

De Minimis Recreational Red Abalone Fishery - Strawman Proposal

At the direction of the [Ocean Science Trust-facilitated peer review panel](#) and the Fish and Game Commission (Commission), the Project Team will explore the design of a *de minimis* fishery for the North Coast recreational red abalone fishery for consideration by the Commission when adopting regulations to implement a red abalone fishery management plan. 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’.

This document is intended to provide a framework for a *de minimis* fishery within the North Coast recreational red abalone fishery management plan (FMP). It outlines management tools available to help inform guidelines for future regulatory consideration. Its content has been informed by discussions and consensus-based decisions 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 red abalone fishery management plan (FMP) development process will continue to inform the appropriate level of take (if possible without impacting the resource) of such a fishery. This proposal is still in draft form and should not be considered final.

De Minimis Fishery Proposal

The purpose of this proposed de minimis fishery is to provide limited fishing opportunities for each fishing zone while generating important biological and environmental data. Current components for consideration in the development of a de minimis fishery proposal are as follows:

- **Season Length:**
 - Some interest in maintaining status quo (i.e. year round harvest opportunities)
 - Also discussed a more 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

- **Bag Limit:**
 - Have discussed as few as 1 to 2 abalone per permit each season
 - Bag limit will scale based on *de minimis fishery* TAC under consideration
- **Number of permits:** (*TBD, results from MSE will inform potential opportunity levels*)
- **Size Limit:**
 - Some consensus around maintaining status quo (7")
 - Open to exploring ability to increase size limit to ensure recovery (8" or 9")
- **Management Zones:**
 - Option #1: Considers two fishing zones -- 1) Marin and Sonoma Counties and 2) Mendocino, Del Norte, Humboldt Counties
 - Option #2: Considers three fishing zones -- 1) Marin and Sonoma Counties, 2) Mendocino County, and 3) Del Norte and Humboldt Counties
 - Option #3: Considers four fishing zones -- 1) Southern Sonoma (below Salt Point), 2) Northern Sonoma (above Salt Point) 3) Southern Mendocino (Salt Point to Caspar), 4) Northern Mendocino (north of Caspar)
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- **Data Collection Scheme:**
 - Prioritize collecting length and density data (as 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

- **Special Conditions:**
 - Permit holders must submit their completed report cards (permits) or enter required data online by October 31.
 - Permit holders must provide length data (manually or using machine learning applications) and report on underwater observations
 - Potential 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.