

**CEQA APPENDIX G:  
ENVIRONMENTAL CHECKLIST FORM**

**1. Project Title:** Pink (Ocean) Shrimp, *Pandalus Jordani*, Fishery Management Plan

**2. Lead Agency and Contact**

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**3. Contact Person**

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**4. Project Location**

The project would establish a management framework for the California pink shrimp commercial trawl fishery through a fishery management plan (FMP). The range of this fishery is limited by a combination of biological and regulatory factors.

Pink shrimp are found at depth shallower than 1,200 feet (~360 meters) in sandy mud habitat (Dahlstrom 1973). Shrimp trawling is currently prohibited inside state waters (Fish and Game Code (FGC) sections 8833, 8835, 8836, and 8842); it is also subject to exclusion from the federal essential fish habitat conservation areas (EFHCA; 50 Code of Federal Regulations, sections 660.11, 660.12, and 660.79). Figure 1 represents the project area by incorporating the maximum depth where pink shrimp occurs, the limit of the state jurisdiction, and existing EFHCAs.

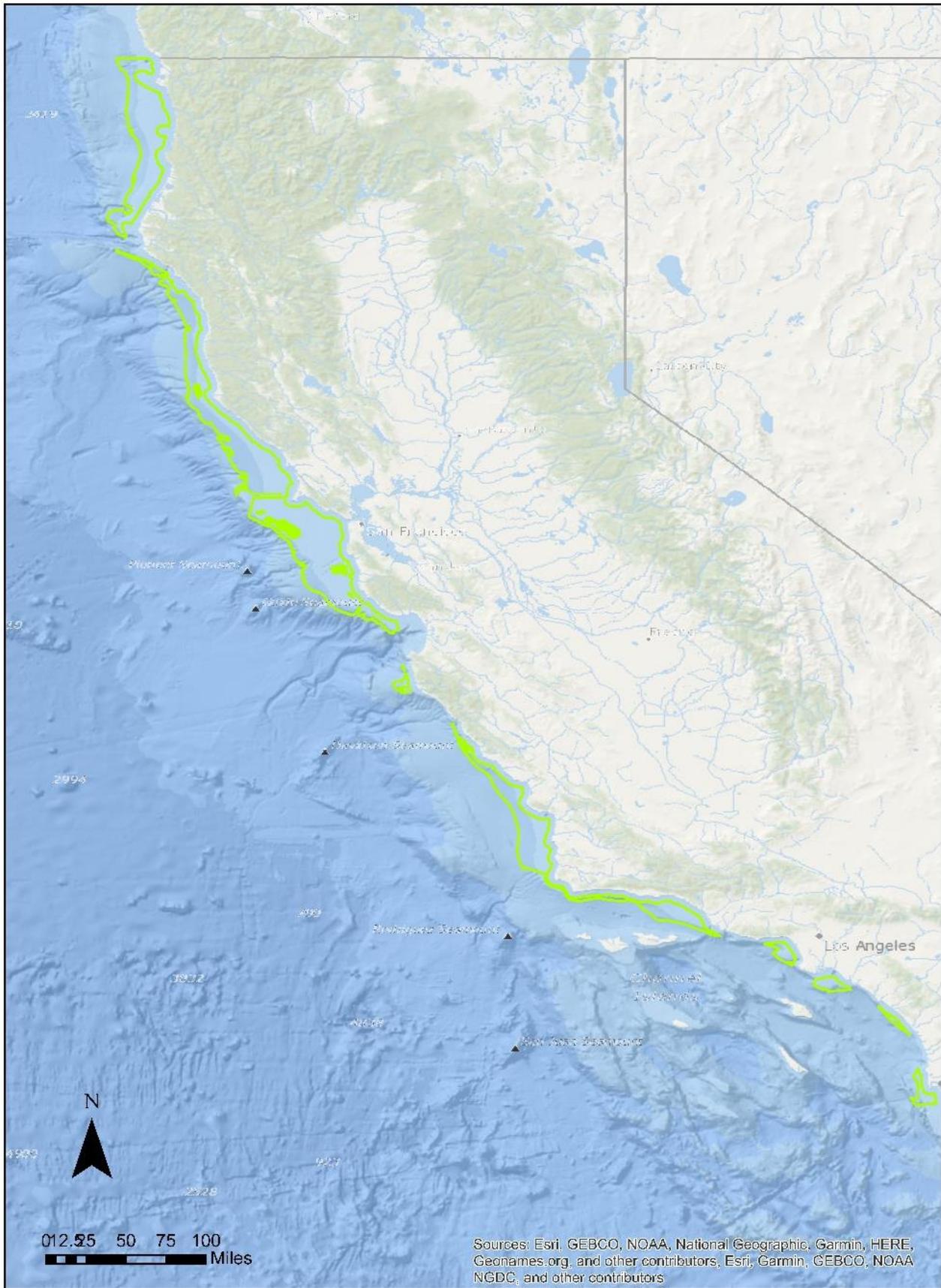


Figure 1. Project Area (Area outside of state jurisdiction and less than 360-meter depth off California Coast; bounded by green line with solid green areas denoting federal conservation areas where bottom trawling is prohibited.)

5. **General Plan Designation:** NA

6. **Zoning:** NA

7. **Description of Project**

The proposed project is the pink shrimp FMP. The FMP will establish a comprehensive management framework for the commercial pink shrimp trawl fishery to be implemented through a concurrent rulemaking action. While pink shrimp trawling is prohibited in California state waters, it can still take place in federal waters. California state government retains jurisdiction over the vessels that land pink shrimp in California ports. Oregon and Washington, which target the same pink shrimp stock, also exercise similar jurisdictions over landings occurring in their respective ports.

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



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

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

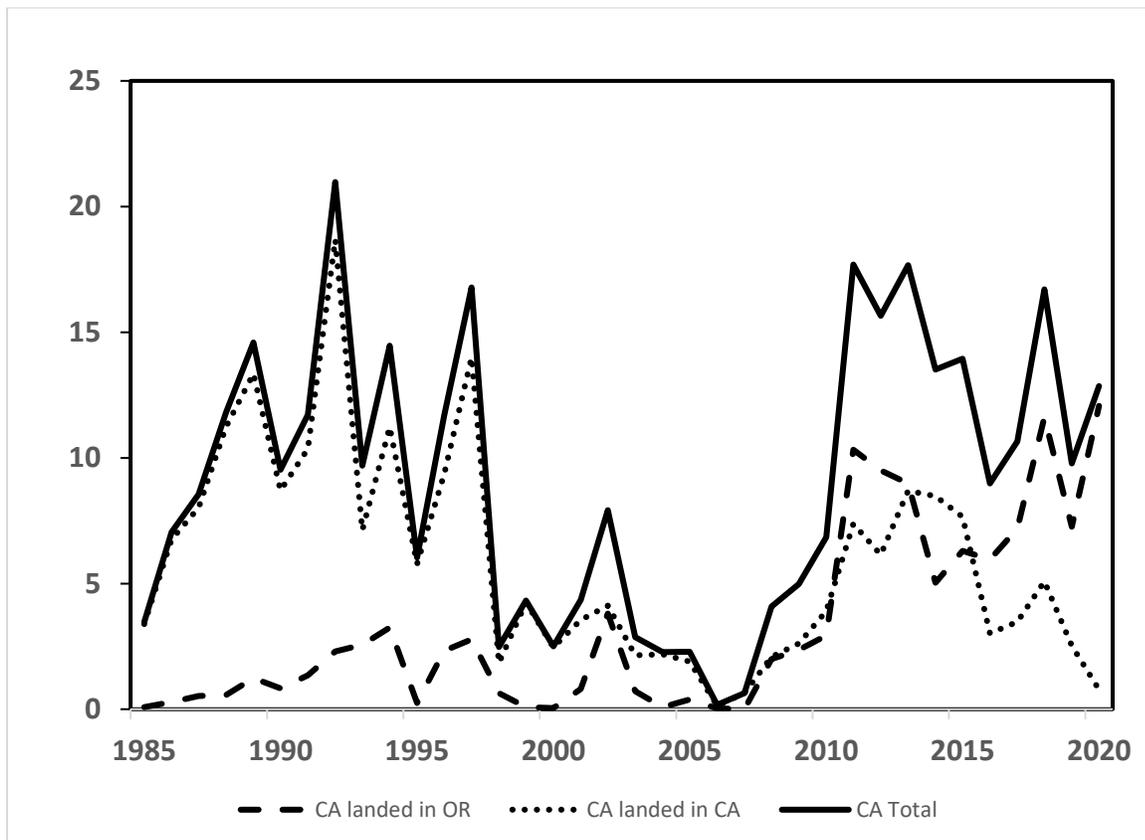


Figure 3. Landing state and weight of landings (million lb) of pink shrimp harvested in California waters, 1985-2020 (Source: CDFW MLDS).

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

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

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

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

## **8. Surrounding Land Uses and Setting: Briefly Describe Project's Surroundings**

There is no recreational fishery for pink shrimp (CDFW 2019). The commercial fishery for pink shrimp has been principally state-managed since 2004, although some federal regulations apply (CDFW 2019). Federal regulations include daily and monthly trip limits for incidental catches of groundfish species, use of a vessel monitoring system, onboard observer coverage, gear restrictions, and area restrictions protecting groundfish essential fish habitat (Code of Federal Regulations Title 50).

Trawling for pink shrimp is currently only allowed in federal waters. State waters were previously open to pink shrimp trawling in what was known as the Pink Shrimp Trawling Grounds (PSTG), which was a specifically defined area in state waters more than two nautical miles from the mainland shore between False Cape (Humboldt County) and Point Reyes (Marin County) (Frimodig et al. 2009). The closure of the PSTG by the Commission in 2008 effectively banning all pink shrimp fishing within state waters (CDFW 2019).

The fishery is currently managed in California using a suite of established regulations (sections 120, 120.1 and 120.2, Title 14, CCR). No quota or catch limits currently exist for pink shrimp, but there is a seasonal closure from November 1 to April 14 to protect egg-bearing females. Additionally, trawl gear must contain a bycatch reduction device and have a minimum mesh size of 1.38 inches (36 millimeters) to allow for escapement of juvenile shrimp and a maximum count of 160 per pound effectively functions as a size limit.

The fishery is currently divided at Point Conception into northern and southern regions to manage fishing effort, with a separate permit required to fish in each region (14 CCR Section 120.2). The fishery in the northern region is limited entry. The fishery in the southern region is open access. However, regulations are the same for both regions.

Within the northern region, the primary pink shrimp beds have historically been located between Eureka and the Oregon border, in an area immediately north of Fort Bragg. Additionally, commercially harvestable densities of pink shrimp are sometimes present off Morro Bay. In the southern region, lower densities of pink shrimp are sometimes harvested along the mainland in the Santa Barbara Channel.

Historically, pink shrimp fishing activities have occurred off the coast of Del Norte, Humboldt, northern Mendocino, San Luis Obispo, and western Santa Barbara Counties (Figure 4). In more recent years, they have occurred almost exclusively off the coast of Del Norte and Humboldt Counties. For example, in 2019, the last year when there were significant pink

shrimp landings in California, over 90% of pink shrimps landed in California were landed in Crescent City and Eureka (Figure 5).

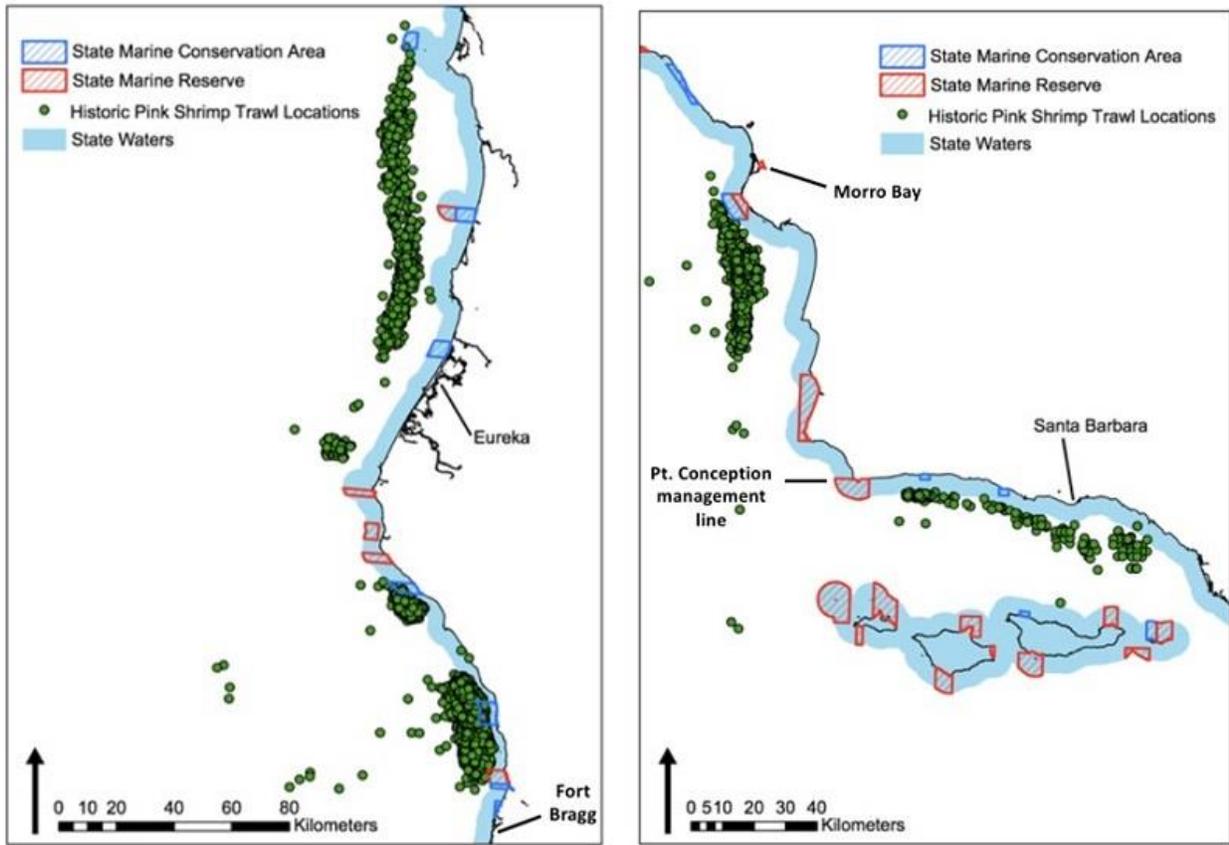


Figure 4. Historical Pink Shrimp trawl locations in (left) northern California and (right) southern California, 1999 to 2007 (CDFW Marine Log System (MLS); note that trawling is no longer allowed in state waters).

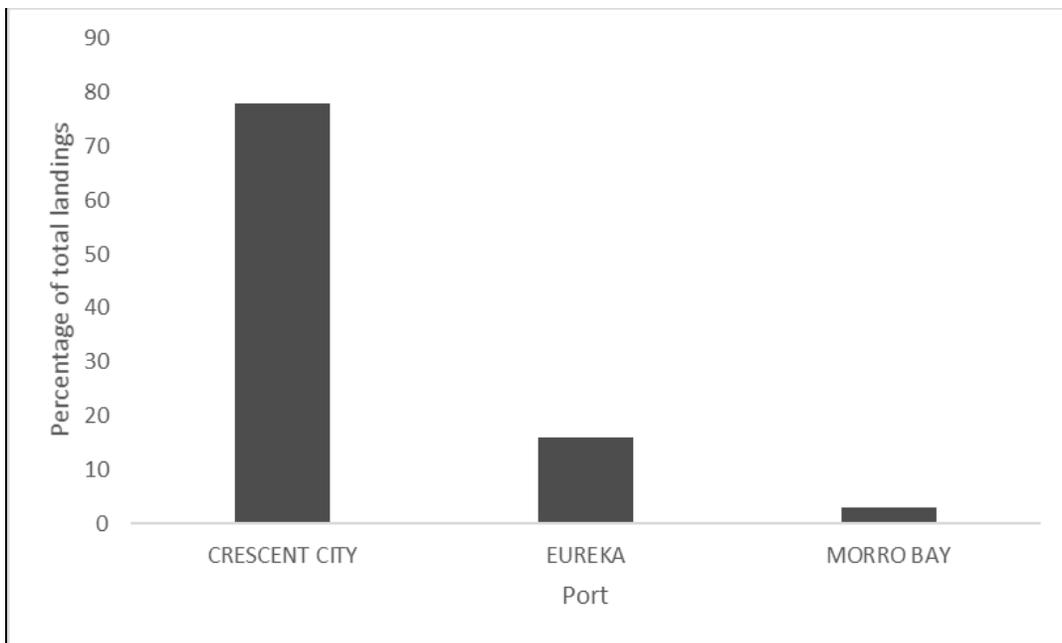


Figure 5. Percentage of California pink shrimp landings by port in 2019 (CDFW Marine Landings Data System).

9. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** NA
10. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?** See "Discussion of Checklist," section XVII.

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality               |
| <input checked="" type="checkbox"/> Biological Resources    | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils            |
| <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning                | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                     |
| <input type="checkbox"/> Population / Housing               | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                |
| <input type="checkbox"/> Transportation/Traffic             | <input type="checkbox"/> Tribal Cultural Resources          | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance |   |  |

### DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect or potentially significant effect on the environment, and a functional equivalent environmental analysis should be prepared under the Fish and Game Commission's certified regulatory program. (Cal. Code Regs., tit. 14, Section 781.5.)
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

October 1, 2021

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Melissa Miller-Henson, Executive Director  
California Fish and Game Commission

Date

## EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and
  - b. the mitigation measure identified, if any, to reduce the impact to less than significance

**ISSUES**

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporat ed</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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I. AESTHETICS. Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

II. AGRICULTURE AND FORESTRY RESOURCES.

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the [California Agricultural Land Evaluation and Site Assessment Model \(1997\)](#) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the [Forest and Range Assessment Project](#) and the [Forest Legacy Assessment project](#); and forest carbon measurement methodology provided in [Forest Protocols](#) adopted by the California Air Resources Board. Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on <a href="#">the maps prepared pursuant to the Farmland Mapping and Monitoring Program</a> of the California Resources Agency, to non-agricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a <a href="#">Williamson Act</a> contract?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in <a href="#">Public Resources Code section 12220(g)</a> ), timberland (as defined by <a href="#">Public Resources Code section 4526</a> ), or timberland zoned Timberland Production (as defined by <a href="#">Government Code section 51104(g)</a> )? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**III. AIR QUALITY.** Where available, the significance criteria established by the applicable [air quality management or air pollution control district](#) may be relied upon to make the following determinations. Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**IV. BIOLOGICAL RESOURCES:**  
Would the project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the [California Department of Fish and Game](#) or [U.S. Fish and Wildlife Service](#)?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the [California Department of Fish and Game](#) or [US Fish and Wildlife Service](#)?

c) Have a substantial adverse effect on federally protected wetlands as defined by [Section 404 of the Clean Water Act](#) (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f) Conflict with the provisions of an adopted [Habitat Conservation Plan](#), [Natural Community Conservation Plan](#), or other approved local, regional, or state habitat conservation plan?

(g) Impact a native fish or wildlife species through authorized take in a commercial or recreational fishing or hunting program?

V. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a [historical resource](#) as defined in [Section 15064.5](#)?

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to [Section 15064.5](#)?

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

d) Disturb any human remains, including those interred outside of dedicated cemeteries?

VI. Energy. Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

VII. GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to [Division of Mines and Geology Special Publication 42](#).

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on <u>expansive soil</u> , as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**VIII. GREENHOUSE GAS EMISSIONS.**

Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or <u>regulation</u> adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**IX. HAZARDS AND HAZARDOUS**

**MATERIALS.** Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section <u>65962.5</u> and, as a result, would it create a significant hazard to the public or the environment?                            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

X. HYDROLOGY AND WATER QUALITY.

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any <a href="#">water quality standards</a> or <a href="#">waste discharge requirements</a> ?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete <a href="#">groundwater</a> supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a <a href="#">federal Flood Hazard Boundary</a> or <a href="#">Flood Insurance Rate Map</a> or other flood hazard delineation map?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

j) Inundation by seiche, tsunami, or mudflow?

XI. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

XII. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known [mineral resource](#) that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

XII. NOISE -- Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

XIV. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XV. PUBLIC SERVICES.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

Police protection?

Schools?

Parks?

Other public facilities?

XVI. RECREATION.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XVII. TRANSPORTATION/TRAFFIC.

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

e) Result in inadequate emergency access?

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

XVIII. TRIBAL CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

**XIX. UTILITIES AND SERVICE SYSTEMS.**

Would the project:

a) Exceed wastewater treatment requirements of the applicable [Regional Water Quality Control Board](#)?

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

g) Comply with [federal](#), [state](#), and local statutes and regulations related to solid waste?

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Note: Authority cited: Sections [21083](#) and [21083.05](#), [21083.09](#) Public Resources Code. Reference: [Section 65088.4](#), Gov. Code; Sections [21073](#), [21074](#) [21080\(c\)](#), [21080.1](#), [21080.3](#), [21083](#), [21083.05](#), [21083.3](#), [21080.3.1](#), [21080.3.2](#),[21082.3](#), [21084.2](#), [21084.3](#), [21093](#), [21094](#), [21095](#), and [21151](#), Public Resources Code; [Sundstrom v. County of Mendocino,\(1988\) 202 Cal.App.3d 296](#); [Leonoff v. Monterey Board of Supervisors, \(1990\) 222 Cal.App.3d 1337](#); [Eureka Citizens for Responsible Govt. v. City of Eureka \(2007\) 147 Cal.App.4th 357](#); [Protect the Historic Amador Waterways v. Amador Water Agency \(2004\) 116 Cal.App.4th at 1109](#); [San Franciscans Upholding the Downtown Plan v. City and County of San Francisco \(2002\) 102 Cal.App.4th 656](#).

## DISCUSSION OF CHECKLIST

### I. Aesthetics. Would the project:

- a) Have a substantial adverse effect on a scenic vista?

**No Impact.** A scenic vista is a view that possesses visual and aesthetic value from singular vantage points that offer unobstructed views of a viewshed, including underlying landform and overlaying landcover and areas designated as official scenic vistas along a roadway or trail. The project area is visible from every State Scenic Highway along the coast (Caltrans 2019). These routes are either official or eligible as California scenic highways and several scenic vistas along the coast. Commercial pink shrimp fishing activities are seasonal and do not leave behind permanent structures. During the open season for the commercial pink shrimp fishery, fishing activities may occur from 3-12 miles from shore. Trawl vessels may appear as elements in the visual setting.

The proposed project would not substantially change the level of fishing activity that currently occurs within the project area. The proposed project will help clarify that shrimp trawling cannot take place in any state waters. Therefore, the FMP would not have a substantial adverse effect on scenic vistas. Therefore, no impact to the visual composition of the existing scenic view would occur.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a scenic highway?

**No Impact.** The project area is located exclusively within the marine environment. As such, there are no trees or historic buildings within a scenic highway located within the project area. The FMP and regulatory amendments would not substantially change the type or level of fishing activities such that would change the visual composition of an existing scenic resource within a scenic highway. Therefore, no impact would occur.

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

**No Impact.** The existing visual character and quality of the project area can be characterized as open ocean. The pink shrimp fishery is not currently known to substantially degrade the existing scenery of the coastline, and the FMP and regulatory amendments would not result in substantial changes in the type or level of fishing activities that would degrade the existing visual character or quality of the project site and its surroundings. Therefore, no impact would occur.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

**No Impact.** The pink shrimp fishery must adhere to regulations set forth by the United States Coast Guard under Rule 26 (33 CFR Section 83.26), which stipulates how lights must be displayed by commercial fishing vessels operating or otherwise transiting at night. While the proposed project would require new footrope lighting devices on all shrimp trawl nets operated north of Point Conception, the lights would be submerged while in operation. More importantly, because pink shrimp are near the sea floor during the day and ascend into the water column at night, fishing vessels only target them using benthic trawl gear during the day when they are concentrated on the seafloor. Therefore, no impact would occur.

### II. Agriculture. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

**No Impact.** The project is within marine environments, it does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as mapped by the FMMP (CDC 2021). The pink shrimp fishery has no effect on terrestrial agriculture, and the project would not cause changes that would result in direct or indirect conversion of these types of farmland. In addition, there is no potential

for conflict with zoning for agricultural use or a Williamson Act contract due to the project's location. Furthermore, pink shrimp fishing occurs in waters offshore of northern California, where conditions have not been and are very unlikely to be conducive towards aquaculture. Therefore, no impact would occur.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code [PRC] section 12220(g)), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

d) Result in the loss of forest land or conversion of forest land to non-forest use?

**No Impact.** The project area is within marine environments and does not contain any forestland as defined by PRC, nor does it contain timberland, or zoned Timberland Production as defined by the Government Code. The pink shrimp fishery has no effect on forestland or other related resources, and the project would not cause changes that would result in direct or indirect conversion of or conflict with zoning related to forestland types of land uses. Therefore, there is no impact.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

**No Impact.** The proposed project concerns management of a commercial marine fishery, and no change to land uses in the surrounding terrestrial areas is anticipated. Therefore, no impact would occur.

**III. Air Quality.** Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

**Less than Significant.** The purpose of any air quality plan is to reduce criteria and toxic air pollutants in a particular region. These plans can be established by jurisdictional agencies such as air districts or through a general plan document. Typical air quality plans in given air districts address the feasibility and actions that air districts should take to meet or maintain state and federal clean air standards. Air quality plans within general plan documents are usually written as goals, actions, and policies that prohibit or limit land use development actions that would worsen air quality. Any project or plan that would result in short-term or long-term increases in air pollutants would be at risk of conflicting with or obstructing applicable air quality plans. Whether or not an actual conflict would occur depends on the specific limitations presented in the air quality plans and would vary by region.

The proposed project would affect pink shrimp trawling activities at docking locations and offshore along a stretch of coastline that includes the following counties (in order from north to south): Del Norte, Humboldt, Mendocino, Sonoma, Marin, San Francisco, San Mateo, Santa Cruz, Monterey, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, Orange, and San Diego. These counties are in the following air districts (in order from north to south): North Coast Unified Air Quality Management District (AQMD), Mendocino Air Quality Management District (AQMD), Northern Sonoma County Air Pollution Control District (APCD), Bay Area AQMD, Monterey Bay Air Resource District, San Luis Obispo APCD, Santa Barbara APCD, Ventura APCD, South Coast AQMD, and San Diego APCD. Tables 1 and 2 show the attainment status of each of the coastal counties for state and federal ozone and particulate matter standards (i.e., for particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>) and particulate matter less than 10 microns in diameter (PM<sub>10</sub>)) pursuant to the terms of the California Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS).

**Table 1. National Air Quality Attainment Statuses at Affected Counties**

County	Ozone <sup>a</sup>	PM <sub>10</sub>	PM <sub>2.5</sub> <sup>b</sup>
Del Norte	Unclassified/Attainment	Unclassified	Unclassified/Attainment
Humboldt	Unclassified/Attainment	Unclassified	Unclassified/Attainment
Mendocino	Unclassified/Attainment	Unclassified	Unclassified/Attainment
Sonoma	Nonattainment (Partial)	Unclassified	Unclassified/Attainment

Marin	Nonattainment	Unclassified	Unclassified/Attainment
San Francisco	Nonattainment	Unclassified	Unclassified/Attainment
San Mateo	Nonattainment	Unclassified	Unclassified/Attainment
Santa Cruz	Unclassified/Attainment	Unclassified	Unclassified/Attainment
Monterey	Unclassified/Attainment	Unclassified	Unclassified/Attainment
San Luis Obispo	Nonattainment (Partial)	Unclassified	Unclassified/Attainment
Santa Barbara	Unclassified/Attainment	Unclassified	Unclassified/Attainment
Ventura	Nonattainment	Unclassified	Unclassified/Attainment
Los Angeles	Nonattainment	Nonattainment (Partial)	Nonattainment (Partial)
Orange	Nonattainment	Nonattainment	Nonattainment
San Diego	Nonattainment (Partial)	Unclassified	Unclassified/Attainment

**Table 2. State Air Quality Attainment Statuses at Affected Counties**

<b>County</b>	<b>Ozone<sup>a</sup></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub><sup>b</sup></b>
Del Norte	Attainment	Attainment	Attainment
Humboldt	Attainment	Nonattainment	Attainment
Mendocino	Attainment	Nonattainment	Attainment
Sonoma	Attainment	Attainment	Attainment
Marin	Nonattainment	Nonattainment	Nonattainment
San Francisco	Nonattainment	Nonattainment	Nonattainment
San Mateo	Nonattainment	Nonattainment	Nonattainment
Santa Cruz	Nonattainment-Transitional	Nonattainment	Attainment
Monterey	Nonattainment-Transitional	Nonattainment	Attainment
San Luis Obispo	Nonattainment	Nonattainment	Attainment
Santa Barbara	Attainment	Nonattainment	Unclassified
Ventura	Nonattainment	Nonattainment	Attainment
Los Angeles	Nonattainment	Nonattainment	Nonattainment
Orange	Nonattainment	Nonattainment	Nonattainment
San Diego	Nonattainment	Nonattainment	Nonattainment

a. Reflects the national 2015 8-hour standard. The 1-hour standard was revoked on June 15, 2005.

b. Reflects the latest 2012 PM<sub>2.5</sub> standard.

Source: CARB 2019; USEPA 2018

The proposed FMP would result in an updated management framework for the commercial pink shrimp fishery and would not directly conflict with or obstruct with the implementation of any applicable air quality plans or interfere with a vessel's ability to comply with the Commercial Harbor Craft Regulation (17 CCR Section 93118.5), which regulates the emissions from commercial harbor crafts such as pink shrimp trawl vessels. The project is not expected to change the number of vessels in the fishery. The number of commercial vessels that have landed pink shrimp in California has fluctuated substantially over the years based on a variety of factors. The number of active vessels fluctuated during the 1970s

and mid-1990s with a peak in 1994 followed by a nearly steady decline to an all-time low in 2006 (Figure 6). The decline was driven at least in part by a voluntary federal buyout instituted for groundfish trawl vessel permits in 2003, which removed almost half of all trawl vessels on the west coast. Since 2006, the number of active vessels has increased steadily for more than 10 years, despite fluctuation in landings.

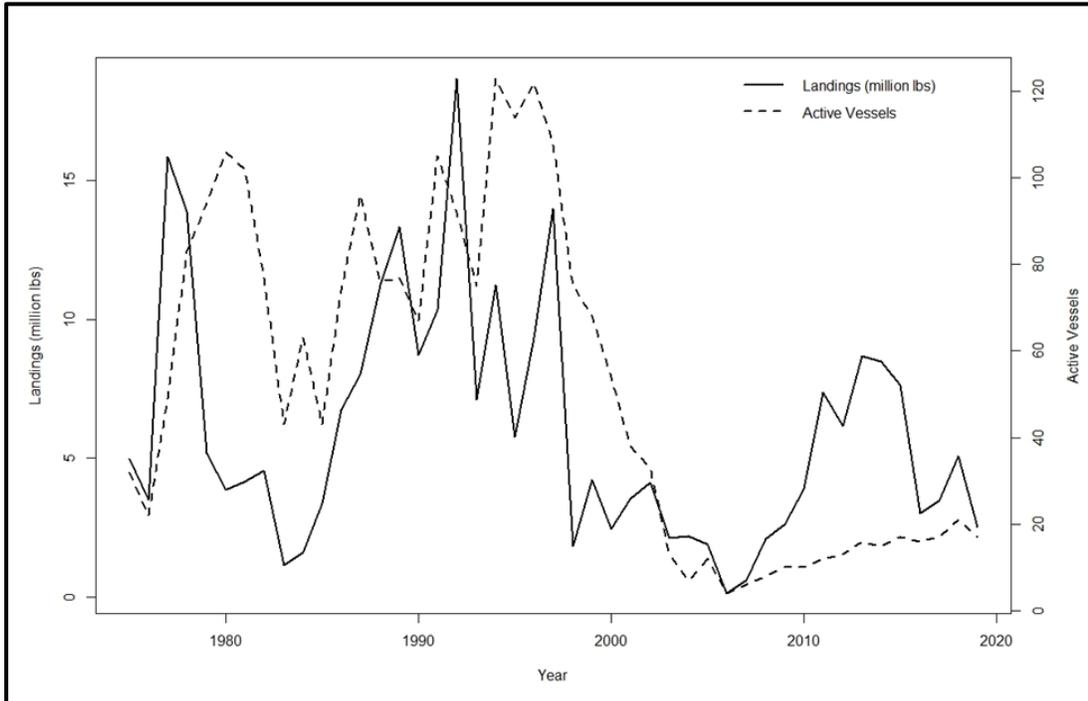


Figure 6. Number of active vessels and landings (million lb) in the California pink shrimp fishery from 1970-2019 (CDFW Marine Landings Data System 2020).

The proposal would implement a harvest control rule that is more restrictive than the current pink shrimp management framework, a footrope lighting device requirement that would marginally increase the cost of each trawl net, a clarification of existing rule, and streamlined weight estimation requirement. None of these changes can reasonably be expected to lead to increased number of participants in a fishery for which participation levels have always fluctuated substantially over time. Therefore, no significant impact is expected.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

**Less than Significant.** The proposed project is the FMP for the commercial pink shrimp fishery. Movement, concentration, and location of fishing activities under the FMP would remain similar to baseline conditions; therefore, there will be limited emissions resulting from the proposed project. The operation of commercial pink shrimp vessels is not anticipated to exceed the significance thresholds for operational impacts (i.e., emission of nitrogen oxides (NOx), reactive organic compounds (ROG), PM<sub>10</sub>, and PM<sub>2.5</sub>) in air districts adjacent to the project area (Table 3). In addition, the proposed project will not interfere with a vessel’s ability to comply with the Commercial Harbor Craft Regulations. As explained above, the proposed project is not expected to cause the level of fishing activities to increase, and thus would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Therefore, the impact would be less than significant.

**Table 3. Threshold of Significance for Each Affected Air District for Operational Impacts Only**

Air District	NOx	ROG	PM <sub>10</sub>	PM <sub>2.5</sub>
North Coast Unified AQMD <sup>a</sup>	50 lb/day or 40 tons/year	50 lb/day or 40 tons/year	80 lb/day or 15 tons/year	50 lb/day or 10 tons/year

Air District	NOx	ROG	PM <sub>10</sub>	PM <sub>2.5</sub>
Mendocino County AQMD	42 lb/day	180 lb/day	82 lb/day	54 lb/day
San Luis Obispo County APCD	25 lb/day or 25 tons/year for ROG and NOx combined	25 lb/day or 25 tons/year for ROG and NOx combined	25 lb/day or 25 tons/year	1.25 lb/day (DPM <sup>b</sup> )
Santa Barbara County APCD	25 lb/day ROG and NOx combined from motor vehicle trips only	25 lb/day ROG and NOx combined from motor vehicle trips only	APCD New Source Review	APCD New Source Review
Northern Sonoma County APCD	40 tons/year	40 tons/year	15 tons/year	NA
Bay Area AQMD	54 lb/day or 10 tons/year	54 lb/day or 10 tons/year	80 lb/day or 15 tons/year	54 lb/day or 10 tons/year
Monterey Bay Air Resource District	137 lb/day	137 lb/day <sup>c</sup>	82 lb/day	55 lb/day
Ventura APCD	25 lb/day <sup>d</sup>	25 lb/day <sup>d</sup>	NA	NA
South Coast AQMD	55 lb/day	55 lb/day <sup>c</sup>	150 lb/day	55 lb/day
San Diego APCD <sup>e</sup>	250 lb/day or 40 tons/year	75 lbs/day or 13.7 tons/year	100 lb/day or 15 tons/yr	67 lb/day or 10 tons/yr

- a. North Coast Unified AQMD has not adopted CEQA thresholds of significance. These thresholds reflect published screening level thresholds for air quality impact analyses for new sources.
- b. Threshold for diesel particulate matter (DPM), which is a subset of PM<sub>2.5</sub>.
- c. Threshold for volatile organic compounds (VOC), a subset of ROG.
- d. Applies to all areas outside of the Ojai Planning Area where the emission thresholds are 5 lb/day for ROG and 5 lb/day for NO<sub>x</sub>.
- e. San Diego APCD does not provide quantitative thresholds for determining the significance for mobile source-related impacts. However, San Diego APCD does specify Air Quality Impact Analysis trigger levels for new or modified stationary sources that may be used to evaluate emissions which could be discharged in the San Diego air basin from proposed land development projects (County of San Diego 2007).

NA = Not available

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

**Less than Significant.** Air quality is affected by emissions generated from the operation of gas and diesel engines in commercial fishing vessels. Pollutant emissions released when vessels are underway are influenced by a variety of factors including power source, engine size, fuel used, operating speed, and load. However, the proposed project is the pink shrimp FMP, which is not expected to increase the vessel capacity or change the long-term capacity limit of the fleet. No long-term adverse impacts to air quality are anticipated since no increased vessel activity is expected as a result of adopting the proposed FMP or implementing regulations. As mentioned, the proposed project would not change any vessel's obligation to comply with the Commercial Harbor Craft Regulation. Thus, the project would not result in a cumulative net increase of any criteria pollutant for which the plan region is in non-attainment under an applicable federal or state ambient air quality standard.

- d) Expose sensitive receptors to substantial pollutant concentrations?

**No Impact.** Sensitive receptors are typically defined as schools, hospitals, residential care facilities, daycare facilities, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The proposed project is the Pink Shrimp FMP and

proposed regulatory amendments. The project does not propose uses or activities that would result in exposure of these identified sensitive receptors to significant pollutants. Therefore, no impact would occur.

e) Create objectionable odors affecting a substantial number of people?

**No Impact.** The proposed project involves the Pink Shrimp FMP and regulatory amendments to sustainably manage the pink shrimp resource and improve the long-term sustainability of the fishery in California. The project does not propose any construction or operational impacts that would significantly create objectionable odors affecting a substantial number. Therefore, no impact would occur.

**IV. Biological Resources.** Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

**Less than Significant.** There are a number of special status or otherwise protected species that are known to occur or may occur within the project area. The potential exists for any fish or invertebrate in the area of fishing to be taken. However, the only species that have been documented to have been taken in any notable amount is eulachon (Gustafson et al. 2021), which are not retained by the fishery. The species has comprised a small percentage of the total catch. In 2015, during which the largest number of eulachons were observed as bycatch in a given year, 32.34 mt of eulachon were estimated to have been caught in the fishery (Gustafson et al. 2021), which in turn landed over 3,400 mts of pink shrimp in California that year. To minimize the incidental catch of eulachon, the proposed pink shrimp FMP and its implementing regulation would prescribe the footrope lighting device that have shown to reduce eulachon bycatch by 90.5% (Hannah et al. 2015). As such any impact towards eulachon would be less than significant if not positive.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

**Less than Significant.** Benthic trawling, in which fishing gear is dragged along the bottom of the ocean, can be detrimental to a variety of habitats. Relatively stable habitats, such as hard bottom and dense mud, experience the greatest changes and have the slowest recovery rates compared to less consolidated coarse sediments in areas of high natural disturbance (NRC 2002). Heavy trawling in mud habitats has been shown to decrease invertebrate density and diversity (Hannah et al. 2010). Bottom trawling is known to negatively impact biogenic (habitat-forming) species such as corals, sponges, and sea whips/pens, many of which are slow growing and may take decades to recover if broken or removed by a trawl. The proposed FMP was developed pursuant to the mandates of MLMA, which requires the state to minimize adverse habitat effects to the extent practicable (FGC Section 7084). The proposed harvest control rule would restrict fishing season based on stock and environmental conditions. As such, the harvest control rule would serve to reduce the impact of trawling.

Furthermore, by clarifying that trawling is prohibited in state waters, the proposed project would help ensure that shrimp trawling does not occur in more stable nearshore habitats. Lastly, the Pacific Fishery Management Council has performed a comprehensive review of the effect of bottom trawling on various bottom habitats within the U.S. Exclusive Economic Zone along the west coast as part of its development of Amendment 28 of the Groundfish Fishery Management Plan (NOAA 2019). The proposed project would not change any fishing vessel's obligation to adhere to the bottom trawl gear prohibition that resulted from the effort, particularly the EFHCA (50 CFR sections 660.11, 660.12, and 660.79). As such any impact would be less than significant.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

**No Impact.** The proposed project is the FMP for the commercial pink shrimp fishery. The project would not result in removal, fill, hydrologic interruption, or other activities that would result in a direct substantial adverse effect on federally protected wetlands. Therefore, no impact would occur.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**Less than Significant Impact.** The proposed project is the FMP for the commercial pink shrimp fishery. As discussed under questions IV (a-c), substantial impacts to habitats and substrates would not occur as a result of the FMP and the subsequent implementing regulations. Furthermore, there have been no documented interactions of threatened or endangered marine birds or mammals in this fishery. The 2019 Groundfish Endangered Species Workgroup Report compiled by the eponymous workgroup of the Pacific Fishery Management Council explored impacts from the groundfish fishery, which encompasses most of the trawling effort on the west coast, on various species listed under the federal ESA (PFMC 2019). During report compilation, the workgroup also received information on take of these species in other fisheries. The pink shrimp fishery was only mentioned as a source of mortality for eulachon and no other species. As such, no substantial interference with movement or effect to native wildlife nursery sites would occur. Therefore, no impact would occur.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**No Impact.** There are no Habitat Conservation Plans or Natural Community Conservation Plans within the project area. Jurisdiction of nearby local governments do not extend to the U.S. Exclusive Economic Zone outside of state boundary.

As for state jurisdiction, the Pink Shrimp FMP and proposed regulatory changes have been developed in conjunction with the goals of the MLMA and do not conflict with its provisions. Specifically, the MLMA calls for “conservation, sustainable use, and restoration of California’s marine living resources.” This includes the conservation of healthy and diverse marine ecosystems and marine living resource,” including the development of FMPs. The FMP and regulatory amendments have been developed as a result of and in accordance with the MLMA policies; therefore, there would be no impact.

- (g) Impact a native fish or wildlife species through authorized take in a commercial or recreational fishing or hunting program?

**Potentially Significant Impact.** The Commission recognizes that any FMP, under appropriate circumstances, would allow for take of a fish species, such as pink shrimp. Any take through fishing effort increases mortality rates to the spawning stock beyond what would naturally occur in the absence of fishing. Out of an abundance of caution, the Commission plans to further evaluate whether the proposed FMP may have significant effects on the pink shrimp population. However, the goal of the FMP is to improve the long-term sustainability of the fishery in accordance with the MLMA by implementing a harvest control rule, and to help reduce bycatch of threatened eulachon through additional gear requirement. The Commission anticipates the potentially significant beneficial impacts to the pink shrimp and eulachon populations.

**V. Cultural Resources.** Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

**No Impact.** The proposed project would not directly or indirectly disturb any historical resources or alter activity around any known historical resources beyond baseline conditions. The pink shrimp fishery occurs offshore above soft bottom already subjected to high levels of natural disturbance due to tides and currents. Therefore, there would be no impact.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

**Less than Significant.** California law (PRC sections 6313 & 6314) prohibits all unauthorized salvage and removal of artifacts from submerged archaeological sites in state waters, which are under the jurisdiction of State Lands Commission. The State Lands Commission has compiled a database of shipwrecks off the coast of California (CSLC 2021). The proposed project would not conflict with existing state law that protect these resources. Furthermore, the proposed project would not result in additional disturbance to the sea floor. As such it will not increase the risk of disturbance beyond the level that is already occurring. Therefore, any impact would be less than significant.

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**No Impact.** The proposed project would not result in an increase in activities that would directly or indirectly destroy paleontological or geologic features. The proposed project would not result in additional disturbance to the sea floor. Therefore, no impact would occur.

- d) Disturb any human remains, including those interred outside of formal cemeteries?

**Less Than Significant Impact.** The proposed project would not result in excavation or other activities that have the potential to directly or indirectly lead to further disturbance to any known cemeteries or burial grounds beyond existing level of trawling activities. Therefore, any impact would be less than significant.

**VI. Energy.** Would the project:

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

**Less Than Significant Impact.** The proposed project would not result in any construction that would require consumption of energy resources. As explained above, the proposed project is not expected to change level of participation and fishing effort in the fishery. The additional restrictions that would be implemented likewise are not expected to cause any effort from existing participants to increase. Therefore, any impact would be less than significant.

- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**Less Than Significant Impact.** Nothing in the proposed object would alter existing or future obligations of the pink shrimp fishery to comply with relevant laws and regulations, including those related to future plans for renewable energy or energy efficiency. Therefore, any impact would be less than significant.

**VI. Geology and Soils.** Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to California Geological Survey Special Publication 42.

**No Impact.** The project area is within a marine environment, and implementation of the FMP and regulatory amendments would not include construction of any structures that would directly expose people or structures to rupture of an earthquake fault. It is not anticipated that there would be a direct effect to fishermen regarding substantial adverse effects from rupture of a known earthquake fault from any changes to management of the fisheries from the project Therefore, no impact would occur.

- ii) Strong seismic ground shaking?

**No Impact.** The FMP pertains to the marine environment and would not directly expose or increase existing exposure of people or structures to seismic ground shaking that could occur on land. Therefore, no impact would occur.

- iii) Seismic-related ground failure, including liquefaction?

**No Impact.** The FMP pertains to the marine environment and would not directly expose people or structures to seismic-related ground failure or liquefaction that could occur on land nor increase existing exposure. Therefore, no impact would occur.

iv) Landslides?

**No Impact.** The FMP pertains to the marine environment and would not directly expose people or structures to landslides that could occur on land or increase existing exposure. Therefore, no impact would occur.

b) Result in substantial soil erosion or the loss of topsoil?

**No Impact.** The project area is within a marine environment, and soil erosion and loss of topsoil are land-based occurrences. Therefore, the FMP would have no impact on soil erosion or loss of topsoil.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?

**No Impact.** The project area is within a marine environment, and unstable soils is a land-based occurrence. Therefore, the FMP would have no impact on unstable soils.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

**No Impact.** The project does not involve the construction of buildings or structures that would create substantial risks to life or property. Therefore, the FMP would have no impact on expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?

**No Impact.** The project does not involve the construction of buildings or structures, nor propose the use of septic tanks as part of the FMP. Therefore, the FMP would have no impact on soils incapable of supporting septic tanks.

**VII. Greenhouse Gas Emissions.** Would the project:

a) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?

**Less than Significant.** The FMP would not result in an overall increase of fishing activities, and thus no increase of GHG emissions over existing conditions is expected. Trawling is also a seasonal activity, and thus have not and would not incur year-round GHG emissions. Commercial pink shrimp fishing is not expected to increase due to the adoption of this FMP and its implementing regulation. Thus, it would not substantially affect associated fuel combustion above existing conditions. Therefore, any impact would be less than significant.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Less than Significant.** The proposed project is the FMP, which will be implemented in part through regulatory amendments to sustainably manage the pink shrimp resource and improve the long-term sustainability of the fishery. The FMP would not conflict with any adopted plans, policies, or regulations for the purpose of reducing GHG emissions. Therefore, any impact would be less than significant.

**VIII. Hazards and Hazardous Materials.** Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

**Less than Significant Impact.** The proposed project is an FMP for the commercial pink shrimp fishery. Commercial fishing for pink shrimp does not generate any hazardous wastes that would create a significant hazard to the public or the environment. Because the level of fishing activities is not

expected to change, the levels of waste transport, use, and disposal are not expected to change either. Therefore, any impact would be less than significant.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?

**Less than Significant Impact.** The proposed project is an FMP for the commercial pink shrimp fishery. Commercial fishing for pink shrimp does not generate any hazardous wastes that would create a significant hazard to the public or the environment. Because the level of fishing activities is not expected to change, the level of waste spillage due to accidents not expected to change either. Therefore, any impact would be less than significant.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp fishery. The fishery does not take place within 3 miles from shore. Therefore, no impact would occur.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**No Impact.** The pink shrimp fishery occurs offshore outside of state waters. None of the sites listed by California Department of Toxic Substances would be impacted by fishing activities from the pink shrimp fishery (CDTS 2021). The proposed project would not interfere with cleanup efforts, nor would it exacerbate hazardous conditions at the sites. Therefore, no impact would occur.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

**No Impact.** Commercial pink shrimp fishing occurs offshore and does not currently interfere with airport operations or air traffic that would result in the exposure of people to a safety hazard. Therefore, no impact would occur.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp fishery. Commercial pink shrimp fishing occurs offshore and would not interfere with airport operations or result in any changes to the air traffic patterns that would expose people to a safety hazard. Therefore, no impact would occur.

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp FMP. The FMP would not substantially change the level of fishing effort that is currently occurring within the project area. As such, the proposed project would not modify or interfere with any existing emergency response plan or emergency evacuation plan. Therefore, there would be no impact.

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

**No Impact.** The project area is within the marine environment and is not subject to wildfires. Therefore, no impact would occur.

**IX. Hydrology and Water Quality.** Would the project:

- a) Violate any water quality standards or waste discharge requirements?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp FMP. There is no known contribution to the degradation of water quality nor is there known discharge of pollutants to the environment associated with pink shrimp commercial fishing. Therefore, no impact would occur.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp FMP. The project occurs within the marine environment and would not affect groundwater supplies or recharge. Furthermore, no facilities constructed with impervious surfaces that could affect groundwater are proposed as part of this project. Therefore, no impact would occur.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial on- or offsite erosion or siltation?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp FMP. The project occurs within the marine environment. No changes to land use are proposed as part of this project that would modify, either directly or indirectly, existing drainage patterns of any built structures, facilities, or hydrologic features that may exist in the project area in a manner which would result in substantial on- or offsite erosion or siltation. Therefore, no impact would occur.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in on- or offsite flooding?

**No Impact.** As discussed under question IX (c), the project occurs within the marine environment and no changes to land use are proposed as part of this project that would affect structures, alter existing drainage patterns or other hydrologic features that could affect existing patterns of surface runoff or result in on- or off-site flooding from surface runoff. Therefore, no impact would occur.

- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

**No Impact.** As discussed under questions IX (c) and (d), the project is within the marine environment and no land use changes are proposed; as such, there would be no contribution to runoff water that would exceed the capacity of existing or planned stormwater drainage systems. In addition, the project would not result in changes to facilities, impervious surfaces, or other structures or stormwater drainage systems such that runoff volumes, flows, or quality of polluted runoff into stormwater drainage systems would be affected. Therefore, no impact would occur.

- f) Otherwise substantially degrade water quality?

**No Impact.** As discussed under questions IX (a) and (c-d), the project does not propose any land use change nor would it create or contribute to discharge of pollutants into the environment that substantially degrade water quality. Therefore, no impact would occur.

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

**No Impact.** No housing is proposed as part of the project. Therefore, would be no impact to housing within a Flood Hazard Boundary or other flood hazard delineation map.

- h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?

**No Impact.** No structures are proposed as part of the project. Therefore, there would be no impact to the 100-year flood hazard area or flood flows.

- i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

**No Impact.** The proposed project is located within the marine environment. There would be no effect related to or from flooding as a result of a levee or dam, as those types of events do not occur in the project area. Therefore, no impact would occur.

j) Inundation by seiche, tsunami, or mudflow?

**No Impact.** Seiche and mudflow are hazards generated primarily in terrestrial environments that could affect structures and people on land nearby to inland bodies of water and other inland hydrologic features. However, the proposed project involves only commercial fishing activities, any operating fishing vessels in the offshore, open ocean environment would not increase the risk or vulnerability to hazards from inundation by seiche or mudflow. While tsunamis may travel over open ocean, they do not create impact on open ocean. Therefore, no impact would occur.

**X. Land Use and Planning.** Would the project:

a) Physically divide an established community?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp FMP. The fishery takes place at least 3 nautical miles away from shore. No communities would be divided, either directly or indirectly, from implementation of the FMP and regulatory amendments. Therefore, no impact would occur.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

**No Impact.** The FMP and regulatory amendments would not conflict with any existing land use plan, policy, or regulation because these regulatory changes are focused on management of the fishery which the Department has authority. None of the proposed changes would alter existing obligations that pink shrimp trawl vessels must meet regarding existing state or federal area restrictions. Therefore, no impact would occur.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

**No Impact.** The project area is not subject to a habitat conservation plan or natural community conservation plan. The proposed project involves the preparation of an FMP to sustainably manage the pink shrimp resource and improve the long-term sustainability of the fishery. As mentioned above, activities from the proposed project is not expected to overlap with any of the federal MPAs. Therefore, no impact would occur.

**XI. Mineral Resources.** Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

**No Impact.** Several oil and gas leases are currently active in federal waters off southern California. The most recent sale occurred in 1984, and no new ones have been proposed (BOEM 2021d). The FMP pertains to the operating of fishing vessels and would not affect the production or extraction of any mineral resources. Fishing vessels would continue to abide by existing rules concerning existing operations extracting mineral resources, as well as any future operations that may occur. Thus, there would be no loss of any known mineral resources, or preclusion of future access to any mineral resources. Therefore, no impact would occur.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

**No Impact.** Since no oil and gas extraction sites are located within the project area, the FMP and regulatory amendments would not affect the production or extraction of those resources. Thus, there would be no loss of or preclusion of future access to any mineral resources. Therefore, no impact would occur.

**XII. Noise.** Would the project:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp fishery. The project would not result in any construction activity that would generate noise disturbance nor would it increase noise levels compared to baseline conditions. Therefore, no impact would occur.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

**No Impact.** As discussed in question XII (a), the project would not result in any construction or other activities that would generate groundborne vibration or groundborne noise levels. Therefore, no impact would occur.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp fishery. The project would not result in any permanent, fixed noise sources nor would it result in a substantial increase in ambient noise levels in the project vicinity above baseline conditions. Therefore, no impact would occur.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp fishery. No construction is proposed a part of the project that would result in temporary or periodic noise disturbances. Therefore, no impact would occur.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

**No Impact.** The proposed project involves the preparation of a Pink Shrimp FMP to sustainably manage the pink shrimp resource and improve the long-term sustainability of the fishery. There would be no substantial effect on the existing noise conditions from implementation of the proposed project. In addition, the project is offshore and not located near sensitive receptors. Therefore, no impact would occur.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**No Impact.** Similar to question XII (e), there would be no substantial effect on the existing noise conditions from implementation of the proposed project and no sensitive receptors would be located near the vicinity of a private airstrip. Therefore, no impact would occur.

**XIII. Population and Housing.** Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**No Impact.** The FMP would not include construction of new housing or commercial businesses. Therefore, no direct population growth would result from implementation of the FMP or regulatory amendments. In addition, the proposed changes would not require or indirectly cause any new construction or any infrastructure modification, and no additional temporary or permanent staff would be needed for operations and maintenance of the fishery. Therefore, no impact would occur.

- b) Displace substantial numbers of existing homes, necessitating the construction of replacement housing elsewhere?

**No Impact.** The FMP would not remove any homes or require construction of replacement housing. Therefore, no impact would occur.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**No Impact.** The FMP would not displace any people or require construction of replacement housing. Therefore, no impact would occur.

**XIV. Public Services.** Would the project:

- a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

**No Impact.** No construction of any new government facilities or the alteration of any existing government facilities that would increase the demand for fire protection services is proposed as part of the project. In addition, the project area is within the marine environment and the potential for fires would be limited to those on board of fishing vessels. The FMP and regulatory amendment would not substantially increase the amount of vessels in the project area or the demand for fire services. Therefore, no impact would occur.

Police protection?

**No Impact.** The FMP would not involve the construction of any new government facilities or the alteration of any existing government facilities that would increase the demand for police protection services. In addition, the FMP would not substantially increase the amount of vessels in the project area or the demand for police or other law enforcement services. Therefore, no impact would occur.

Schools?

**No Impact.** The FMP would not involve the construction or alteration facilities that would increase the demand for schools. Therefore, no impact would occur.

Parks?

**No Impact.** The FMP would not involve the construction or alteration of any facilities that would increase the demand for parks. Therefore, no impact would occur.

Other public facilities?

**No Impact.** The FMP would not involve the construction or alteration of any facilities that would increase the demand for other public facilities. Therefore, no impact would occur.

**XV.Recreation.** Would the project:

- a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**No Impact.** The proposed project would not result in increased use of recreational facilities in neighborhood or regional parks above existing conditions. Pink shrimps are not targeted recreationally, and as such no recreational facility is involved. As a result, no new construction or expansion would be required. Therefore, no impact would occur.

**XVI. Transportation/Traffic.** Would the project:

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including

but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

**No impact.** The proposed project would not conflict with any plans or policies related to circulation. The FMP and regulatory amendments would not conflict with the performance of existing circulation systems for traffic. Therefore, no impact would occur.

- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

**No Impact.** The proposed project is located within the marine environment and is not subject to any congestion management program for roads or highways. Therefore, no impact would occur.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

**No Impact.** The proposed project is within the marine environment and implementation of the project would not affect any air traffic patterns. Therefore, no impact would occur.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**No Impact.** No new facilities would be constructed under the FMP, and implementation of these changes would not involve any design feature related to any transportation of traffic-related infrastructure. Therefore, no impact would occur.

- e) Result in inadequate emergency access?

**No Impact.** The proposed project would not change emergency access within the project area. Therefore, no impact would occur.

- f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

**No Impact.** The proposed project is located within the marine environment. The FMP would not affect adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Therefore, no impact would occur.

**XVII. Tribal Cultural Resources.** Would the project:

- a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

**No Impact.** Both the Commission and CDFW are committed to open communication with Tribes under their respective consultation policies (CDFW's Tribal Communication and Consultation Policy, which is available through the CDFW's Tribal Affairs webpage at <https://www.wildlife.ca.gov/General-Counsel/Tribal-Affairs>; Commission's Tribal Consultation Policy, which is available through the Commission's Policies webpage at <http://www.fgc.ca.gov/policy/p4misc.aspx#tribal>). CDFW has initiated communication with tribes on issues concerning pink shrimp management on July 10, 2021. Department staff received a response from the Rincon Band of Luiseño Indians requesting further discussion on August 6, 2021. Department staff then held a discussion with Representative from the

tribe on August 31, 2021. During the discussion, staff explained to the Representative the fishery's background and the details of the proposed project. The Representative raised some concerns over the environmental impact of trawl fishing generally, and Department staff reassured the Representative that shrimp trawling will continue to be prohibited inside state waters.

**XVIII. Utilities.** Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp fishery. No land use changes or development are proposed as part of the project which would generate wastewater requiring treatment. Therefore, no impact would occur.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

**No Impact.** The FMP would not include any facilities that would require water and would not increase the demand for water. In addition, the proposed project would not result in impact related to construction of new or expanded wastewater treatment facilities. Therefore, no impact would occur.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

**No Impact.** The proposed project is an FMP for the commercial pink shrimp fishery. Implementation of the project would not result in land use change or development that would generate stormwater that would require the construction of new storm water drainage facilities or the expansion of existing facilities within the project area. Therefore, no impact would occur.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

**No Impact.** The FMP would not include any facilities that would require water and would not increase the demand for water. Therefore, no impact would occur.

e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?

**No Impact.** See discussion under XVIII (a). There would be no impact related to wastewater treatment capacity.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

**No Impact.** Although some solid waste is generated with fishing activities, implementation of the FMP and regulatory amendments would not result in an overall increase in solid waste generated by the fishery. Therefore, there would be no impact on landfill capacity.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

**No Impact.** The FMP would not result in a change in compliance with solid waste regulations. Therefore, no impact would occur.

h) Interfere with utilities?

**No Impact.** Fishing activities are not known to interfere with underwater cable or other submerged utilities. Therefore, no impact would occur.

**XIX. Mandatory Findings of Significance.**

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the

number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

**No Impact.** As evaluated in this Initial Study, the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory. The proposed FMP would benefit the Pink Shrimp fishery by adaptively managing it to ensure the long-term health of the resource. The proposed management changes, which include the implementation of harvest control rule, the footrope lighting device requirement, and the clarification of prohibiting bottom trawling within state waters all serve to protect the environment and conserve natural resources.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

**Less Than Significant Impact.** The potential for adverse cumulative effects were considered in the response to each question in sections I through XIX of this Initial Study. The Bureau of Ocean Energy Management is in the process of considering an offshore wind energy project off southern Humboldt County and Morro Bay (BOEM 2021a). In its 2021 SB 100 Joint Agency Report in March 2021 (CEC 2021), the state specifically noted fishing as a competing use for offshore wind energy development. However, the currently proposed area for the wind energy project is placed beyond the depth of pink shrimp habitat (BOEM 2021b; BOEM 2021c). Furthermore, nothing in the proposed project would change the fishery’s obligation that may arise from the approval of these projects.

On a separate note, one of the main impetuses for the development of the project is to help the pink shrimp fishery in California obtain the Marine Stewardship Council (MSC) certification. The certification of the fishery in Oregon but not California is the primary reason why fishing vessels that harvest shrimp off California often choose to make a longer trip into Oregon ports to land their catch (Figure 3). By adopting the FMP and incorporating the same harvest control rule that Oregon and Washington adopted, the Department is expecting to help its fishery obtain MSC certification.

It is important to note that the MSC certification is performed by a private third-party and is not guaranteed by the adoption of the FMP. Even if the certification effort is successful, the overall level of fishing activities is not expected to increase. As Figure 7 shows, while the number of vessels landing in California did rise following Oregon’s MSC certification in 2007, it did so very slowly and bore no relation to the amount of landings, not to mention that around that time, landings increased in both Oregon, where the fishery is MSC-certified, as well as California, where the fishery is not. More importantly, when Washington was certified in 2015, the slow increase in the number of vessels did not accelerate. This suggests that the number of vessels willing to participate in the fishery is likely determined by factors other than MSC certifications. California’s potential MSC certification is thus unlikely to affect the overall number of fishing vessels in the ocean.

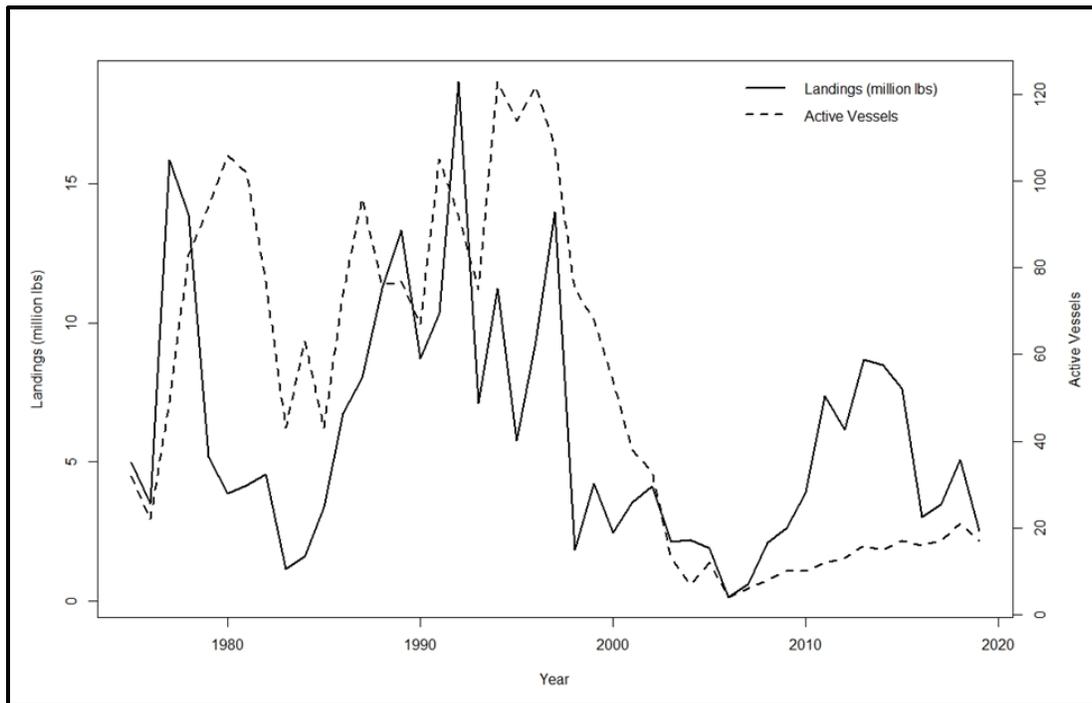


Figure 7. Number of active vessels and landings (million lb) in the California pink shrimp fishery from 1970-2019 (CDFW Marine Landings Data System 2020).

As a result of this evaluation, there is no substantial evidence that there are adverse cumulative effects associated with the proposed project that would have significant impacts or require mitigation. Pursuant to the MLMA, this project in combination with past, present, and probable future projects would contribute to the conservation of marine ecosystems and marine living resources. Therefore, the proposed project would not add considerably to any cumulative impacts in the region. Therefore, cumulative impacts would be less than significant.

- c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

**No Impact.** The potential for adverse direct or indirect impacts to human beings were considered in the evaluation of environmental impacts for certain questions in sections I, III, VI, VIII, IX, XII, XIII, and XVI of this Initial Study. As a result of this evaluation, the proposed project would not have environmental effects that would cause substantial adverse direct or indirect effects on human beings. Therefore, no impact would occur.

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