

State of California  
Fish and Game Commission  
Initial Statement of Reasons for Regulatory Action

Amend Sections 180.15, 180.2, and 180.5  
Title 14, California Code of Regulations  
Re: Commercial Coonstripe Shrimp Fishing

I. Date of Initial Statement of Reasons: November 10, 2025

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: December 11, 2025

Location: Sacramento, CA

(b) Discussion/ Adoption Hearing

Date: February 11, 2025

Location: Sacramento, CA

III. Description of Regulatory Action

(a) Statement of Specific Purpose of Regulatory Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR).

The proposed regulatory changes address the management of the California commercial coonstripe shrimp fishery. Prior to the adoption of emergency regulations in early 2025, the coonstripe shrimp fishery was subject to regulations that did not limit the number of participants or the amount of gear deployed. This lack of restrictions on growth of participation and deployed gear posed a growing risk of marine life entanglement, particularly in the San Francisco Bay Area, where coonstripe shrimp fishing activity overlaps with areas that whales are frequently observed. In addition, continued entanglements could lead to additional fishery restrictions through inclusion in a federal take reduction plan under the Marine Mammal Protection Act, litigation, or other fishery management actions such as more gear restrictions or closures.

To address these risks, the California Fish and Game Commission (Commission) adopted emergency regulations on February 13, 2025, re-adopted them in August 2025, and plans to undertake a second re-adoption in December 2025. These emergency regulations introduced initial measures to mitigate entanglement risk and stabilize the fishery.

The proposed regulations would retain the amendments included in the emergency action and introduce additional amendments. These proposed changes are necessary to further reduce the risk of future marine life entanglements, ensure continued access to the fishery, and enable the state to continue to manage the fishery through a more durable regulatory framework that balances the needs of the commercial fishery with conservation objectives in the marine environment. The proposed amendments here represent the culmination of public meetings, input from commercial fishery participants, and staff recommendations developed to address marine life entanglement risk and the need for proactive fishery management.

## 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 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 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

Coonstripe shrimp are caught in longline trap gear deployed on muddy seafloor habitat. This gear consists of multiple baited traps — constructed from layered woven mesh over metal hoops — similar in appearance to crab pots or crab traps (Figure 1). Traps are connected to a horizontal string anchored at each end, referred to as a “ground line.” Vertical lines connect one or both ends of the ground line to surface buoys to mark the gear’s location. A typical ground line contains 10 to 20 traps, though some may have up to 40 traps. The mesh, typically with 0.5-inch square openings, allows small shrimp and other bycatch to escape.

Ground line lengths vary by region based on available habitat, the need to minimize gear conflicts, and to optimize placement on suitable seafloor habitat. Near Crescent City, where effort is concentrated in one relatively small area, fishers tend to deploy more ground lines (typically 30 to 90 ground lines, leading to 60 to 180 vertical lines and surface buoys), but each ground line is shorter (usually containing 12 to 15 traps). In the San Francisco Bay area, where more suitable habitat is available, fishers generally deploy fewer ground lines (ranging from four to 30, leading to eight to 60 vertical lines and surface buoys), but each line is longer (containing up to 40 traps).



*Figure 1. Image of a single-chambered coonstripe shrimp trap showing woven mesh and escape opening shown in blue circle. Photo credit: T. Wakefield.*

Coonstripe shrimp are primarily landed in the port areas of Crescent City and San Francisco, followed by the Monterey Bay area (Moss Landing and Monterey ports). 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 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 are also engaged 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 shrimp fishing gear has been identified in a total of four whale entanglements: one in 2017 near Crescent City, two in 2024 near San Francisco, and one in Monterey Bay in 2025. As opportunities decline in other fisheries (i.e., salmon, groundfish), more fishers may enter the coonstripe shrimp fishery. Increased participation in the coonstripe shrimp fishery would elevate 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.

The Commission first adopted regulations for the coonstripe shrimp fishery in 2002. While there are currently no restrictions on the number of permits or participants, any vessel operating in the fishery must possess a vessel trap permit. The fishery is open from annually May 1 through October 31 and closed from November 1 through April 30 to protect egg-bearing females during their reproductive period. The 2002 regulations include a control date of November 1, 2001 for potential use in establishing a future restricted access fishery, although no such program was implemented.

## *Current Regulations*

### **Section 180.15 (Prior to Emergency Action)**

The regulations in Section 180.15 that were in place for the coonstripe shrimp fishery prior to the 2025 emergency action included the following provisions:

- A requirement that any person landing coonstripe shrimp to possess a vessel trap permit;
- A fee requirement for obtaining a vessel trap permit;
- A requirement that traps be used to take coonstripe shrimp;
- An annual fishery season from November 1 to April 30;
- A provision that any coonstripe shrimp taken during the closed season shall be returned;
- A requirement that all traps are removed by November 1 each year, with limited exceptions; and
- A control date of November 1, 2001 for potential use in creating a future restricted access fishery.

At its February 2025 meeting, the Commission approved an emergency rulemaking amending Section 180.15, Title 14, CCR, which became effective April 7, 2025 (OAL file #2025-0327-02E). A 90-day extension of the emergency regulations was approved by the Commission on August 14, 2025 (OAL file #2025-0918-01EE), with no changes to the original emergency regulatory text. A second 90-day extension is planned for December 2025.

Section 180.15 regulations amended and established through emergency action included the following:

- Defined a management boundary extending from the Sonoma/Mendocino County border northward to the California/Oregon border, and southward to the United States/Mexico border. [Subsection (c)(5) and (6)]
- Imposed a limit on the number of traps per ground line: No more than 15 traps for the northern fishery and 40 traps for the southern fishery. [subsections (c)(5)(i) and (c)(6)(i)]
- Imposed a limit on the number of vertical lines per vessel: No more than 180 for the northern fishery (corresponding to 90 ground lines) and 60 for the southern fishery (corresponding to 30 ground lines). [subsections (c)(5)(ii) and (c)(6)(ii)]
- Established a maximum depth limit of 30 fathoms for the northern fishery only. [Subsection (c)(5)(iii)]
- Repealed the existing control date of November 1, 2001, and established a new control date of February 13, 2025 [Subsection (d)]

### **Section 180.2**

Currently, Title 14 Section 180.2 describes regulations for fisheries that use traps. This section requires that all trap fisheries use a trap destruct device and describes the escape openings and size restriction along with the various types of destruct device material to use on the escape opening. This section was not amended in the emergency action.

## Section 180.5

Currently, Section 180.5 describes regulations for fisheries that use buoys. This section requires that specific fisheries mark their buoys with an identification number. It also specifies the size of the lettering and numbering of that identification number. This section was not amended in the emergency action.

### *Proposed Regulations for Commercial Coonstripe Shrimp Fishery*

The regulatory proposal would amend Section 180.15, 180.2, and 180.5 to place additional restrictions on the coonstripe shrimp fishery to reduce the risk of marine life entanglements.

## Section 180.15

No changes to subsections (a) and (b)

- Delete subsections (c)(1) and (c)(3)

The proposed regulations redefine the fishing season according to two new management areas described below, so fishing seasons will be moved and redefined in subsections (c)(4)(D) and (c)(5)(C).

- Add subsection (c)(1)

Define minimum trap construction and marking requirements for coonstripe shrimp traps.

- Add subsection (c)(1)(A)

Require that coonstripe shrimp traps shall have three or more rigid and unobstructed openings of no less than 1.25 inches and no greater than 2.5 inches in diameter. Additionally, the placement of the openings shall not be less than 2.5 inches from the bottom or greater than 2.5 inches from the top and the openings must be located on the outer side walls. This is necessary to prevent ghost fishing in the event of trap loss, as coonstripe shrimp trap gear is exempt from trap destruct device requirements in subsection 180.2(a)(1). The placement of the openings is important to ensure they don't get incidentally submerged in the mud when the trap is set – or if the trap is set upside down – which would obstruct the openings and prevent marine life from escaping should the trap become lost or derelict.

Additionally, this subsection notes that a single chambered coonstripe shrimp traps do not require a destruct device. This addition is necessary to clarify that single chamber traps are exempt from the destruction device requirement. Coonstripe shrimp traps typically have three to six unobstructed openings and do not function like traditional traps where species that enter are prevented from escaping. Shrimp or incidental species that enter the trap are able to exit through the same openings, functioning more like a pot than a trap fleet members requested this change because they describe complying with the current trap destruct requirements as onerous for the fishery.

- Add Subsection (c)(1)(B)

Allow for traps that have more than one chamber (i.e., double mesh walls) to include any number of unobstructed rigid openings ranging from 1.25 inches to 2.5 inches. However, to ensure escapement of trapped organisms, these traps must comply with Section 180.2 by including a self-destruct device located in the rearmost chamber of the trap. Multi-chamber

traps fish differently than single-chamber traps, as animals that enter the trap may have a more difficult time finding their way out from both chambers. The placement of bait typically draws shrimp into the rearmost chamber, increasing the likelihood that they remain trapped. Requiring a destruct device at the rearmost chamber, ensures any animals trapped inside will eventually be able to escape via the opening made once the destruct device activates and creates an opening.

- Add subsection (c)(1)(B)

Require that coonstripe shrimp traps have a main buoy that is at least 4 inches in diameter and no more than 18 inches in length. This subsection also includes a cross reference to Section 180.5, which requires all trap buoys to be marked with the vessel owner's commercial boat registration number. Including this reference within the coonstripe shrimp section is necessary to ensure buoys are marked appropriately and to remind coonstripe shrimp fishers of this requirement. These subsections are necessary to reduce entanglement risk caused by an overly large buoy.

- Add subsection (c)(1)(D)

Clarify that no additional trailer surface buoys may be used in coonstripe shrimp traps. These subsections are necessary to reduce entanglement risk caused by additional surface gear.

- Amend subsection (c)(2)

Add a prohibition on taking any other species that are not coonstripe shrimp and if species are incidentally taken then they shall be immediately released. This is necessary to include as it makes it explicitly clear that subsection 8595(b), Fish and Game Code applies to participants in the coonstripe shrimp fishery, and ensures that the regulated public fully understand all the rules for participating in the fishery.

- Amend subsection (c)(3)

Add additional restrictions on possessing coonstripe shrimp during the closed fishing season. Prohibiting the retention of coonstripe shrimp during the closed fishing season is necessary to ensure the health and sustainability of the stock.

- Amend subsection (c)(4)

Replace the term "permittee" with "vessel owner." The permit is granted to the vessel, and the owner is responsible for all actions taken when operating the permit. This is necessary to clarify the vessel owner's responsibility.

Establish an exemption that allows a vessel owner to keep a trap in the water after November 1, if unsafe weather conditions prohibit retrieval. This is necessary to protect the safety of the fleet.

Update the department notification method from telephone or fax to email [LEDMarineNotifications@wildlife.ca.gov](mailto:LEDMarineNotifications@wildlife.ca.gov), with a description of what should be included in the email if the vessel owner is requesting a weather exemption, such as the specific unsafe weather conditions and anticipated date of removal. This is necessary to provide the department with adequate information to grant or deny the exemption.

- Add subsections (c)(5)(A) and (c)(5)(B)

Establish definitions for the use of lines for purposes of this regulation that are then referred to throughout the section. Define “ground line” as one common line that connects a string of traps, that may be anchored on one or both ends. Define “vertical lines” as lines that connect a buoy to a trap, or ground line of traps. These definitions are necessary to clarify how these lines should function and their components for reference throughout the section.

- Add subsection (c)(5)(E)

Set the earliest time that traps may be set and baited in the Northern Fishery to 6:00 a.m. on May 14.

- Add subsections (c)(6)(A) through (E) and (c)(7)(A) through (D)

Establish Coonstripe Shrimp Northern and Coonstripe Shrimp Southern Management Areas and regulations for each. Designating management areas allows the fishery to operate under different regulatory requirements to both better manage the fishery and to reduce the risk of marine life entanglement.

- Add subsections (c)(6) and (c)(7)

Define the Coonstripe Shrimp Northern Management Area (Northern Fishery) as the Sonoma/ Mendocino county line north to the Oregon border.

Define the Coonstripe Shrimp Southern Management Area (Southern Fishery) as the Sonoma/ Mendocino county line south to the United States/Mexico border.

- Add subsections (c)(6)(A) and (c)(7)(A)

Establish limits on the number of traps per ground line, based on current fishing practices in each management area as described under “Background.” Limiting the number of authorized vertical lines (lines that connect surface buoys to one or both ends of the ground line mark its location) will likely incentivize fishing longer strings of traps. The proposed regulation addresses this incentive by limiting the number of traps per ground line. It is necessary to limit the number of traps per ground line because the additional impact of longer, heavier strings of traps can increase the severity of injury for entangled marine life, while also increasing gear conflicts, and increasing safety risk for department wildlife officers during gear inspections.

- Add subsection (c)(6)(A) to establish a limit of 15 traps per ground line for the Northern Fishery consistent with existing practices with fewer traps per ground line.
- Add subsection (c)(7)(A) to establish a limit of 40 traps per ground line for the Southern Fishery consistent with existing practices with more traps per ground line.

- Add subsections (c)(6)(B) and (c)(7)(B)

Impose limits on the number of vertical lines per vessel, which are lines attaching a trap or ground line of traps to a surface buoy, a primary source of entanglement risk. These limits are necessary to reflect current fishing practices in each management area, and the higher entanglement risk in the southern portion of the fishery.

- Add subsection (c)(6)(B) to impose a limit of 180 vertical lines per vessel for the Northern Fishery consistent with existing practices with more vertical lines.

- Add subsection (c)(7)(B) to impose a limit of 60 vertical lines per vessel for the Southern Fishery consistent with existing practices with fewer vertical lines.

The newly-established limit on vertical lines per vessel (180 in the north and 60 in the south) provides an upper limit where none currently exists. While this cap may, in theory, authorize an increase for some operators, the fleet has historically operated within a range (70 to 180 in the north and eight to 60 in the south). The combination of the longstanding variability, this newly-established upper limit, and the anticipated voluntary conversion to pop-up gear, will likely result in a net reduction in vertical lines deployed over time. Each conversion of a traditional vertical line to pop-up gear directly reduces the number of persistent vertical lines in the water column.

- Add subsection (c)(6)(C)

Establish a maximum depth limit of 30 fathoms (fm) for the Northern Fishery through incorporation of reference of waypoints in the Code of Federal Regulations (Title 50, Part 660, Section 660.71 (Revised March 1, 2023)). These waypoints connect the 30-fathom contour along the California coast as a management boundary. Observed whale migration patterns found that the majority of whales are swimming deeper than 30 fm north of the Sonoma/ Mendocino County line.

This restriction aims to reduce whale/gear interactions by allowing fishing activities only in shallow waters where whale presence is less likely. However, a depth restriction in the Southern Fishery 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. Therefore, a depth restriction is not being proposed south of the Sonoma/ Mendocino County line. Title 50, Part 660 Section 660.71 is proposed for incorporation by reference because it would be cumbersome, unduly expensive, or otherwise impractical to publish the document in the California Code of Regulations (Section 20, Title 1, CCR). These documents are also available upon request from CDFW and reasonably available on the Department's website at <https://wildlife.ca.gov/News/Archive/cdfw-protects-returning-humpback-whales-from-entanglement-risk-while-providing-continued-fishing-opportunities-for-dungeness-crab>.

- Add subsections (c)(6)(D) and (c)(7)(C)

Set start dates and times for the fishing seasons in the Northern and Southern Fisheries.

- Add subsection (c)(6)(D) to set a start date of May 15 for the fishing season in the Northern Fishery (and thus a closure from November 1 through May 14). The fleet has observed that coonstripe shrimp are still bearing eggs up until this date and is necessary to protect those individuals during the later months of their spawning season. Additionally, set the earliest time that traps may be set and baited in the Southern Fishery to 6:00 a.m. on April 30.
- Add subsection (c)(7)(C) to set a start date of May 1 for the fishing season in the Southern Fishery, which will retain the current fishing season (May 1 through October 31, and thus a closure November 1 through April 30), as there have been no observations of egg-bearing shrimp in this area when the season starts.

- Add subsection (c)(6)(E) and (c)(7)(D)

Change the earliest time that traps may be set and baited from noon to 6:00 a.m. on the day before the season starts for both management areas. This change is in response to requests by the fleet to maximize safety, as weather conditions in the early morning are often more favorable to setting gear versus in the afternoon.

- Add subsection (c)(8)

Set limits on the cumulative number of traps, ground lines of traps, and vertical lines deployed and specify that these limits must not exceed the restrictions for the Southern Fishery. One objective of this rulemaking is to capture the existing fishing practices and limit the amount of gear that each fisher uses, given that the current regulations do not contain limits. However, it's necessary to ensure fishers are not taking advantage of the two management zones by fishing in both and doubling the gear that is in the water. While current fishing activities are primarily driven by historical regional preferences (i.e., a person home ported in the north will most likely always fish in the north), future participation could change with vessel owners operating and setting gear in both management areas to maximize effort and land more shrimp.

This proposed subsection ensures that each vessel doesn't double the amount of gear in the water which increases the risk to marine life entanglement, and would defeat the original intent of capturing the current fishing practices in the regulations. Finally, the Southern Fishery was chosen as the de facto limit in this situation because it is more restrictive.

- Amend subsection (d)

Maintain the control date of February 13, 2025 from the emergency regulations (OAL file number 2025-0327-02E) and repeal the former control date of November 1, 2001. A new control date allows the department to consider recent participation in the fishery if a restricted access program or other restrictions on the fishery are established such as establishing a gear endorsement (for example, only those with participation prior to the control date would be authorized to use vertical lines). It also discourages new entrants, mitigating potential increases in coonstripe shrimp fishing gear and associated entanglement risk.

- Add subsection (e)

Add a mandatory reporting requirement for vessel owners. Reports must be submitted monthly.

- Add subsection (e)(1) to include vessel name.
- Add subsection (e)(2) to include operator's commercial fishing license identification number.
- Add subsection (e)(3) to include the fishing block number.
- Add subsection (e)(4) to include the number of traps deployed.
- Add subsection (e)(5) to include the number of vertical lines.
- Add subsection (e)(6) to include the number of traps per ground line at the time of reporting.

- Add subsection (e)(7) to specify that any lost traps must be reported in the final monthly report.
- Add subsection (e)(8) to specify that reports must be submitted on or before the first day of each month. Additionally, allow for the form to be prescribed by the Department to allow for paper and electronic reporting. The form will be made available by contacting the Department via email.

This section on reporting is necessary because the Department currently lacks important data on the location and number of traps deployed to include their various configurations of traps per ground line and number of vertical lines in the water. Knowing the identity, location, and amount of gear in the water will provide important information on fishing dynamics. Vessel name under (e)(1) is necessary to identify the vessel used for commercial fishing. Commercial fishing license identification number under (e)(2) is necessary to identify the vessel and owner/ operator reporting the commercial fishing activity. Fishing block number in (e)(3) is necessary to report fishing activity location consistent with other laws and regulations. Number of traps under (e)(4) is necessary to report to assess total effort during fishing activity. Number of vertical lines under (e)(5) is necessary to report for compliance with subsection 180.15(c)(5)(B) and (c)(6)(B). Number of traps per ground line is necessary to report for compliance with subsection 180.15(c)(5)(A) and (c)(6)(A).

Collecting such baseline information will help the Department assess the level of entanglement risk with fishing effort and the effectiveness of the proposed regulations.

Requiring reporting to be provided by the first of every month of participation during the coonstripe shrimp fishing season under (e)(8) provides the Department with real time data regarding fishing effort on a monthly basis by the entire fleet. Updated information on all fleet activity is necessary to inform entanglement risk and appropriate management response. At the conclusion of the fishing season, the number of lost traps shall under (e)(7) is necessary to be reported on the final monthly report that is submitted to the Department. Requiring the collection of information on lost traps will help inform lost gear recovery efforts. Requiring reports to be submitted on a form prescribed by the Department provides flexibility by including the option for the form to either digital or paper based. The Department considered shorter reporting timeframes (every two weeks), but had concerns about the amount of workload it would create for both Department staff and vessel owners. The majority of the fleet fish in the same general area with the same amount of gear each fishing season, but monthly reports will allow the Department to monitor changes in fleet activities and fishing areas.

- Add subsection (f) and (f)(1)

The proposed regulation provides an alternative yet voluntary way to deploy shrimp traps by allowing pop-up gear to be used in the fishery. Pop-up fishing gear works by allowing fishers to retrieve their traps without relying on vertical lines attached to a surface buoy, which can entangle whales. Instead, the buoy and vertical line sit on the bottom of the ocean, and they use acoustic or timed releases to bring the gear to the surface, minimizing the time vertical lines are in the water column.

- Add subsection (f)(2)

Requires that any vessel using pop-up fishing gear has an electronic monitoring (EM) system actively deployed during the entirety of the fishing trip. The EM must be satellite or cellular based, and must monitor the location and movement of the vessel using global positioning system (GPS) coordinates at no more than a frequency of once a minute, including transiting to and from a fishing area. Additionally, data must be uploaded automatically and provided to the Department or its authorized agent(s) within 24 hours of a Department request.

Comprehensive EM coverage is necessary to provide the Department or its authorized agent(s) with an accurate representation of the spatial and temporal extent of fishing activities, which can help the Department more accurately evaluate any interactions with marine wildlife at risk of becoming entangled in trap gear. EM is also a necessary enforcement tool to ensure compliance with seasonal closures, trap servicing intervals, and any potential area closures such as Marine Protected Areas (MPAs).

- Add subsection (f)(3)

Requires vessel owners to provide the Department with access to the gear marking web-based platform(s) they are using. Pop-up buoys are intended to not be visible at the surface, so knowing where gear is set is necessary to provide enforcement with the ability to ensure the gear is being set in compliance with the laws and regulations. It also allows the Department to share with other fishers where the gear is set, since it will not be visible on the water, which reduces conflict while multiple fishers or fisheries are using the same fishing grounds.

- Add subsection (f)(4)

This subsection requires that the electronic monitoring system functions properly at all times, and that if data transmission is interrupted or not transmitting at all times, that vessel shall return to port immediately and notify the Department's Law Enforcement Division. Electronic monitoring in the coonstripe shrimp fishery is only required when using pop-up gear because it is not visible to enforcement or other fishers.

This addition is necessary because a malfunctioning monitoring system could prohibit the Department from enforcing laws and regulations, including transit through MPAs, season closures, and trap servicing intervals. Interrupted data transmissions or a lack of transmission could also be viewed as suspicious activity and lead to unnecessary enforcement actions.

- Add subsection (f)(5)

Subsection 632(a)(8) in the existing MPA regulations contain provisions for vessels drifting and/ or transiting with catch on board. Consistent with such regulations, proposed subsection 180.15(f)(5) restricts any continuous transit through an MPA if a vessel is using, has placed in the water, or is in possession of any pop-up fishing gear. Pop-up gear diminishes law enforcement's ability to see the gear placed in a protected area making it more difficult to determine if someone is actively fishing. Thus, said another way, a vessel with pop-up gear cannot stop while transiting through an MPA.

Subsection (f)(5) defines continuous transit, and requires that fishing gear must be stowed and secured so that it is rendered unusable for immediate deployment during transit. This requirement is necessary for consistency with MPA subsection 632(a)(8), and to prevent violations related to fishing in an MPA when fishers use subsurface buoys. Combined with the required EM requirement in subsection (f)(2), the Department will be able to track vessels continuously transiting through MPAs to make sure traps are not being illegally deployed and retrieved by a fisher.

While it is possible to deploy gear through an MPA while maintaining three knots and a consistent course, it will be extremely difficult for a person on a vessel that is being electronically monitored to retrieve a ground line of traps without stopping. Any vessel observed stopping in an MPA that is using pop up buoy systems or in possession of pop-up buoy gear can be issued a citation for the transiting violation. The threat of being cited for violating the transiting provision inside MPAs will help deter any nefarious trapping activity from occurring in the MPAs.

- Add subsections (f)(6)(A) through (D)

Subsection 632(a)(7) in the existing MPA regulations contain provisions for anchoring for vessels with catch on board. Consistent with such regulations, proposed subsections (f)(6)(A) through (D) define four MPAs which fall within the geographic range where coonstripe fishing boats may travel in between fishing areas as exceptions from the prohibition on stopping or anchoring. From north to south, these are Point Reyes State Marine Reserve, Southeast Farallon Island State Marine Reserve, Año Nuevo State Marine Reserve & Greyhound Rock State Marine Conservation Area, and the Morro Bay State Marine Recreational Management Area. Each of these protected areas were identified through a series of discussions with members of the fleet as being necessary for vessels with pop-up coonstripe shrimp trap gear may anchor within an MPA, given proposed subsection (f)(5), which prevents a vessel from stopping within an MPA. Surrounding waters around these protected areas may not offer a safe location to anchor or dock, due to lack of nearby harbor or other port. Thus, these four areas were identified to allow for the crew to drop their anchors in these areas. Similar anchoring exceptions have been allowed for fishers permitted to use pop-up buoy gear under permission of the Experimental Fishing Permit (EFP) program (Title 14, Section 91), so anchorage exceptions in these four areas incentivize the use of voluntary pop-up gear, which overall reduces the number of fishing lines in the water and thus reduces marine life entanglement risk.

The pop-up gear and traps must be stowed in a way that renders them unusable so that enforcement personnel can inspect the vessel and ensure that gear is not being deployed within MPAs. These subsections are necessary to provide vessels with options for seeking shelter from unsafe weather conditions and also allows for vessels to take multi-day trips if their gear is deployed far from the landing port.

- Add subsection (f)(6)(A) to provide coordinate boundaries for the Point Reyes State Marine Reserve Anchorage. See Figure 1.

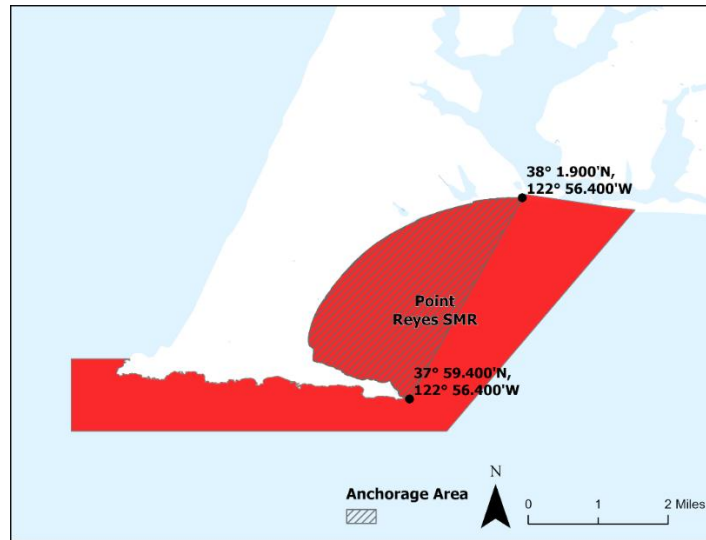


Figure 1. A map depicting where the Point Reyes Anchorage Area (green) is within the marine protected area (red).

- Add subsection (f)(6)(B) to provide coordinate boundaries for the Southeast Farallon Island State Marine Reserve Anchorage (except it excludes the area defined as the Southeast Farallon Island Special Closure, which still applies). See Figure 2.

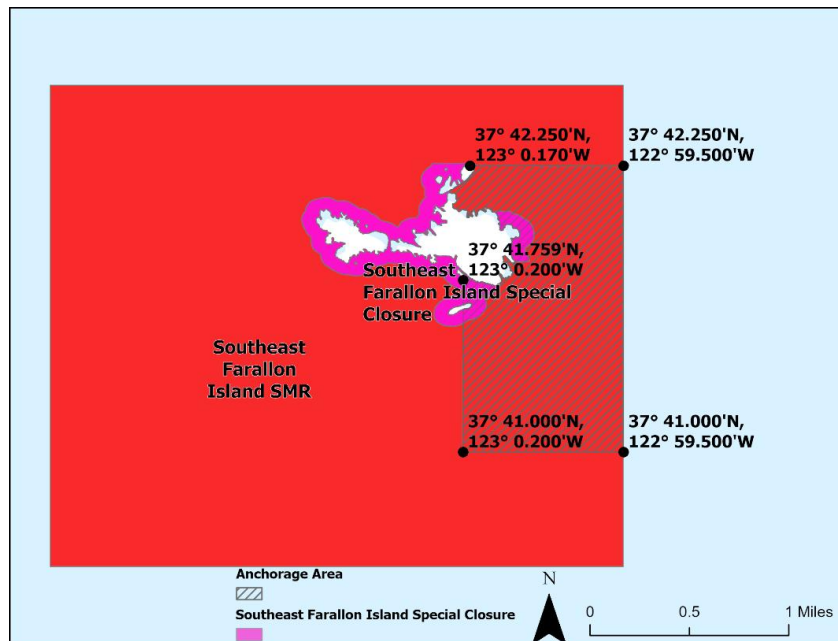


Figure 2. A map depicting where the Southeast Farallon Islands Anchorage Area (green) is within the marine protected area (red).

- Add subsection (f)(6)(C) to provide coordinate boundaries for the Año Nuevo State Marine Reserve & Greyhound Rock State Marine Conservation Anchorage (See Figure 3.)

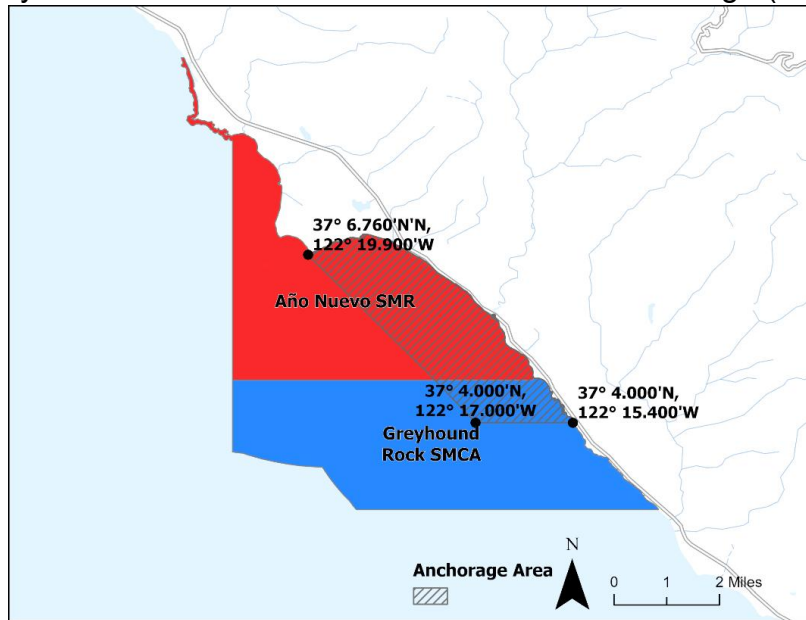


Figure 3. A map depicting where the Año Nuevo State Marine Reserve and Greyhound Rocks Anchorage area (green) is within the marine protected areas (red and blue).

- Add subsection (f)(6)(D) to provide coordinate boundaries for the Morro Bay State Marine Recreational Management Area Anchorage (See Figure 4).

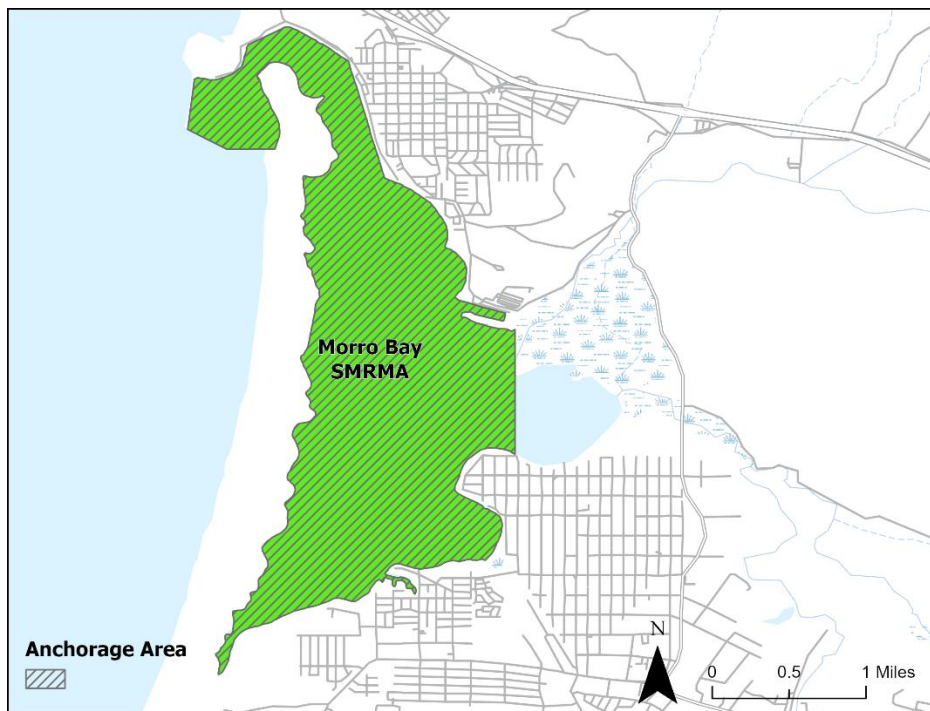


Figure 4. A map depicting where the Morro Bay State Marine Recreational Management Area Anchorage area (green) is within the marine protected areas (also green).

- Add subsections (g)(1) through (g)(4)(A)

Add a provision to allow vessels to retrieve coonstripe shrimp traps that are not assigned to them by use of a waiver. Section 9002, Fish and Game Code, prohibits retrieving trap gear that is not owned by the person retrieving, unless they get written permission from the trap owner. The waiver described in subsection (h) meets the written permission requirement in Section 9002, Fish and Game Code. This waiver is necessary to ensure the removal of lost or abandoned gear should the owner of the vessel to which the traps belong is unable to retrieve their traps due to vessel mechanical failure, if the vessel is destroyed, or if the vessel owner is experiencing a hardship out of their control that is preventing them from retrieving the traps. The Department may set the conditions on the waiver as they deem necessary. Conditioning the waiver gives the Department more oversight ensuring the vessel retrieving the traps are doing so judiciously.

- Add subsection (g) to introduce the coonstripe shrimp trap retrieval waiver.
- Add subsection (g)(1) to list the situations under which a vessel owner may request a waiver:
  - If the permitted vessel and/or operator is incapacitated due to a major mechanical failure;
  - If the permitted vessel is destroyed due to fire, capsizing, or sinking; and
  - If the vessel owner and/or operator experience undue hardship resulting from circumstances beyond their control.
- Add subsection (g)(2) to stipulate that a waiver request must be made by a vessel owner in writing to the Department's License and Revenue Branch.
- Add subsection (g)(3) to require that the Department approve the waiver to ensure the request is legitimate.
- Add subsection (g)(4) to stipulate that an approved copy of the waiver shall be on board the retrieving vessel.
- Add subsection (g)(5) to allow the waiver to include conditions that the Department may deem necessary, including time restrictions and landing prohibitions.
- Add subsection (h)

The subsection is added to provide a clear citing provision for enforcement and prosecution purposes should anyone violate any of the requirements or restriction imposed by this regulation. The statutory authority has also been updated to include sections 7857 and 12000, Fish and Game Code, which provide authority for administrative and civil penalties for violations.

## **Section 180.2**

- Amend subsection (a)(1)

Add an exemption for the commercial coonstripe shrimp fishery from being required to have a trap destruct device on their traps. Coonstripe shrimp traps typically have three to six unobstructed openings and do not function like traditional traps where species that enter are prevented from escaping. Shrimp or incidental species that enter the trap are able to exit through the same openings, functioning more like a pot than a trap Fleet members

requested this change because they describe complying with the current trap destruct requirements as onerous for the fishery. New trap requirements to prevent ghost fishing in the case of lost traps are described in subsection 180.15(g)(1).

- Add subsection (a)(3)

Clarifies that the exemption from the trap destruct device in (a)(1) still meets the statutory requirements in Section 9003, Fish and Game Code, because 180.15(c) now specifies the size and number of the trap openings, and prevents any opening from being obstructed as described above, negating the need for a trap destruct device.

## **Section 180.5**

- Amend subsection (b)(3)

Replace the requirement for the commercial coonstripe shrimp fishery from having their buoys marked with the operator's commercial fishing license identification number to the vessel's commercial boat registration number. This is necessary to ensure enforcement of the vertical line and trap limits. The coonstripe shrimp fishery is permitted through the vessel. If buoys are only marked with the operator's commercial fishing license number, then there could be multiple operators on a single permitted vessel setting traps and using two different operator's IDs. This could provide an avenue to legally go beyond the trap limits now established in Section 180.15 and increase the risk of entanglements to marine life. By requiring the vessel ID on the buoy instead, this will allow enforcement to tally up the number of traps in the water assigned to that permitted vessel when checking for compliance with the regulations. Section 8591, Fish and Game Code is added as an authority for this regulatory section to make clear on the authority for the Commission to put forward regulations for prawns and shrimp for commercial purposes.

### **(b) Goals and Benefits of the Regulation**

It is the policy of this State to ensure the conservation, sustainable use, and, where feasible, restoration of California's marine living resources for the benefit of all the citizens of the State. The objectives of this policy include, but are not limited to, conserving the health and diversity of marine ecosystems and marine living resources; allowing and encouraging only those activities and uses of living marine resources that are sustainable; and recognizing the importance to the economy and the culture of California of sustainable sport and commercial fisheries.

The 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 rule is not regarded as significant, as the rule manages the resource more conservatively than existing regulations.

### **(c) Authority and Reference Sections from Fish and Game Code for Regulation**

Section 180.15

Authority: Sections 713, 1050, 7857, 8591, 8842 and 12000, Fish and Game Code.

Reference: Sections 1050, 8590, 8591, 8595, 8842, 9000.5, 9001, 9006 and 9015, Fish and Game Code.

## Section 180.2

Authority: Sections 7090, 7708, 8500 and 9003, Fish and Game Code.

Reference: Sections 7090, 8500, 9003 and 9008, Fish and Game Code.

## Section 180.5

Authority: Sections 8591, 9003, 9005 and 9006, Fish and Game Code.

Reference: Sections 9002, 9003, 9005, 9006, 9007 and 9008, Fish and Game Code.

### (d) Specific Technology or Equipment Required by Regulatory Change

None

### (e) Identification of Reports or Documents Supporting Regulation Change

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 accessed June 13, 2025

### (f) Public Discussions of Proposed Regulations Prior to Notice Publication

- Fleet meeting: November 5, 2024 (San Francisco)
- Fleet meeting: November 13, 2024 (Crescent City)
- Marine Resources Committee (Commission) meeting: March 6-7, 2024 (Sacramento)
- Public meeting: April 23, 2025 (Santa Rosa)
- Fleet Meeting: June 6, 2025 (Virtual)
- Marine Resources Committee (Commission) meeting: July 17-18, 2025 (Sacramento)
- Informal discussion with certain fishers in August 2025 regarding options for anchoring in MPAs

## IV. Description of Reasonable Alternatives to Regulatory Action

### (a) Alternatives to Regulation Change

None

### (b) No Change Alternative

Without the proposed changes, the outstanding issues concerning the regulations currently governing the commercial coonstripe shrimp fishery would remain unaddressed and the risks of entanglements to marine life would be elevated.

## V. Mitigation Measures Required by Regulatory Action

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

## VI. 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 initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States

The Commission does not anticipate that the proposed regulations will have any statewide adverse economic impacts to businesses that would affect their ability to compete with businesses in other states. The limits for lines and traps per line exceed current practices and would not cause businesses in the fishery to incur a cost to comply, and the requirement for electronic monitoring devices for pop-up gear is only a cost for those who voluntarily elect to use that type of gear over conventional fishing traps. The primary cost associated with the proposed regulations is the cost of complying with the reporting requirements, which are approximately \$20 per season per vessel, and the initial buoy identification marking costs of \$664 per vessel for the northern fishery and \$235 for the southern fishery. See the STD 399 addendum for further details.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment

The Commission does not anticipate any impacts to the creation or elimination of jobs, the creation or elimination of businesses within the state, or the expansion of businesses as a result of these regulations, as the seasonal cost of complying with the proposed reporting requirements is \$20 per vessel and the initial buoy marking costs of \$664 per vessel for the northern fishery and \$235 for the southern fishery are not significant enough to cause businesses to adjust their labor force or practices in any meaningful way. There are no anticipated benefits to the health and welfare of California residents or to worker safety. The 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 rule is not regarded as significant, as the rule manages the resource more conservatively than existing regulations.

(c) Cost Impacts on a Representative Private Person or Business

The Commission anticipates that the proposed regulations will only incur a \$20 per vessel compliance cost for the proposed reporting requirements. See the STD 399 addendum for further details.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State

None

(e) Nondiscretionary Costs/Savings to Local Agencies

None

(f) Programs Mandated on Local Agencies or School Districts

None

(g) 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

(h) Effect on Housing Costs

None

## VII. Economic Impact Assessment

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State

The Commission does not anticipate any impacts to the creation or elimination of jobs, the creation or elimination of businesses within the state as a result of these regulations, as the seasonal cost of complying with the proposed reporting requirements is \$20 per vessel and the initial buoy marking costs of \$664 per vessel for the northern fishery and \$235 for the southern fishery are not significant enough to cause businesses to adjust their labor force or practices in any meaningful way.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State

The Commission does not anticipate any effects on the creation of new businesses or elimination of existing businesses as a result of these regulations, as the seasonal cost of complying with the proposed reporting requirements is \$20 per vessel and the initial buoy marking costs of \$664 per vessel for the northern fishery and \$235 for the southern fishery are not significant enough to cause businesses to adjust their business practices in any meaningful way.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

The Commission anticipates that the proposed regulations will not prevent the expansion of businesses into the Coonstripe Shrimp fishery beyond the current level of vessel participation, which is approximately 15 vessels. While there are no restrictions on participation in the proposed regulations, 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 February 13, 2025 for the purpose of establishing a future limited access fishery, but currently do not limit entry, and by extension are neutral towards the expansion of businesses currently.

(d) Benefits of the Regulation to the Health and Welfare of California Residents

The Commission does not anticipate impacts on the health and welfare of California residents.

(e) Benefits of the Regulation to Worker Safety

The Commission does not anticipate impacts to worker safety as a result of these regulations.

(f) Benefits of the Regulation to the State's Environment

The 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 rule is not regarded as significant, as the rule manages the resource more conservatively than existing regulations.

(g) Other Benefits of the Regulation

None

## Informative Digest/Policy Statement Overview

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR).

The proposed changes focus on the California commercial coonstripe shrimp fishery. 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 areas where the coonstripe shrimp fishery also occurs. Continued entanglements could lead to additional fishery restrictions through inclusion in a federal take reduction plan under the Marine Mammal Protection Act, litigation, or other fishery management actions such as more gear restrictions or closures.

### Proposed Amendments

#### *Section 180.15*

- Define minimum trap construction and marking requirements for coonstripe shrimp traps.
- Add additional restrictions on possessing coonstripe shrimp during the closed fishing season.
- Establish an exemption that allows a vessel owner to keep a trap in the water after November 1, if unsafe weather conditions prohibit retrieval.
- Define, for purposes of this section, the terms “ground line” and “vertical lines.”
- Establish Coonstripe Shrimp Northern and Coonstripe Shrimp Southern Management Areas and regulations for each.
- Maintain the limits on the number of traps per ground line, based on current fishing practices in each management area from the emergency regulations.
- Maintains the limits on the number of vertical lines per vessel from the emergency regulations.
- Maintain the maximum depth limit of 30 fathoms (fm) for the Northern Fishery from the emergency regulations.
- Set start dates for the fishing seasons in the Northern and Southern Fisheries.
- Change the earliest time that traps may be set and baited from noon to 6:00 am on the day before the season starts for both management areas.
- Set limits on the cumulative number of traps, ground lines of traps, and vertical lines deployed and specify that these limits must not exceed the restrictions for the Southern Fishery.
- Maintain the control date of February 13, 2025 from the emergency regulations and repeal the former control date of November 1, 2001.
- Add a mandatory monthly reporting requirement for vessel owners.
- Require that any vessel using pop-up fishing gear has an electronic monitoring (EM) system actively deployed during the entirety of the fishing trip.
- Require vessel owners to provide the Department with access to the gear marking web-based platform(s) they are using.

- Require that the electronic monitoring system functions properly at all times and that if data transmission is interrupted or not transmitting at all times, that vessel shall return to port immediately and notify the Department's Law Enforcement Division.
- Restrict any continuous transit through a Marine Protected Area (MPA) if the vessel owner or operator is using, has placed in the water, or is in possession of any pop-up fishing gear.
- Define continuous transit and requires that fishing gear must be stowed and secured so that it is rendered unusable for immediate deployment during transit.
- Define where coonstripe shrimp fishing vessels with pop-up coonstripe shrimp trap gear may anchor within an MPA.
- Add a provision to allow vessels to retrieve coonstripe shrimp traps that are not assigned to them by use of a waiver.
- Provide a clear citing provision for enforcement and prosecution purposes should anyone violate any of the requirements or restriction imposed by this regulation.

#### *Section 180.2*

- Add an exemption for the commercial coonstripe shrimp fishery from being required to have a trap destruct device on their traps.

#### *Section 180.5*

- Changing buoy marking identification number for the commercial coonstripe fishery from the operator's commercial fishing license number to the vessel's commercial boat registration number.

### **Benefit of the Regulations**

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 rule is not regarded as significant, as the rule manages the resource more conservatively than existing regulations.

### **Consistency and Compatibility with Existing Regulations**

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the state Constitution specifies that 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 has delegated to the Commission the power to adopt regulations governing the commercial shrimp fishery (Section 8591, Fish and Game Code). No other state agency has the authority to adopt regulations governing commercial coonstripe shrimp. The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the CCR for any regulations regarding the adoption of commercial coonstripe shrimp regulations; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

Pursuant to subdivision (d) of Section 11346.3 of the Government Code, the Commission finds that the proposed changes for reporting by coonstripe shrimp fishery participants serve the

welfare of the people of the state and the coonstripe shrimp vessel trap permit holders themselves. This is because the Department currently lacks important data on the location and number of coonstripe shrimp traps deployed and their various configurations of traps per ground line and number of vertical lines in the water. Knowing the identity, location, and amount of gear in the water will provide important information on fishing dynamics, and ultimately allow coonstripe fishery participants to continue activities as the Department makes management decisions.