

Exhibit 3: Mitigation and Monitoring Program

California Derelict Fishing Gear Removal Program

MITIGATION AND MONITORING

As identified in the Initial Study, certain project activities have been modified in order to decrease, minimize or eliminate potential effects on the environment. Specifically, the following mitigation measures have been incorporated into the project plan in order to reduce or prevent impacts to the following species, environmental components, or ecological services:

Potential for Impact	<u>Mitigation Measure</u>
Threatened and endangered species, general	Prior to engaging in derelict gear removal, the local state and/or federal agencies will be contacted for information on the presence of any species of concern and of habitats of special concern in the vicinity of the proposed derelict gear removal, and removal operations will be directed away from these areas and/or rescheduled so as not to take place at a time of year when these habitats are critical for certain species
Injured wildlife	If a live marine mammal, bird or reptile is determined to have a life-threatening injury as determined by the gear removal team, appropriate marine wildlife rehabilitators will be notified and the animal transported to their facility
Large cetaceans	No purposeful vessel approach, use of sonar, or diver entry within 100 yards of animal visible at sea surface
Pinnipeds	No vessel approach, use of sonar, or diver entry within 100 yards of a rookery, haul-out site, or of an individual animal(s) visible at the sea surface
Southern sea otters	No purposeful vessel approach, use of sonar, or diver entry within 100 yards of an animal visible at sea surface.
Threatened or endangered marine birds	No purposeful vessel approach, use of sonar, or diver entry within 100 yards of a breeding colony or within 50 yards of a bird visible at the sea surface.
Tidewater goby	No project activities (gear removal) in <1 m depth brackish water/estuarine habitat within range of this species
Salmonids	No gear removal in marine water within 500 yards of entrances to spawning rivers during spawning season.
White abalone	No removal of derelict gear within 10 yards of an individual(s)
Sea turtles	No purposeful vessel approach, use of sonar, or diver entry within 50 yards of an animal visible at sea surface.
Underwater habitat	If the process of removing the gear is going to damage habitat more than the presence of the derelict gear, the gear will not be removed, and/or it will be modified in place to reduce its harmful effects.

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<u>Potential for Impact</u>	<u>Mitigation Measure</u>
Contaminated sediment areas	Removal efforts that could disturb sediment will not occur in areas of known contamination so as to avoid the suspension of contaminants in the water column; if removal of the gear has been identified as a high priority because of known damage or hazard posed by the gear, then the gear removal team will meet with the appropriate regulatory agencies to determine the best methods for removal.
Seafloor sediments	In order to minimize sediment destabilization and alterations in the contours of the seafloor, divers will replace sediments after the gear has been removed, e.g. refill any pits in the seafloor created after gear removal.
Accidental oil spill	In order to minimize contamination of the marine environment by an accidental release of petroleum products from the vessel, the US Coast Guard shall be contacted immediately to implement containment and clean-up efforts as soon as possible.
Air quality	Local air quality control districts will be consulted prior to gear removal operations; if air quality is poor and minimal use of vehicles is recommended, gear removal operations will be postponed until a day when air quality has improved.
Diver impacts	Divers who will be engaged in underwater removal of derelict fishing gear will be trained beforehand in methods for removal that prevent damage to habitats and impacts to biota. Divers will be trained to disentangle and/or detach live animals and vegetation from the gear at the site of gear removal before transferring the gear to the surface for loading onto a vessel. Dead organisms caught in derelict gear will be censused on board by the team biologist, and then returned to the water to resume decomposition and degradation by scavengers.
Cultural resources	Gear removal on or in the near vicinity of sunken vessels will not be removed until State Lands Commission or State Parks and Recreation have been consulted as to feasible gear removal methods that will prevent impacts to the integrity of the resource.
Marine protected areas	In order to ensure that project activities do not conflict with special habitat or species protection measures of a marine protected area, approval will be obtained from the appropriate management agency prior to project activities.
Traffic/roadways	To ensure that utilization of a single large transport vehicle is required for disposal of removed gear at a local landfill, best efforts will be made to make this trip during the non-rush hour, and to use roadways of appropriate capacity for the vehicle.

Waste disposal	To minimize inputs to public landfills, all efforts will be made to repatriate derelict gear identifiable to owners, or to recycle gear at gear recycling stations. To ensure that disposal needs at public landfills do not exceed landfill capacity, local landfills will be contacted prior to gear removal efforts to ensure that the landfill can accept and dispose of the removed gear.

To ensure that these mitigation measures are implemented, we will undertake the following monitoring activities on-site:

- The SeaDoc Society Derelict Fishing Gear Removal Project Coordinator will ensure that all mitigation measures are implemented.
- Water clarity/visibility permitting, divers will obtain photographs or record video underwater of live organisms before and after disentanglement from gear to document presence and then removal of live animals.
- Divers will obtain photographs or record video of any derelict gear that is left in place as is, or is modified in place to permanently disable it.
- If a substantial level of digging around a partially embedded piece of gear is required to remove it, divers will obtain photographs or record video of the site after removal, to demonstrate best effort at replacing bottom substrate back into holes or pits created by the gear removal effort.
- If divers sight cetaceans, pinnipeds, sea otters, turtles or identifiable threatened or endangered fish or invertebrate species during gear removal operations, the sighting will be recorded, and the behavior of the animal in the vicinity of the gear removal site will also be recorded and reported to the appropriate resources management agency.