

Public Proposed Changes to Abalone Sport Fishing Regulations
and Department Recommendations
To Accept or Deny Those Changes

Recommendation #, Format, Name, Date, Location	Change(s) Proposed to Abalone Sport Fishing Regulations	Department Recommendation:	Basis for Department Recommendation
Recommendation #1 O Jim Martin, Rick Copeland 4/17/2013 Santa Rosa	Proposes amending subsection 632(b)(12), Title 14, CCR to re-designate the Stewarts Point State Marine Reserve (SMR) to a State Marine conservation Area (SMCA) to allow abalone fishing.	Deny	<p>Subsection 632 (b)(11) Stewarts Point State Marine Conservation Area (SMCA) where the recreational take of abalone is permitted is clustered within the Stewarts Point State Marine Reserve (SMR) where the take of all living marine resources is prohibited [subsection 632(b)(12)]. The proponents advocate reopening the area that was closed by the SMR during the implementation of the Marine Life Protection Act (MLPA) process in the North Central Coast Region. The ongoing MLPA process provides the opportunity for review and adaptive changes of existing MPAs based upon ongoing monitoring and evaluation, and consequently it is not appropriate to consider such changes under regulations for routine fishery management.</p> <p>A network of Marine Protected Areas (MPAs) was established in North Central Coast in 2010 to help improve overall health of the marine ecosystem and the species upon which it is built. The Stewarts Point SMR is one of the few stakeholder-developed “preferred size” MPAs (18-36 square miles) and was specifically designed to protect large continuous stretches of habitat. It is a backbone MPA. For slow-growing species such as abalone, the influence of the MPAs in the region will take many years to be realized. Abalone grow to a minimum legal size of 7 inches in approximately 12 years. The Department and the Commission support the underlying principles of the MLPA and see value in allowing the MPAs time to recover from past fishing pressure so that the monitoring program can reflect a more naturally functioning ecosystem. This</p>

			adjustment time would also provide the opportunity for the protected abalone to enhance the regional productivity of the stocks.
Recommendation #2 O Jim Martin, 4/17/2013 Santa Rosa	Proposes amending subsection 29.15(b)(2) to designate the legal start time to 7:00 AM	Accept with modification	The Initial Statement of Reasons (ISOR) includes an Option to amend the legal fishing hours with sub-options to set the legal start time at a time within the range of 7:00 AM and 8:00 AM.
Recommendation #3 O Paul Weakland 4/17/2013 Santa Rosa	Proposes amending subsection 29.15(a), Title 14, CCR to open areas to the south of the mouth of San Francisco Bay to abalone fishing	Deny	The speaker recommends opening up areas south of San Francisco (San Francisco, San Mateo, Santa Cruz, and Monterey counties and areas south) which are currently subject to an abalone fishing moratorium under section 5521 of the Fish and Game Code (FGC). Under section 5522 (d) of the FGC the Commission has the authority to reopen all or portions of the moratorium area if they find that the abalone resource can support harvest activities. The Department does not have current information on the status of the abalone population in the area immediately south of San Francisco Bay. Consequently, the Commission has no current information to base a decision to resume harvest activities, and acquisition of such information will not happen within the time frame of this regulatory change process.
Recommendation #4 O Karen Garrison 4/17/2013 Santa Rosa	Proposes amending Section 29.15 to add a section requiring a training video for the take of abalone.	Deny	The speaker recommends requiring abalone fishers to watch an abalone harvest training video in order to reduce incidental fishing mortality due to bar cuts. Improper abalone collecting techniques may result in incidental mortality of sublegal animals due to bar cuts (abalone iron cuts). Abalone blood has no clotting mechanism and the animal will die due to loss of blood (hemophelia) as a result of moderate to severe cuts to the foot. Proper collecting techniques will minimize damage to the abalone and reduce mortality of sublegal individuals. It is important that fishers measure the abalone prior to taking them from the rock to insure that they are targeting legal-sized individuals. This is particularly important in the intertidal where the abalone are difficult to remove and are much more likely to be damaged. If the abalone is too

			<p>small, the animal should be replaced to the same location and held in place until it re-attaches.</p> <p>The Department encourages abalone fishers to learn proper techniques for abalone take. A training brochure and other information regarding abalone fishing in California are available online at http://www.dfg.ca.gov/marine/abalone.asp. The brochure is also distributed at popular abalone fishing locations during creel interviews in the spring. The recommendation for additional training outlets, including an online video tutorial, has merit, however, the Department does not have the ability to require fishermen to show proof of this training prior to obtaining an abalone report card at this time.</p>
<p>Recommendation #5 O Ed Schulze 4/17/2013 Santa Rosa</p>	<p>Proposes increasing the Abalone Report Card fee to \$30</p>	<p>Deny</p>	<p>The speaker proposes increasing the Abalone Report Card fees to \$30. Recent legislation has delegated the authority of levying abalone report card fees to the Fish and Game Commission. In principle the Department supports this proposal as the current fees collected from the abalone report card do not cover the expenses incurred for abalone management and enforcement. However the Department recommends not including report card fee changes in this regulatory package. Instead the Department recommends revisiting the fee structure as part of the Abalone Recovery and Management Plan (ARMP) review and revision process which is scheduled to begin after this regulatory change process. This way suggested fees can be aligned with the cost of whatever new management approach is adopted under the revised ARMP.</p>
<p>Recommendation #6 E James Warren Dean 3/8/2013</p>	<p>Proposes amending Section 29.16, Title 14, CCR to make the Abalone Report Card easier to use</p>	<p>Deny</p>	<p>The speaker proposes a simplification of the abalone report card. The abalone report card contains a tag for each abalone caught and a corresponding form to fill out with the date, time, and site of collection. This information helps wildlife officers detect illegal harvests. There are a large number of sites (54) listed on the report card. These fine-scale catch data provide invaluable information on fishing effort and effort shifts and will continue to provide</p>

			critical site-specific knowledge as the Department moves toward area-based management in the future. The Department must also work within the constraints of the Automated Licensing database system for the printing of the report cards.
Recommendation #7 E James Warren Dean 3/8/2013	Proposes reducing the Abalone Report Card fee in proportion to any reduction in the annual limit.	Deny	The speaker proposes reducing the Abalone Report Card fee. Recent legislation has delegated the authority of levying abalone report card fees to the Fish and Game Commission and specifies that fees be set at an amount to fully recover, but not exceed, all reasonable administrative and implementation costs of the Department and Commission. The Department recommends not including any report card fee changes in this regulatory package. Instead the Department recommends revisiting the fee structure as part of the Abalone Recovery and Management Plan (ARMP) review and revision process which is scheduled to begin after this regulatory change process. This way suggested fees can be aligned with the cost of whatever new management approach is adopted under the revised ARMP.