

State of California
Fish and Game Commission
Final 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. Dates of Statements of Reasons

- (a) Initial Statement of Reasons Date: November 10, 2025
- (b) Pre-adoption Statement of Reasons Date: January 27, 2026
- (c) Final Statement of Reasons Date: February 17, 2026

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: December 11, 2026 Location: Sacramento, CA

(b) Adoption Hearing

Date: February 11, 2026 Location: Sacramento, CA

III. Update

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR), Commission refers to the California Fish and Game Commission, and Department refers to the California Department of Fish and Wildlife.

There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Regulatory Changes (dated December 16, 2025).

At its February 11, 2026 meeting, the Commission adopted the amendments to Sections 180.15, 180.2, and 180.5 regarding Commercial Coonstripe Shrimp Fishing, as originally proposed.

This action establishes the emergency regulations previously adopted by the Commission. Additional amendments have been added beyond the original emergency regulations to further reduce entanglement risk, address safety concerns, protect resources, and improve enforceability. The Commission requests that the regulations become effective upon filing to ensure they are in place before the start of the fishing season on May 1, 2026.

IV. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting Those Considerations

There were no written or oral public comments received during the public comment period, which was held between December 26, 2025 and February 11, 2026.

V. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

(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.

(c) Consideration of Alternatives

In view of information currently possessed, no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

(d) Description of Reasonable Alternatives that Would Lessen Adverse Impact on Small Business

In view of information currently possessed, no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Thus, no reasonable alternatives were considered that would potentially lessen any adverse impacts on small businesses.

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 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 within the state, the creation of new businesses or the elimination of existing businesses within the state, or the expansion of businesses in California as a result of these regulations. The seasonal cost of complying with the proposed reporting requirements is \$20 per vessel and the initial buoy marking costs, \$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

Updated 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 environmental resources 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. Commission staff has also searched the Code of Federal Regulations (CFR) and, pursuant to California Government Code subdivision 11346.2(b)(6), has determined that the proposed regulations avoid unnecessary duplication and do not conflict with federal regulations contained in the CFR.

Update

At its February 11, 2026 meeting, the Commission adopted the amendments to Sections 180.15, 180.2, and 180.5 regarding Commercial Coonstripe Shrimp Fishing, as originally proposed.

There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.