

Attachment 1
29.15 FSOR 2018 Public Comment on Abalone

Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions, and Reasons for Rejecting Those Considerations.

| Comment # | Name, Organization, Format & Date | Topic(s) Raised | Comment (Paraphrased) | Response |
|-----------|--|-----------------|--|--|
| 1 | <p>Tristin McHugh, Reef Check</p> <p>Verbal testimony at California Fish and Game Commission (Commission) meeting on 8/22/2018</p> | Density | <p>a. Reported on the results of Reef Check surveys with respect to abalone populations in Mendocino and Sonoma counties. So far this year, Reef Check has conducted surveys at six of its seven long-term sites in Mendocino county and three of its four long-term sites in Sonoma county. At each site, six independent transects, each with an area of 60 square meters, were laid out and the number of organisms within each transect were counted. In Mendocino county, prior to the loss of kelp in 2014, Reef Check observed on average about 47 abalone per transect, that density dropped to under 30 abalone per transect last year, and densities have continued to decline to less than 14 abalone per transect in 2018. In Sonoma county, prior to 2014, Reef Check observed on average over 20 abalone per transect, that density dropped to 5 abalone per transect last year, and less than 1 abalone was observed per transect this year.</p> | <p>a. No action taken. The California Department of Fish and Wildlife (Department) welcomes and appreciates data collected by Reef Check and others to help inform the management of the recreational abalone fishery in northern California. These survey results from Reef Check corroborates Department findings of no meaningful positive changes in the status of the abalone resource in the North Coast, as discussed in the Initial Statement of Reason for the proposed change to Section 29.15, Title 14, California Code of Regulations (CCR) dated June 27, 2018. The proposed extension of the red abalone fishery closure will benefit the red abalone resource by protecting it from fishing mortality during the current poor environmental conditions.</p> |
| 2 | <p>Brandy Easter, Recreational Abalone Diver</p> <p>Verbal testimony at</p> | General | <p>a. Supports the Department's proposal to extend the abalone fishery closure sunset an additional two years from April 1, 2019 to April 1, 2021, which would allow more time for the fishery and ecosystem to recover as well as provide more time for</p> | <p>a. Support noted; no further action taken. The Department is in the process of developing a Red Abalone FMP for adoption by the Commission. The Department is committed to making the process transparent,</p> |

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| | Commission meeting on 8/22/2018 and 12/12/18 | | the development of the Red Abalone Fishery Management Plan (FMP) and creation of new guidelines for when the fishery reopens. | objective, and accessible to all, with the ultimate goal of completing an adaptable FMP that will ensure a sustainable and healthy abalone resource. |
| 3 | Doug Jung, Recreational Abalone Diver Verbal testimony at Commission meeting on 8/22/2018 | Sea Urchin Abatement | a. Would like the Commission to consider amending the current method authorized for take of sea urchins to improve both safety for divers and the efficiency of abatement activities. | a. No action taken. This comment concerns sea urchin abatement activities, which is outside the scope of this rulemaking. The Department is currently proposing to add Section 29.06, Title 14, CCR, increasing the recreational take limit of sea urchins, as a separate rulemaking. The proposed regulation would maintain a developing recreational interest in purple sea urchin, and help restore kelp beds that are vital habitat for abalone and other marine life. The Commission discussed this proposal at its December 2018 meeting, and will potentially consider its adoption in February 2019. For more information on this proposed regulation, please visit: http://www.fgc.ca.gov/regulations/2018/index.aspx#29_06 . |
| 4 | Curtis Carley, Recreational Abalone Diver Written comment to Commission | Sea Urchin Abatement | a. Expresses concern that closing the abalone fishery is not the solution and suggests promoting sea urchin abatement. | a. See responses to comment 1a and 3a. |

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| | dated 8/23/2018 | | | |
| 5 | Paul Weakland Verbal testimony at Commission meeting on 10/17/2018 | Other | a. Concerned that the Department is not investigating whether disease is a factor contributing to the decline of red abalone populations in northern California. | a. No action taken. This comment is beyond the scope of the proposed action. The Department Shellfish Health Laboratory monitors and diagnoses known and emerging diseases in wild and farmed shellfish throughout the state. There is no evidence to suggest that the current decline of red abalone populations in the North Coast are due abalone diseases or pests. Rather, the Department believes that the density decline is largely due to environmental conditions (i.e., lack of kelp), resulting in increased mortality due to starvation. |
| 6 | Josh Russo, Watermen Alliance Verbal testimony at Commission meeting on 10/17/2018 | General | a. Similar to comment 2a. | a. Support noted; no further action taken. |
| | | De minimis Fishery | b. Would like the Commission to consider a de minimis fishery as part of the Red Abalone FMP process. | b. No action taken. This comment concerns the development of new harvest control rules for de minimis fishing opportunities, which is outside of the scope of this rulemaking. Additionally, see response to comment 2a. |
| 7 | Jack Likins, Recreational Abalone Diver | General | a. Supports extending the fishery closure sunset date for the recreational red abalone fishery. | a. Support noted; no further action taken. |

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| | Verbal testimony at Commission meeting on 10/17/2018 And 12/12/18 | De minimis Fishery | b. Similar to comment 6b. | b. See response to comment 6b. |
| 8 | Chris Voss, Commercial Fisherman Verbal testimony at Commission meeting on 12/12/18 | General | a. Supports Mr. Likins comments | a. Support noted; no further action taken. |
| | | De minimis Fishery | a. Supports Mr. Likins comments | a. See response to comment 6b. |