

De Minimis Recreational Red Abalone Fishery - Updated Strawman Proposal

At the direction of the [Ocean Science Trust-facilitated peer review panel](#) and the Fish and Game Commission (Commission), the Project Team, in partnership with the Administrative Team, has been exploring the design of a *de minimis* fishery for the North Coast recreational red abalone fishery. **This document is intended to provide a framework for a *de minimis* fishery within the North Coast recreational red abalone FMP. It outlines management tools available to help inform guidelines for future regulatory consideration and has been updated to include additional options that were identified during the November 21 Project Team meeting.** Its content has been informed by discussions at previous Project Team meetings, as well as email submissions from Project Team members¹. This document has been streamlined for consideration by the Project Team. Modeling work being conducted as part of the management strategy integration process will continue to inform the appropriate level of take (if possible without impacting the resource) of such a fishery. Upon conclusion of the management strategy integration process, this proposal will be included as an Appendix in the final report to the Commission and will continue to be used as a resource to guide FMP development..

Updated De Minimis Fishery Proposal

Current components for consideration in the development of a de minimis fishery proposal are as follows:

- **Season Length:**
 - Maintain status quo (i.e., year round harvest opportunities)
 - Condensed fishing season (i.e., July to October)

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
- Brandi Easter - Submitted July 10, 2019
- Doug Jung - Submitted August 11, 2019
- Steve Rebuck - Submitted August 12, 2019
- Scott Taylor - Submitted September 10, 2019
- Ed Schulze - Submitted September 16, 2019
- Jack Likins - Submitted September 24, 2019
- Jan Freiwald – Submitted October 3, 2019
- Ken Morrill – Submitted October 9, 2019
- Petition for New Abalone Management Zone – Submitted October 18, 2019
- Ken Morrill – Submitted November 18, 2019
- Edward Schulze – Submitted November 18, 2019
- Steve Rebuck – Submitted November 29, 2019

- Consider different seasons for rock pickers (e.g. April to May) and other sectors (e.g. May to October)
- **Daily Bag/Possession/Annual Limits:**
 - Discussed as few as 1 to 2 abalone per permit per season
 - Need flexibility to increase limits as stock recovers
 - Limits could vary or scale based on *de minimis fishery* TAC under consideration to maximize opportunity
- **Number of permits:** (*TBD, results from MSE will inform potential opportunity levels*)
- **Size Limit:**
 - Maintaining status quo (7")
 - Include flexibility to increase size limit to ensure recovery (8" or 9")
- **Management Zones:**
 - Option #1: Considers two fishing zones
 - 1) Marin and Sonoma counties
 - 2) Mendocino, Del Norte, Humboldt counties
 - Option #2: Considers three fishing zones
 - 1) Marin and Sonoma counties
 - 2) Mendocino county
 - 3) Del Norte and Humboldt counties
 - Given current data limitations in Del Norte and Humboldt counties, additional discussions are needed to evaluate sampling needs and to outline what a management strategy could look like
- **Data Collection Scheme:**
 - Prioritize collecting length and density data (as the primary data streams feeding into harvest control rule)
 - CDFW to coordinate data collection with pre-determined governmental and non-governmental entities to inform collection of length [sources: Reef Check, harvesters] and density data [source: CDFW], as well as other data streams under consideration for Part A of decision tree [sources: *TBD*]
 - Can align data needs with permit conditions to have harvesters assist with collecting data that isn't as easily attainable (e.g. body condition or gonad index)
- **Permit Allocation Scheme:** 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 resources allows
 - Potential to include party tags in a lottery system (e.g., up to 6 individuals). If group gets drawn all members get a tag.
- **Special Conditions:**
 - Permit holders must submit their completed report cards (permits) or enter required data online by October 31.
 - Punitive measures to incentivize data collection – consider fine, loss of preference points, and inability to re-apply the following year
 - Permit holders must provide length data (manually or using machine learning applications) and report on underwater observations
 - Potential Tribal subsistence fishing allocation for Tribes and Tribal communities²

This draft proposal incorporates feedback from the Project Team in the following ways –

- Avoids slot limits
- Limits season lengths to increase enforceability
- Uses size limits
- Conservative daily bag limits and spreads take across multiple dates to encourage multiple trips to North Coast
- Balances the priorities of supporting the recovery of red abalone while allowing fishing opportunities
- Involves fishermen in data collection efforts
- 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

² During September 19, 2019 Project Team meeting, it was highlighted that the preference point lottery allocation scheme would not meet subsistence needs of Tribes and Tribal communities. California Fish and Game Commission will need to explore whether they have the authority to allocate a portion of the overall TAC to subsistence only harvest by Tribes and Tribal communities.