

REGULATORY LANGUAGE

Section 29.15, Title 14, CCR is amended to read:

§29.15. Abalone.

FORT ROSS OPTION

(a) ~~Geographic~~Open Area: Except in the ~~special closure~~ area described in subsection (a)(1) below, abalone may only be taken north of a line drawn due west magnetic from the center of the mouth of San Francisco Bay. No abalone may be taken, landed, or possessed if landed south of this line.

~~(1) Special Closure: No abalone may be taken between a line drawn due west magnetic from the Sonoma/Marin County line, north to a line drawn due west magnetic from the Sonoma/Mendocino County line (All of the Sonoma County coast line). This special closure is in effect from October 4, 2011 through March 30, 2012, and is repealed on March 31, 2012.~~

(1) No abalone may be taken in the Fort Ross area bounded by the mean high tide line and a line drawn due south true from 38°30.63' N, 123°14.98' W (the northern point of Fort Ross Cove) and a line drawn due west true from 38°29.45' N, 123°11.72' W (Jewel Gulch, south boundary Fort Ross State Park) prior to [April 1, 2016 – 2020]. Beginning [April 1, 2016 – 2020] abalone may be taken in the Fort Ross area pursuant to regulations set forth in sections 29.15 and 29.16, Title 14, CCR.

(b) Open Season and Hours:

OPTION 3 – OPEN SEASON

~~(1) Open Season: In the Fort Ross area bounded by the mean high tide line and a line drawn due south true from 38°30.63' N, 123°14.98' W (the northern point of Fort Ross Cove) and a line drawn due west true from 38°29.45' N, 123°11.72' W (Jewel Gulch, south boundary Fort Ross State Park) abalone may only be taken during the months of June, August, September, October and November. In the remainder of the geographic area defined in subsection (a) above, abalone~~Abalone may be taken only during the months of ~~April, May, June, August, September, October and November~~[varied months between April and June and between August and November].

OPTION 1 – FISHING HOURS

~~(2) Open Hours: Abalone may be taken only from one-half hour before sunrise [7:00 - 8:00 AM] to one-half hour after sunset.~~

OPTION 2- DAILY BAG LIMIT

(c) Bag Limit and Yearly Trip Limit: ~~Three~~Two red abalone, *Haliotis rufescens*, may be taken per day. No more than ~~three~~two abalone may be possessed at any time. No other species of abalone may be taken or possessed. Each person taking abalone shall stop detaching abalone when the limit of ~~three~~two is reached.

OPTION 4 – YEARLY TRIP LIMIT

No person shall take more than ~~24~~ [9-21] abalone during a calendar year.

OPTION 5 – APPORTION CATCH BY AREA

In the Open Area as defined in subsections 29.15(a) and 29.15(a)(1) above, not more than [3-21] abalone of the yearly trip limit may be taken south of the boundary between Sonoma and Mendocino counties.

NO CHANGES ARE PROPOSED FOR SUBSECTIONS (d) THROUGH (h).

(d) Minimum Abalone Size: All red abalone must be seven inches or greater measured along the longest shell diameter. All legal size abalone detached must be retained. No

undersized abalone may be brought ashore or aboard any boat, placed in any type of receiver, kept on the person, or retained in any person's possession or under his control. Undersize abalone must be replaced immediately to the same surface of the rock from which detached. Abalones brought ashore shall be in such a condition that the size can be determined.

- (e) Special Gear Provisions: The use of SCUBA gear or surface supplied air to take abalone is prohibited. Abalone may not be taken or possessed aboard any boat, vessel, or floating device in the water containing SCUBA or surface supplied air. Abalone may be taken only by hand or by devices commonly known as abalone irons. Abalone irons must be less than 36 inches long, straight or with a curve having a radius of not less than 18 inches, and must not be less than 3/4 inch wide nor less than 1/16 inch thick. All edges must be rounded and free of sharp edges. Knives, screwdrivers and sharp instruments are prohibited.
- (f) Measuring Device. Every person while taking abalone shall carry a fixed caliper measuring gauge capable of accurately measuring seven inches. The measuring device shall have fixed opposing arms of sufficient length to measure the abalone by placing the gauge over the shell.
- (g) Abalone Possession and Transportation: Abalones shall not be removed from their shell, except when being prepared for immediate consumption.
 - (1) Individuals taking abalone shall maintain separate possession of their abalone. Abalone may not be commingled in a float tube, dive board, dive bag, or any other container or device, until properly tagged. Only after abalones are properly tagged, as described in Section 29.16(b), Title 14, CCR, may they be commingled with other abalone taken by another person.
- (h) Report Card Required: Any person fishing for or taking abalone shall have in their possession a nontransferable Abalone Report Card issued by the department and shall adhere to all reporting and tagging requirements for abalone defined in Sections 1.74 and 29.16, Title 14, CCR.

Note: Authority cited: Sections 200, 202, 205, 210, 220, 240, 5521 and 7149.8, Fish and Game Code. Reference: Sections 200, 202, 205, 220, 5521, 7145 and 7149.8, Fish and Game Code.