

Email/proposal from Ken Morrill

Hi Rachelle,

I would like to ask that my original email (below) and the following proposal be presented to all administrative and PT members for their review.

De minimus fishery for red abalone in Northern California.

First, CDFW must determine what sections (zones) of coastline will be open for recreational red abalone harvest and what TAC will be allowed in each zone. I suggest using Del Norte, Humboldt, Mendocino, Sonoma and Marin counties as the five zones in Northern California.

To allow the maximum number of fisherman to participate during the season, only one abalone tag per person, per year (available on a first come, first serve basis) to be used only in the zone applied for. If the zone of choice is sold out then another zone can be requested.

The opportunity to harvest abalone should be allowed for at least six months of the year, (April-September).

The cost of the tag should be a minimum of \$50 and revenue from the sale of tags must be used to manage the fishery.

The size limit of red abalone should be increased from seven to nine inches to allow several more years of breeding potential.

Fines for poaching must be significantly increased (ie. \$10,000 minimum for possession of an untagged abalone) to discourage the illegal harvesting of abalone. The law must be changed to allow for fine money to supplement revenue from tag sales - all of which will be used to manage the red abalone fishery.

The process of tagging an abalone must begin at the shoreline, or boat, and be completed before leaving the area where the abalone was taken.

Thank you,
Ken Morrill

Rachelle,

First, I would like to commend you for a great job organizing and keeping Wednesday's meeting on track. Not an easy job with participants having differing interests and opinions.

My interest, as a recreational diver, was to learn how CDFW is monitoring California's red abalone population and what the chances are that a recreational abalone season will be restored. I was very disappointed to hear

Sonke state that an open access season will not likely occur for decades. Looking around the room I did not see any divers that have decades to wait to enjoy this sport again.

Being a diver who has observed the red abalone population in Humboldt county for over twenty years I feel CDFW's reliance on density surveys to set TACs and determine the health of the fishery is flawed. Relying on the triggers CDFW currently uses, a fishery in these waters would never have been allowed to open. Yet, a sustainable population has existed here for decades, even though the same HCRs have been adopted that are used in counties to the south - which have much higher abalone populations. Granted this stretch of coastline is less accessible to fishermen and receives much less pressure however, the fishery has not collapsed, even with less stringent HCRs.

A letter from Don Thompson was distributed at the meeting, and he pointed out many of the flaws of relying on density surveys. A very important statement was made that abalone are not evenly distributed across the habitat, instead they are "patchy" and tend to aggregate in certain areas. For a species that reproduces by broadcasting sperm and eggs into the water, aggregation is more important than a larger population distributed randomly across the bottom.

With the loss of suitable habitat, due to overgrazing by purple sea urchins, recruitment in many areas will not be possible. Only when abs have found refuge from these urchin barrens can recruitment take place.

At the meeting I asked Laura how the TAC is determined and what constitutes a normal healthy population? She could not provide an answer but did admit that a sustainable abalone population exists in Monterey where heavy sea otter predation exists. In this area, abalone aggregate in inaccessible cracks and intertidal areas where the otters can not reach them. If density surveys were done in this area, this population would be deemed too low for a fishery despite the fact the population is stable and not in fear of collapse.

Abalone populations in other counties, such as Mendocino and Sonoma, have been abnormally high for more than a century due to the absence of sea otters. The density data collected by CDFW over the last twenty years does not represent a "normal" population but instead should be considered a "Cadillac" population. Therefore, I find it hard to understand how CDFW can define what a healthy red abalone population is or how they determine the TAC.

If we are to discuss the possibility of restoring even a restricted fishery, the first thing we need to know is what the TAC will be. Without a number how can we even begin work on defining a de-minimis or open access fishery?

I believe there were about 26,000 abalone cards sold the last year the season was open. Using this number I would suggest setting a TAC of 10,000, and tags be sold on a first come first serve basis, allowing one abalone per diver per year. The total actual catch would certainly be less than 10,000 as not every tag would end up being used. If the tags were sold at \$50 each, this would generate the same revenue as that received for the last year cards were sold.

I would also recommend a minimum size limit of 9" for red abalone as this would allow several more years of breeding potential, make it harder to take legal abalone in areas where this size is uncommon, and restrict the

season to certain months of year. My guess is that the total number of tags sold may be less than 10,000 because many former divers and rock pickers would not have enough interest to purchase one. Thus, an open access season would effectively be restored and all the additional expenses of managing a de-minimis fishery could be avoided.

To maintain a sustainable red abalone fishery, populations must be monitored and regulated on a county by county basis (or shorter sections of coastline) to determine where suitable habitat exists and what TAC can be allowed to sustain the fishery.

Another letter, from Steven Rebeck, was distributed at the meeting. In this letter he states "by statute, if the red abalone fishery, south of San Francisco is opened to recreational fishing, the former commercial fishery must also be opened". This would be a huge mistake as it would likely facilitate the potential for increased abalone poaching and far less revenue would be generated for the State than if only recreational fishing for abalone was allowed. He proposed a cost of \$100 for recreational abalone tags and \$10 for commercial tags. He estimated a revenue of \$300,000-600,000 from the sale of commercial tags. If instead these tags were only available to recreational fishermen, ten times the revenue could potentially be generated. This is an important revenue which the Department could use (assuming the funds are not deposited into the General Fund) to monitor the abalone population and enforce the regulations.

There is no reason this statute can not be changed and laws created to effectively funnel funds to CDFW to maintain this fishery.

Another issue that should be addressed is opening ocean waters in the southern part of the state to abalone diving. Here again laws will have to be changed. Abalone diving has been closed in waters south of San Francisco since 1997 and since that time abalone populations have improved in these waters. Opening the entire state to recreational fishermen would also lessen the impact to the northern fishery.

Finally, it is vital that fines for poaching be greatly increased, ie, a \$10,000 (or more) minimum fine for possession of an abalone that has not been tagged. Steeper fines should reduce overall poaching thus reducing the number of abs taken and lessen the impact of the TAC on the remaining population.

These are proposals I believe are reasonable, achievable, and would allow the fishery to be opened to those who enjoy it most.

Please forward these ideas along to the admin. and project teams for their review.

Sincerely,
Ken Morrill