De Minimis Recreational Red Abalone Fishery - Strawman Proposals

At the direction of the [Ocean Science Trust-facilitated peer review panel](#) and the Fish and Game Commission, the Project Team will explore the design of a de minimis fishery for the North Coast recreational red abalone fishery. A *de minimis* fishery is 'a fishery with a level of catch that is anticipated to have little to no effect on the health or recovery of a fishery resource'. Modeling work being conducted as part of the red abalone fishery management plan (FMP) development process will help to inform the appropriate level of take (if possible without impacting the resource) of such a fishery.

The document is structured in two sections to provide examples of what a de minimis fishery could look like at various levels of abalone take (Section I), in addition to examples of how a limited number of permits might be allocated among interested users (Section II). These proposals are based on break out group discussions at the May 22 Project Team meeting, as well as email submissions from Project Team members[1]. These proposals are intended as a starting point for Project Team discussions and should not be considered final.

I. Examples of a De Minimis Fishery at Varying Catch Levels

(1) What type of fishery is possible with a Total Allowable Catch (TAC) of 100 animals or less?

Example: Fort Ross Bio-Fishery

The purpose of a bio-fishery would be to collect important biological data on the reproductive condition of adult abalone through recreational fishing opportunities.

- Season Length: Two weekends with low tides during fishing hours (exact dates TBD)
- Bag Limit: Maximum of 2 abalone per day, 2 per permit each season
- Size Limit: At least 7"
- Action Area: Within the boundaries of Fort Ross State Park
- Number of permits: Model derived (likely no more than 50)

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[1] All proposals submitted by the Project Team were reviewed and considered by the Administrative Team:
- Jack Likins- Submitted May 22, 2019 Project Team meeting
- Steven Rebuck- Submitted May 22, 2019 Project Team meeting
- Brandi Easter- Submitted May 22, 2019 Project Team meeting
- Don Thompson- Submitted May 22, 2019 Project Team meeting
- Steven Rebuck- Submitted June 12, 2019
- Edward Schulze- Submitted June 19, 2019
- Ken Morrill - Submitted June 27, 2019

- Special Conditions: Permit holders must present their catch to CDFW check station located at the headquarters of Fort Ross State Park before leaving the area. Permit holders must relinquish the guts of their catch and have their permit countersigned, no later than 5pm of the day they fish.

This Fort Ross example incorporates feedback from the Project Team in the following ways –
- Avoids slot limits
- Limits season lengths and number of landing sites (to increase enforceability)
- Uses size limits
- Conservative daily bag limits <u>and</u> spreads take across multiple dates to encourage multiple trips to North Coast
- Involves fishermen in data collection efforts
- Balances the priorities of supporting the recovery of red abalone while allowing fishing opportunities

(2) What type of fishery is possible with a TAC of 100 to 1000 animals?

<u>Example</u>: Sea Ranch Re-entry Fishery

The purpose of a single-site re-entry fishery is to evaluate the condition of the stock in a finite area using a controlled fishing opportunity.

- Season Length: One month (e.g. August)
- Bag Limit: Maximum of 2 abalone per day, 2 per permit each season
- Size Limit: At least 8" (?)
- Action Area: From Black Point north to the Gualala River
- Number of permits: Model derived (would start small and adjust based on stock status as inferred from fishery dependent and independent data)
- Special Conditions: Permitholders must submit their completed report cards (permits) or enter required data online by September 30.
- Collaborative Research: Scientific partnership between CDFW and stakeholders (e.g. divers, NGOs, academics, tribes and tribal communities) to evaluate fishery area conditions pre- and post-event. Depending on the data desired, could involve citizen scientist surveys of abundance, size frequency, and distribution, etc. Data generated from such surveys could then be used to estimate stock status indicators and verify model predictions/results.

This Sea Ranch example incorporates feedback from the Project Team in the following ways –
- Avoids slot limits
- Limits season lengths and number of landing sites (to increase enforceability)
- Uses size limits
- Conservative daily bag limits

- Involves fishermen in data collection efforts
- Balances the priorities of supporting the recovery of red abalone while allowing fishing opportunities

(3) What type of de-minimis fishery is possible for regions where data has historically been limited?

<u>Example</u>: Humboldt and Del Norte Counties Limited Access Fishery

The purpose of this fishery is to gather data and restrict access to a large area at the northernmost end of the currently authorized area for the recreational fishery, where naturally low abundances cannot support open-access catch levels.

- Size limit: >9" ?
- Bag limit: 1-2?
- TAC/Annual Limit: Model derived, but probably in the order of a couple hundred?
- Season Length: A couple of months during best water period (e.g., August-September) to provide oversight
- Number of Permits: Model derived (would start small and adjust based on stock status as inferred from fishery dependent and independent data)
- Reporting Requirements: Mandatory reporting of catch within 30 days of closure of the season.

This Humboldt/Del Norte example incorporates feedback from the Project Team in the following ways -
- Provides a precautionary fishing opportunity by limiting access and spreading fishing pressure over a larger area
- Provides an opportunity to gather and provide data in a large region where very little data currently exists
- Avoids slot limits
- Can limit season lengths
- Uses size limits
- Will provide conservative daily bag limits
- Can require specific reporting sites and timeframe for reporting for easier enforcement
- Involves fishermen in data collection efforts
- Balances the priorities of supporting the recovery of red abalone while allowing fishing opportunities

(4) Stakeholder Proposal - Edward Shultz (As interpreted by CDFW [Sonke Mastrup])

The purpose of this proposed fishery is to provide limited access based on TACs established for each harvest area or groups of harvest areas.

An example of such a limited access fishery for three sites (McKerricher State Park, Todds Point, and Fort Ross) is provided below:

McKerricher State Park
- Season Length: Month of July
- Bag Limit: 3 per season
- Size Limit: At least 7"
- Area: From Ward Avenue to the North Jetty of Noyo Harbor
- Number of permits: (TBD, would start small and adjust based on stock status as inferred from fishery dependent and independent data)
- Special Conditions: Permitholders must submit their completed report cards (permits) or enter required data online by September 30.

Todds Point:
- Season Length: Month of July
- Bag Limit: 3 per season
- Size Limit: At least 7"
- Area: From south Jetty of Noyo Harbor to north edge of Point Cabrillo MPA
- Number of permits: (TBD, would start small and adjust based on stock status as inferred from fishery dependent and independent data)
- Special Conditions: Permitholders must submit their completed report cards (permits) or enter required data online by September 30.

Fort Ross:
- Season Length: Month of June
- Bag Limit: 3 per season
- Size Limit: At least 7"
- Area: Fort Ross State Park
- Number of permits: (TBD, would start small and adjust based on stock status as inferred from fishery dependent and independent data)

- Special Conditions: Permitholders must submit their completed report cards (permits) or enter required data online by September 30.

II. Examples of How Limited Fishing Opportunities May Be Allocated Among Users in a De Minimis Fishery

Example: Random Lottery
- A random drawing used to select permit recipients out of the pool of applicants for each opportunity
- Each year licensed fishermen may apply for at least one opportunity
- Each year each person would have equal odds of being selected
- Selected applicants must purchase the applicable report card (permit) to fish
- Failure to report the required data by the prescribed date would prohibit the person from applying for permits the following year

Example: Preference Point Lottery
- A random drawing would pick the permit recipients out of the pool of applicants for each opportunity
- The first year that de minimis fishing opportunities are offered, licensed fishermen may apply for at least one of the opportunities
    - Those applicants not selected would receive a point
    - Selected applicants must purchase the applicable report card (permit) to fish
    - Failure to report the required data by the prescribed date would prohibit the person from applying for permits the following year
- The second year that opportunities are offered, applicants would be separated into two groups:those with one point and those without any points
    - A random drawing for opportunities would be conducted using the group with one point
    - Any remaining fishing opportunities would be distributed using a second random draw using the group with no points.
    - All applicants not selected would receive one point.
- Process repeated annually as/if resource allows

Although there are still a number of outstanding details to resolve relative to allocation via lottery draw systems, we provide the following for immediate Project Team consideration:
- Can a person only apply for one opportunity? Multiple opportunities?

- Do we allow party applications?
    - Party applications would allow two or more fishermen to apply together, and if their number came up, all members of the party would receive a permit
- What are the advantages and disadvantages of a random vs. preference point lottery?
    - One drawback of the point system is that if the demand far outstrips the supply, it can create a disincentive for new applicants because it could take a very long time to clear higher point ranks. If this is a concern, allocating a portion of each year's permits to a random pool can offer some hope to those with low points. For example, the FGC could distribute 75% of each year's permits through the point draw and 25% through a completely random draw that all unsuccessful applicants in the point draw are automatically entered in as a consolation chance.