- **Today discuss and consider adopting emergency regulations** **February 12-13, 2025**

### Background

Commission regulations in Section 180.15 authorize commercial take of coonstripe for any owner of a vessel that has been issued a coonstripe shrimp vessel trap permit for that vessel. Coonstripe shrimp (*Pandalus danae*) may be caught in longline trap gear, where traps are connected to a groundline anchored at each end, also referred to as a "string". Typically, a string contains 10-20 traps, but some can have up to 40 traps. Small shrimp and other bycatch can escape the trap through the mesh, typically 0.5 inches. Trap string lengths vary in different areas of the state to minimize gear conflicts and optimize placement on suitable habitat.

Participants in the coonstripe shrimp fishery also engage in other California commercial fisheries, especially Dungeness crab, salmon and groundfish, which have undergone recent closures or increased limitations. In response, participation in the coonstripe shrimp fishery has begun to increase as opportunities have declined in the other fisheries. More fishermen are anticipated to redirect their fishing effort to enter the coonstripe fishery due to the changes in fishing opportunity.

Increased participation in the coonstripe shrimp trap fishery elevates the risk of marine life entanglement, primarily by increasing the amount of trap gear in the water. More participants mean more vertical lines and a broader spatial distribution of fishing activity during the peak whale migration period, raising the chances of marine animals encountering and becoming entangled in the gear. Animals such as whales can become entangled when they make contact with the lines and become weighed down by the heavy metal traps, leading to injury or death.

Coonstripe fishing gear has been implicated in a total of three humpback whale entanglements: one in 2017 near Crescent City, and two in 2024 near San Francisco. Humpback whales are protected under the federal Endangered Species Act (ESA) and the federal Marine Mammal Protection Act (MMPA). The recent entanglements hinder progress toward California's goal of zero entanglement mortality and are in direct conflict with the federal ESA and MMPA.

Under current regulations, there are no limits to the number of fishery participants or amount of gear that can be deployed. The Department is requesting that the Commission amend Section 180.15 to reduce marine life entanglement risk for the coonstripe shrimp commercial fishery. The requested emergency regulatory action will limit additional gear usage by current fishery participants and allow the Commission to limit future participation in the fishery to reduce marine life entanglement risk; see the emergency statement in Exhibit 2 for a summary

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of the conditions that constitute the emergency. Emergency action is needed to implement the regulations before the start of the next season on May 1, 2025.

The requested regulatory amendments (detailed in exhibits 2 and 3) would:

- Update how and when to contact Department law enforcement regarding compliance with regulations;
- Define the terms “groundline” and “vertical line”;
- Establish a management boundary at the Sonoma/Mendocino county border northward to the California Oregon border, and southward to the United States/Mexico border;
- Impose a limit on the number traps per ground line;
- Impose a limit on the number of vertical lines per vessel;
- Establish a maximum depth limit of 30 fathoms for the northern fishery; and,
- Repeal the existing control date of November 1, 2001 and establish a new control date of February 13, 2025.

Today, the Department will present an overview of the fishery, proposed emergency measures, and potential for a standard rulemaking (Exhibit 5).

### **Significant Public Comments (N/A)**

### **Recommendation**

**Commission staff:** Adopt the proposed emergency regulation for the commercial take of coonstripe shrimp as recommended by the Department.

**Department:** Adopt the emergency regulation as proposed in exhibits 2 and 3.

### **Exhibits**

1. Department memo, received January 24, 2025
2. Draft emergency statement and informative digest, dated January 6, 2025
3. Draft proposed regulatory language
4. Draft economic and fiscal impact statement (STD 399)
5. Department presentation

### **Motion**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission finds, pursuant to Section 399 of the California Fish and Game Code, that adopting the proposed emergency regulation is necessary for the immediate conservation, preservation, or protection of birds, mammals, fish, amphibians, or reptiles, including, but not limited to, their nests or eggs.

The Commission further determines, pursuant to Section 11346.1 of the Government Code, that an emergency situation exists and finds the proposed regulation is necessary to address the emergency.

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Therefore, the Commission adopts the emergency regulation to amend Section 180.15, as discussed today.

**California Fish and Game Commission  
Finding of Emergency and  
Statement of Proposed Emergency Regulatory Action**

Emergency Action to Amend Section 180.15, Title 14, California Code of Regulations  
Re: Commercial Coonstripe Shrimp Fishery

Date of Statement: January 6, 2025

**I. Statement of Facts Constituting the Need for Emergency Regulatory Action**

**Background**

Coonstripe shrimp (*Pandalus danae*) support a commercial trap fishery centered in Northern California, from Monterey Bay to the California/Oregon border. The first significant commercial landings were recorded in 1996 in Crescent City. Landings and value have increased slowly over time, with some year-to-year fluctuations. Although the volume of landings is low when compared to other state managed fisheries, the fishery is valuable in part due to the high price per pound (\$10 in 2024) in comparison to many other fisheries. The fishery's popularity is primarily driven by the high market demand for live coonstripe shrimp. A total of 11 vessels landed shrimp in 2023 and 14 vessels landed shrimp in 2024 (Table 1).

*Table 1. Coonstripe shrimp landings in California, 2019-2024. Vessels are the number of vessels that landed more than 100 pounds of coonstripe shrimp over the course of the season.*

<b>Year</b>	<b>Pounds</b>	<b>Value</b>	<b>Vessels</b>
2019	99,319	\$598,035	7
2020	96,580	\$604,537	7
2021	122,006	\$916,501	6
2022	103,432	\$873,578	7
2023	122,026	\$1,150,179	11
2024	140,729	\$1,428,001	14

The Commission adopted regulations for the fishery in 2002. Participation is unrestricted, but a vessel trap permit is required for each vessel participating in the fishery. The fishery is open from May 1 through October 31 and closed from November 1 to April 30 to protect egg-bearing females. The regulations set a control date of November 1, 2001, for the purpose of establishing a future limited access fishery.

Coonstripe shrimp are caught in longline trap gear. Traps are connected to a groundline anchored at each end, referred to as a "string". Surface buoys attached to one or both ends of the groundline mark the string's location. Typically, a string contains 10-20 traps, but some can have up to 40 traps. Small shrimp and other bycatch can escape the trap through the mesh, typically 0.5-inch square openings. Trap string lengths vary in different areas of the state to minimize gear conflicts and optimize placement on suitable habitat. Near Crescent City, where effort is concentrated in one small area, fishermen use more strings (30 to 90) but each is

shorter (12 to 15 traps). In the San Francisco Bay Area, where more habitat is available, fishermen generally deploy fewer, but longer strings (4 to 30 strings; up to 40 traps per string).

Coonstripe shrimp are primarily landed in the port areas of Crescent City and San Francisco. Crescent City has a fleet of five to seven vessels that account for the majority of annual landings by weight and value. While San Francisco and Monterey Bay area (Moss Landing, and Monterey ports) have fewer landings compared to Crescent City, vessel participation has recently increased. Prior to 2023, one to four vessels typically operated in the San Francisco-Monterey Bay areas; however, this number increased to seven vessels in 2023 and nine in 2024. Participants in the coonstripe shrimp fishery also engage in other California commercial fisheries, especially Dungeness crab, salmon, and groundfish, which have undergone recent closures or increased restrictions. The closure or restriction of those fisheries likely accounts for some of the redirection of effort to participation in the coonstripe shrimp fishery, particularly in the San Francisco area.

Coonstripe fishing gear has been implicated in a total of three whale entanglements: one in 2017 near Crescent City, and two in 2024 near San Francisco. As opportunities decline in other fisheries (i.e., salmon, groundfish), more fishermen are likely to enter the coonstripe fishery. Increased participation in the coonstripe shrimp fishery elevates the risk of marine life entanglement primarily by increasing the amount of gear in the water. More participants mean more vertical lines and a broader spatial distribution of fishing activity during the peak whale migration period, raising the chances of marine animals encountering and becoming entangled in the gear. Animals such as whales can become entangled when they make contact with the lines and become weighed down by the heavy metal traps, leading to injury or death.

## **II. Existence of an Emergency and Need for Immediate Action**

The Commission considers the following factors in determining that an emergency exists:

### **Magnitude of Potential Harm:**

The California Department of Fish and Wildlife (Department) recommends the adoption of these proposed regulations through emergency action to avoid serious harm to the public peace and general welfare. The current regulations for the coonstripe shrimp fishery allow unlimited growth in terms of participants and deployed gear. This poses significant risk of marine life entanglement, as most of this fishery growth is likely to occur in the San Francisco Bay Area, where whales are often observed in the same area where the coonstripe shrimp fishery occurs.

Continued entanglements could lead to additional restrictions on the fishery through inclusion in a federal take reduction plan, litigation, or other actions. The proposed regulations would limit the potential for future entanglements and allow the state to continue to manage the fishery—allowing more flexibility to balance the needs of fishermen and the marine environment.

## **Existence of a Crisis Situation and Immediacy of Need:**

The basis for this emergency action is two confirmed entanglements of whales in coonstripe fishery gear in 2024, and the need to minimize entanglement risk, expected as a result of future increases in the number of participants, prior to the start of the 2025 season. Entanglements result in harm to the entangled animal, broader marine ecosystem, and pose risks to entanglement responders. These recent entanglements hinder progress towards California's goal of zero entanglement mortality and are in direct conflict with the federal Endangered Species Act and Marine Mammal Protection Act. Given the occurrence of the two entanglements late in the 2024 season, action through a regular rulemaking would not mitigate marine entanglement risk prior to the opening of the coonstripe shrimp season on May 1, 2025. Therefore, emergency action is needed.

Under current regulations, there are no limits to the number of fishery participants or amount of gear that can be deployed. This regulatory action will limit additional gear usage by current fishery participants and allow the Commission to limit future participation in the fishery to reduce marine life entanglement risk. Emergency action is needed to implement the regulations before the start of the next season on May 1, 2025.

## **Proposed Emergency Regulations**

The proposed regulatory action amends Section 180.15 in the following manner and in accordance with the following rationale:

1. **Amend subsection 180.15(c)(4) – Notification regarding removal of traps prior to November 1:** Changes permittee to “owner or operator” to clarify who needs to contact the Department in the event that weather and sea conditions prevent compliance with trap removal. Additionally, updates how to contact the Department’s Law Enforcement Division by centralizing where and how notifications must be sent.
2. **Add subsection 180.15(c)(5) – Definitions:** Establishes definitions for “groundline” and “vertical lines”. This is necessary to define terms for the purposes of the regulation.
3. **Add subsection 180.15(c)(6) and (c)(7) - Management Boundary:** Establishes a management boundary at the Sonoma/Mendocino county border northward to the California Oregon border, and southward to the U.S./ Mexico border. Establishing this dividing line for coonstripe fishery regulations is necessary to recognize the distinct fishing practices and marine life entanglement risks to the north and south of this line.
4. **Add subsection 180.15(c)(6)(A) and (c)(67)(A) - Traps-per-String Limits.** Establishes limits on the number of traps per ground lines. Limiting the number of authorized vertical lines as noted below may incentivize fishing longer strings of traps. This measure is necessary to address the additional impact of longer, heavier strings of traps, which can increase the severity of injury for entangled marine life, increase gear conflicts, and increase safety risk for department wildlife officers during gear



inspections. The limit is 15 for the Northern fishery and 40 for the Southern fishery, reflecting current fishing practices.

5. **Add subsection 180.15(c)(6)(B) and (c)(7)(B) - Vertical Line Limits:** Imposes limits on the number of vertical lines per vessel, which are lines attaching a trap or string of traps to a surface buoy, a primary source of entanglement risk. The limit is 180 for the Northern fishery and 60 for the Southern fishery. Establishing these limits is necessary to reflect current fishing practices and the higher entanglement risk in the Southern portion of the fishery.
6. **Add subsection 180.15(c)(6)(C) - Depth Limit (Northern Fishery):** Establish a maximum depth limit of 30 fathoms (fm) for the Northern fishery. This restriction to only allow fishing shoreward of 30 fm aims to reduce whale/gear interactions by limiting fishing activity where whale presence is less likely. Establishing a depth restriction for coonstripe shrimp in the northern fishery is necessary give that a 30 fm depth restriction has been effective in reducing whale entanglement risk in the Dungeness crab fishery in this same area during spring and summer months, which partially overlaps with the coonstripe fishery season. A depth restriction in the Southern region would not be effective due to the broad distribution of whales across various depth strata and regular occurrence of whales shoreward of the 30 fm line.
7. **Amend subsection 180.15(d) - New Control Date (February 13, 2025):** Repeal the existing control date of November 1, 2001, and establish a new control date of February 13, 2025 (the date of proposed Commission adoption of this emergency regulation). A new control date is necessary to allow the Department to consider recent participation in the fishery if a restricted access program is established. It also discourages new entrants, mitigating potential increases in coonstripe fishing gear and associated entanglement risk.

### III. Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

- (a) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (b) Nondiscretionary Costs/Savings to Local Agencies: None.
- (c) Programs Mandated on Local Agencies or School Districts: None.
- (d) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (e) Effect on Housing Costs: None.

#### **IV. Technical, Theoretical, and/or Empirical Studies, Reports, or Documents Relied Upon**

- McVeigh, B. (2010) Coonstripe Shrimp, *Pandalus danae*. In T. Larinto (Ed.) *Status of the Fisheries Report: An Update Through 2008*. California Department of Fish and Game.
- Petition 2020-011 AM1 regarding establishing a limited entry fishery, trap limits, and minimum mesh size.
- National Oceanic Atmospheric Administration (NOAA) Fisheries, Whale Entanglement Response Database, available from West Coast Large Whale Entanglement Response Program | NOAA Fisheries, last updated May 3, 2024.
- Endangered and Threatened Species; Identification of 14 Distinct Population Segments of the Humpback Whale (*Megaptera novaeangliae*) and Revision of Species-Wide Listing, 81 No. 174 F.R. 62260 (September 8, 2016).  
<https://www.federalregister.gov/documents/2016/09/08/2016-21276/endangered-and-threatened-species-identification-of-14-distinct-population-segments-of-the-humpback>
- California Department of Fish and Wildlife. (December 2024). Application for an Individual Incidental Take Permit Under the Endangered Species Act of 1973: Incidental Take Permit Application and Draft Conservation Plan for California's Commercial Dungeness Crab Fishery. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=228134&inline>
- California Ocean Protection Council. (November 2019). Strategy for Protecting Whales and Sea Turtles & Ensuring Thriving Fisheries: Reducing the Risk of Entanglement in California Fishing Gear.

#### **V. Authority and Reference**

Authority: Sections 713, 1050, and 8591, Fish and Game Code.

Reference: Sections 1050, 8590, 8591, 8595, 9001 and 9015, Fish and Game Code.

#### **VI. Section 399 Finding**

The current regulations for the coonstripe shrimp fishery allow potentially unlimited growth in terms of participants and deployed gear. This poses significant risk of marine life entanglement, as most of this fishery growth is likely to occur in the San Francisco Bay Area, where whales are often observed in the same area where the coonstripe shrimp fishery is occurring.

Pursuant to Section 399 of the Fish and Game Code, the Commission finds that adopting this regulation is necessary for the immediate conservation, preservation, or protection of whale populations in California waters, and to limit the increase of marine life entanglement risk in coonstripe shrimp fishery gear.

## **Informative Digest (Policy Statement Overview)**

### **Existence of an Emergency and Need for Immediate Action**

The California Department of Fish and Wildlife (Department) requests the Commission amend Section 180.15, Title 14, California Code of Regulations to address marine life entanglement risk in the coonstripe shrimp fishery. Two confirmed entanglements occurred in coonstripe gear in 2024 near San Francisco; another whale was entangled in coonstripe and sablefish gears in 2017 near Crescent City. The fishery currently operates with minimal regulation; an open access trap permit is required for each vessel and the fishery is closed from November 1 to April 30. In the past two years, the Department has identified a dramatic increase in participant in the San Francisco area. The Department has indicated similar future increases in the number of participants is anticipated.

The proposed regulatory action amends Section 180.15 in the following manner:

1. Updates how and when to notify Law Enforcement.
2. Establishes definitions for “groundline” and “vertical lines”.
3. Establishes the Sonoma/Mendocino County border as a dividing line for coonstripe fishery regulations – “Northern” for north of this line to the Oregon/ California border, and “Southern” for south of this line to the U.S./ Mexico border.
4. Establishes limits on the number of traps per string. The limit is proposed as 15 for the Northern fishery and 40 for the Southern fishery, consistent with current fishing practices.
5. Establishes limits on the number of vertical lines that may be deployed per vessel. The limit is 180 for the Northern fishery and 60 for the Southern fishery, consistent with current fishing practices.
6. Establishes a maximum depth limit of 30 fathoms for the Northern fishery only.
7. Establishes a new control date of February 13, 2025.

Though small in terms of commercial fishery landings in California, the coonstripe fishery provides significant income to its participants and the resource appears to be sustainable based on the stability of landings through time. It is important to Northern California fisherman who have been faced with delays and closures in the Dungeness crab, groundfish, and salmon fisheries.

Under current regulations, there are no limits to the number of fishery participants or the amount of gear that can be deployed, leading to the possibility of an unlimited increase of marine life entanglement risk given the overlap and time and space with historical whale migrations. This proposed regulatory action will limit additional gear usage by current fishery participants and allow the Commission to limit future participation in the fishery to reduce

marine life entanglement risk. Emergency action is needed to implement the regulations before the start of the next season on May 1, 2025.

**Benefits of the Regulation to the State’s Environment:**

The Fish and Game Commission (Commission) anticipates benefits to the State’s environment by sustainably managing California’s ocean resources by limiting the potential increase of marine life entanglement risk in the coonstripe shrimp fishery. The environmental risk arising from the proposed rule is not regarded as significant, as the rule manages the resource more conservatively than existing regulations.

**Consistency and Compatibility with Existing Regulations:**

The Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature delegated regulation of the take of shrimp for commercial purposes to the Commission. The Commission conducted an evaluation of existing regulations, and this regulation is neither inconsistent nor incompatible with existing state regulations.



# Commercial Coonstripe Shrimp Emergency

*13 February 2025*

*Presented to:*

**California Fish and Game  
Commission**

*Presented by:*

**Ian Kelmartin**

**Environmental Scientist  
Marine Region**



# Overview

- Background & Current Regulations
- Emergency Condition
- Proposed Regulations
- Outreach
- Timeline & Next Steps



Photo: WDFW



# Fishery Background

- First significant landings in 1996
- Longline trap gear
- Most effort in Crescent City and San Francisco/ Monterey Bay Area
- Historically less than 10 vessels; growth recently





# Current Regulations

- Open access; trap permit required
- Open season May 1-October 31
- Control date of November 1, 2001
- No limits on gear



Photo: CDFW





# Emergency Condition

## Whale entanglements

- Two in 2024
- One in 2017 (concurrent with sablefish)



Photo: CDFW



# Immediacy of Need

- Currently no limits on gear or participation
- Increase in number of vertical lines increases entanglement risk
- Entanglements in coonstripe gear could impact Dungeness crab fishery
- Regulation changes need to be in place by 2025 season



# Outreach

- Fleet meetings
  - San Francisco: November 5, 2024
  - Crescent City: November 13, 2024
- Discussed fishing practices and received feedback on proposed changes
- Tribal notifications



# Proposed Emergency Regulations

## Goal: Limit potential increase in entanglement risk

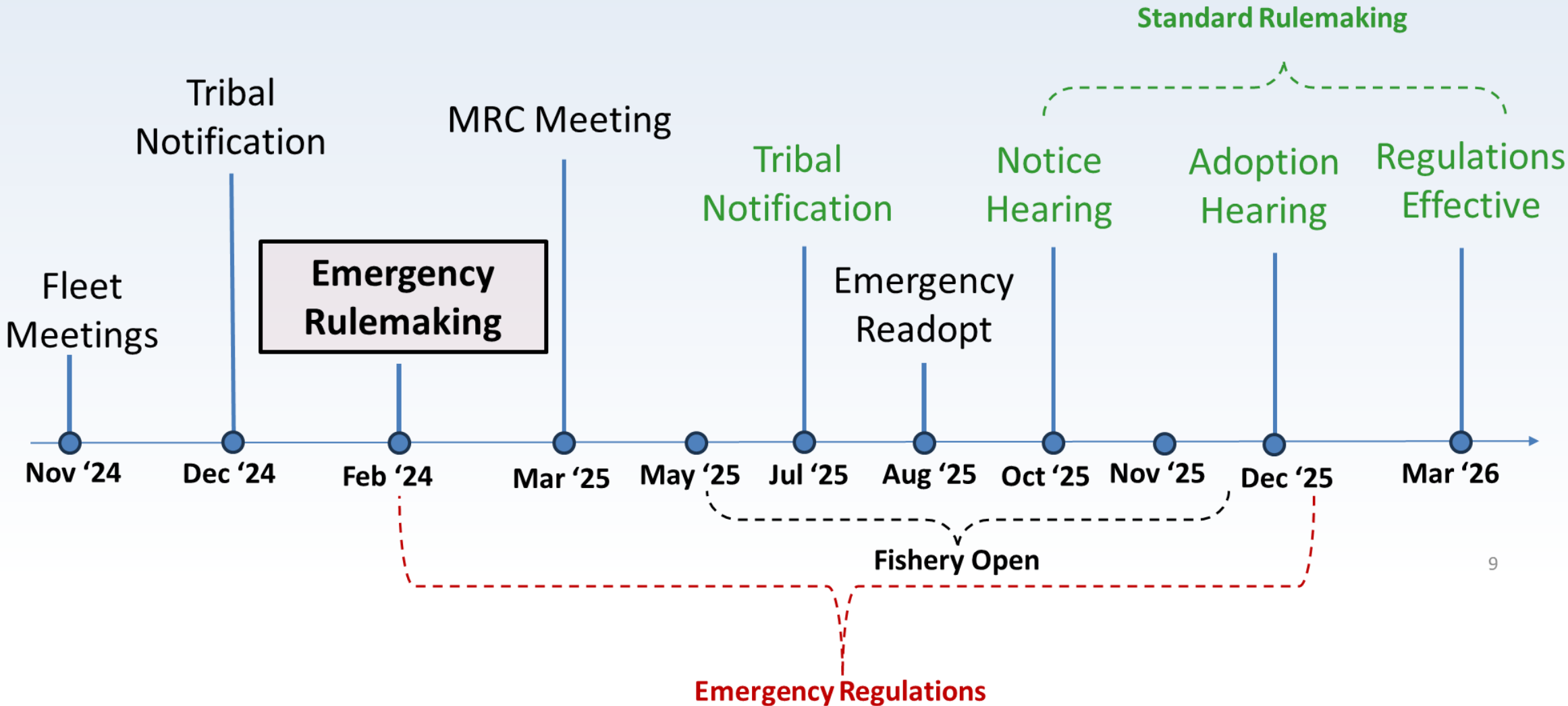
- Divide fishery at Sonoma/Mendocino County border

Restriction Type	Northern Fishery	Southern Fishery
Vertical Lines	180	60
Traps per String	15	40
Maximum Depth	30 fathoms (180 feet)	None

- Establish new control date of February 13, 2024



# Timeline



# Thank You



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