

Committee Staff Summary for March 13, 2025

4. Red Abalone Recovery

| Today's Item | Information <input type="checkbox"/> | Action <input checked="" type="checkbox"/> |
|--|---|---|
| (A) Discuss risk tolerance for considering limited harvest opportunities for red abalone in the context of statewide recovery planning; and | | |
| (B) Discuss an extension of the recreational red abalone fishery closure beyond the current sunset date of April 1, 2026, and a potential Marine Resources Committee (MRC) recommendation. | | |

Summary of Previous/Future Actions

| | | |
|--|--|----------------------------|
| (A) Risk tolerance for reopening limited harvest | | |
| • Closed the commercial abalone fishery in southern California | | 1997 |
| • Adopted <i>Abalone Recovery and Management Plan</i> (ARMP); | | December 2005 |
| • Collaborative process for considering potential San Miguel Island red abalone fishery, per Commission direction | | 2006-2009 |
| • Denied petition 2021-001 to open commercial red abalone fishery at San Miguel Island | | October 14, 2021 |
| • Received petition 2024-02 to reconsider San Miguel Island fishery or approve a test fishery via experimental fishing permit | | April 17-18, 2024 |
| • Denied Petition 2024-02; referred discussion to MRC about harvest risk tolerance prior to potential experimental fishing permit applications for harvest | | June 19-20, 2024 |
| • Risk tolerance agenda item postponed | | November 6-7, 2024; MRC |
| • Today: Discuss risk tolerance for reopening limited harvest | | March 13, 2025; MRC |
| (B) Recreational red abalone fishery closure | | |
| • Adopted one-year recreational fishery closure (effective 2018 season) | | December 7, 2017 |
| • Extended closure for two years | | December 12, 2018 |
| • Extended closure for five years | | December 9, 2020 |
| • Today: Discuss fishery closure extension and potential MRC recommendation | | March 13, 2025; MRC |
| • Fishery automatically reopens without new regulatory action | | April 1, 2026 |

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Background

California's abalone populations have experienced significant declines, leading to the closure of commercial fisheries and, more recently, the recreational fishery. Factors have included environmental conditions, disease, and fishing pressure. Despite these closures, a strong passion for these fisheries, a desire to actively monitor and aid abalone recovery, and the aspiration to reinstate harvests, even at small scales, has persisted since the commercial closure in 1997 and the recreational closure in 2018.

Commercial Abalone Fishery

The commercial abalone fishery was closed by the state in 1997, followed by adoption of "Abalone Recovery and Management Plan" (ARMP) in 2005 to guide recovery and management efforts statewide.

Since adoption of the ARMP, a localized population of red abalone at San Miguel Island has been an area of interest for a potential limited commercial fishery. From 2006-2009, a concerted collaborative evaluation process culminated in a Commission decision not to approve a fishery due to concerns over the health and abundance of the San Miguel Island population, and uncertainty over its ability to sustain harvest.

In 2021, the Commission received and subsequently denied a regulation change petition to reopen a red abalone fishery at San Miguel Island; the petitioner submitted supporting video documentation. In 2024, petition 2024-02 was submitted, requesting to open a San Miguel Island red abalone fishery for both recreational and conditioned commercial take; the petition proposed achieving this either through regulations or via an experimental fishing permit (EFP) with required data collection. In June 2024, the Commission denied the regulatory portion of petition 2024-02; however, in response to the EFP option, the Commission directed MRC to initiate a broader discussion on risk tolerance concerning any abalone harvest, including through EFPs, in the context of the overarching statewide abalone recovery efforts.

Recreational Red Abalone Fishery

The recreational red abalone fishery in northern California, once a thriving and beloved resource, was closed by the Commission in late 2017; this action was taken in response to Department findings of a dramatic, large-scale decline of red abalone populations attributed to a confluence of factors leading to severe starvation. The fishery closure has been extended a total of eight years following the original closure due to ongoing poor conditions (see Exhibit 1 for detailed background). The current recreational fishery closure is set to expire on April 1, 2026, meaning that, if no further action is taken, the fishery will automatically reopen under the previous harvest regulations in place prior to the limited-term closure

Today's Discussion

Today's discussion will focus on two aspects of red abalone recovery and fishery considerations: (A) Risk tolerance for limited harvest opportunities, and (B) considering the potential extension of the recreational fishery closure.

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(A) *Risk tolerance for limited harvest opportunities for red abalone in the context of statewide recovery planning*

The Department will provide context for discussion by presenting information on the commercial abalone fishery catch history, the current status of California abalone species, recreational red abalone fishery and density trends before and after the 2018 closure, San Miguel Island abalone and kelp status trends, and corresponding recommendations and rationale (Exhibit 2).

(B) *Extension of the recreational fishery closure (due to sunset April 1, 2026) and potential committee recommendation.*

The Department will present the history of recreational red abalone fishery closures, an assessment of current red abalone stock abundance based on recent surveys, updates on key environmental factors (bull kelp, purple sea urchin, and *Pycnopodia* sea star populations), and its recommendation (Exhibit 3).

Due to the continuing severe depletion of the red abalone stock and the complex interplay of environmental factors, predicting the timing and extent of stock recovery remains highly uncertain. Therefore, the Department does not recommend establishing a new, predetermined, future sunset date for a continuing closure, regardless of whether the time frame is measured in years or decades. Furthermore, a return to previous harvest regulations (which occurs upon closure sunset) would no longer be sustainable for any future fishery, particularly in its early stages after recovery. Instead, the Department recommends implementing an indefinite moratorium, which best reflects the necessary precaution and focus on stock recovery.

The Department's presentation will provide essential context for the current situation and articulate the rationale behind its recommendation.

For both (A) and (B), staff acknowledges that transitioning to an indefinite moratorium on recreational red abalone fishing, and maintaining the current state of no new harvest, including experimental fisheries, will likely be a significant concern for fishing communities and former fishermen given the historical importance of this fishery and the ongoing economic impacts. The Department's presentation and subsequent discussion will offer valuable opportunities to enhance understanding of the rationale underpinning the Department's recommendation, to hear concerns from stakeholders, particularly former fishermen, and to reinforce and build on the shared commitment to collaborative recovery efforts among fishermen, other stakeholders, the Department, and the Commission.

Significant Public Comments

1. A coalition of five organizations, representing the public interest, marine science, environmental justice, and recreational/subsistence fishing interests, seeks to work with the Department and Commission to ensure the resilience of California's marine species and resources to increasing stressors. They advocate for a precautionary approach to red abalone recovery, urging MRC to prioritize scientific evaluation to ensure any potential harvest will not impede population recovery, acknowledge environmental stressors such as climate change and ocean acidification. and require

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robust evidence of recovery before reopening any harvest to ensure long-term population stability and sustainable future harvests (Exhibit 4).

2. A commercial abalone diver advocate, and petitioner for petition 2024-02, reflects on the historical context of the 2005 ARMP development and adoption meetings, advocating for the Commission to reinstate similar practices of ample speaker time and equitable conduct. They express concerns regarding the lack of current surveys and canceled research cruises, and frustration that their video evidence of healthy abalone populations at San Miguel Island was not duly considered. Implicit in their comments regarding past commitments and present conditions is a desire to see the commercial fishery reopened, along with an assertion that the tools are available to facilitate this change (Exhibit 5).

Recommendation

Commission staff: (A) Support the Department recommendations to focus on species recovery, the KRMP process, and partnerships for abalone monitoring and recovery. (B) Support the Department recommendation to continue the recreational red abalone closure through a rulemaking to commence in August 2025 and, in lieu of identifying a new sunset date, to enact a moratorium for an indefinite period of time.

Department: (A) Focus efforts on species recovery, not harvest opportunities; continue to monitor the KRMP process; and build partnerships for abalone monitoring and recovery. (B) Continue the fishery closure and implement an indefinite moratorium by scheduling a rulemaking for notice in August 2025, discussion in October, and adoption in December.

Exhibits

1. [Staff summary from the August 2018 Commission meeting](#), Agenda Item 12, regarding red abalone (*for background purposes only*)
2. [Department presentation – \(A\) Risk tolerance for harvest](#)
3. [Department presentation – \(B\) Recreational fishery closure extension](#)
4. [Letter from Fish On, WILDCOAST, California Marine Sanctuary Foundation, Heal the Bay, and Environment California](#), received February 28, 2025
5. [Email from Steve Rebuck](#), received December 23, 2024

Committee Direction/Recommendation

Recommend the Commission support the Department to: (1) Prioritize a focus on species recovery, not harvest opportunities; (2) continue to monitor the kelp restoration and management plan development process; and (3) build partnerships for abalone monitoring and recovery.

AND

Recommend the Commission schedule a rulemaking to commence in August 2025 to continue the recreational red abalone fishery closure by implementing an indefinite moratorium and/or _____.

STAFF SUMMARY FOR AUGUST 22-23, 2018
For Background Purposes Only

contained in the abalone fishing regulations would be updated as well to reflect the proposed change.

DFW's proposal allows for consideration of a fishery re-opening prior to reaching full recovery (i.e., re-opening the fishery before density standards are fully realized under the ARMP or a red abalone FMP upon adoption by FGC). DFW recommends, however, considering the management triggers in the ARMP or a red abalone FMP once adopted by FGC to determine whether re-opening the fishery to recreational harvesting is warranted. The proposed regulation change is necessary to facilitate recovery of the red abalone population while preparation of the red abalone FMP is currently underway.

Public Comments (N/A)

Recommendation

FGC staff: Authorize publication of the notice as recommended by DFW.

DFW: Authorize publication of the notice as detailed in the draft initial statement of reasons (ISOR).

Exhibits

1. DFW memo, received Jul 30, 2018
2. Draft ISOR

Motion/Direction

Moved by _____ and seconded by _____ that the Fish and Game Commission authorizes publication of a notice of its intent to amend Section 29.15, related to recreational red abalone fishing regulations.



Abalone Harvest Risk Tolerance

March 13, 2025

Presented to:

Marine Resources Committee
CA Fish and Game Commission

Presented by:

Joanna Grebel
Invertebrate Program Manager
Marine Region



Outline

- History of Commercial Abalone Harvest
- Current Status of Abalone
- Red Abalone Recreational Fishery
- San Miguel Island
- Department Recommendations
- Next Steps



Commercial Harvest History

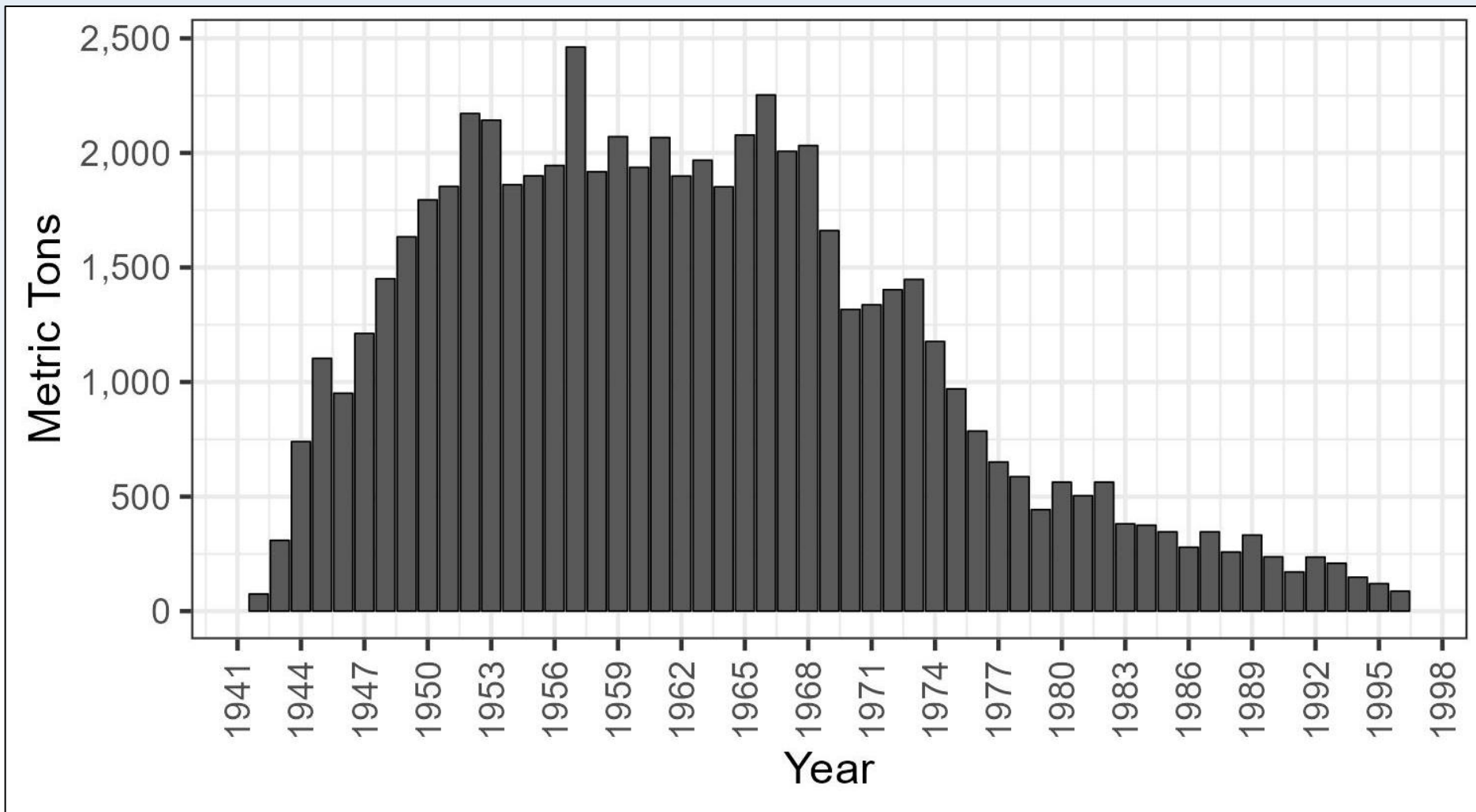
- Late 1800's-1940's: Beginning and growth of commercial fishery
- 50's-60's: Height of commercial fishery, steady landings
- 70's: Rapid decline in landings and serial depletion
- 80's-90's: Low, declining landings and closure of fishery in 1997



Abalone Shell Dump, Seaside, Calif. April 15, 1921. Photo: Monterey County Historical Society.

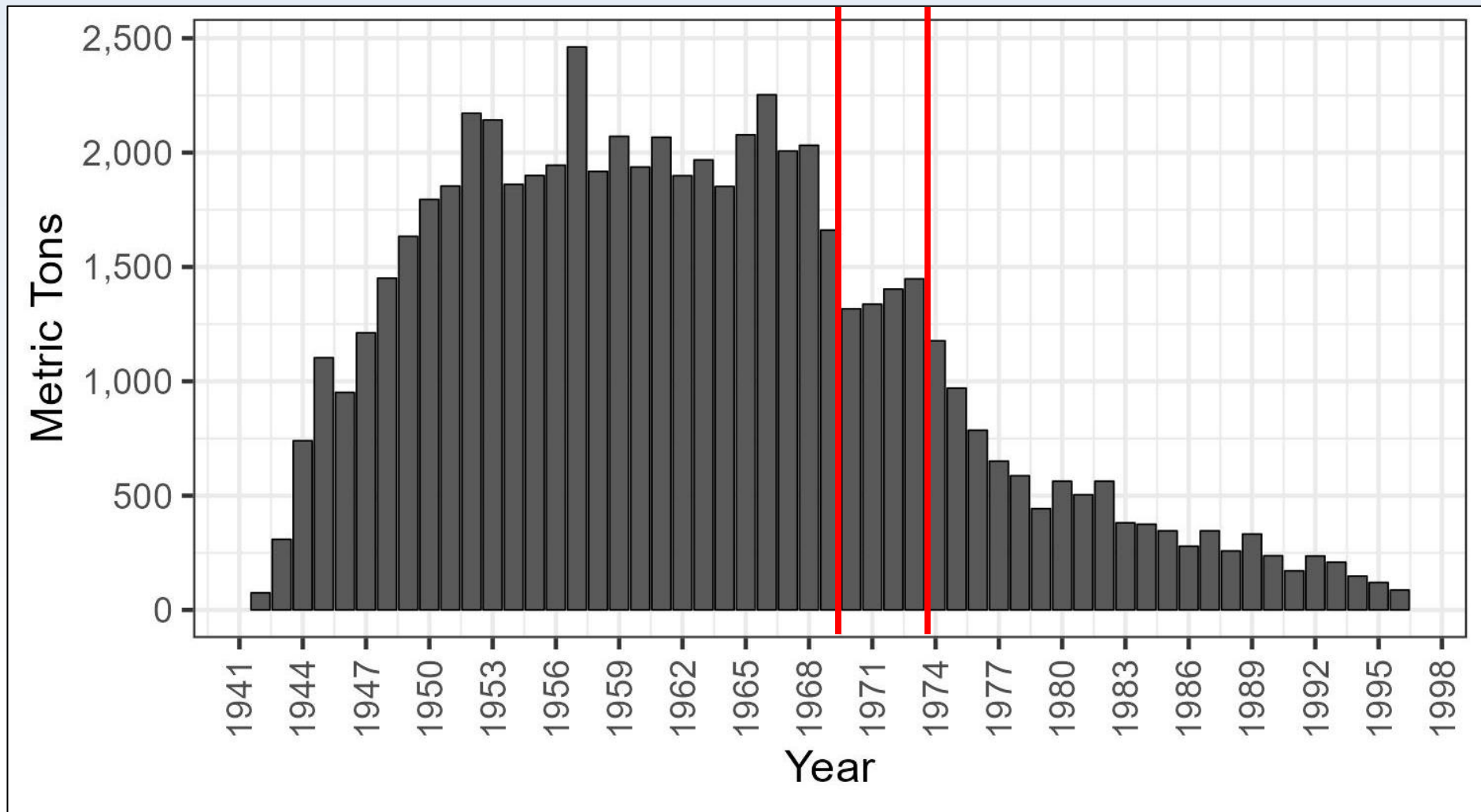


Commercial Abalone Landings



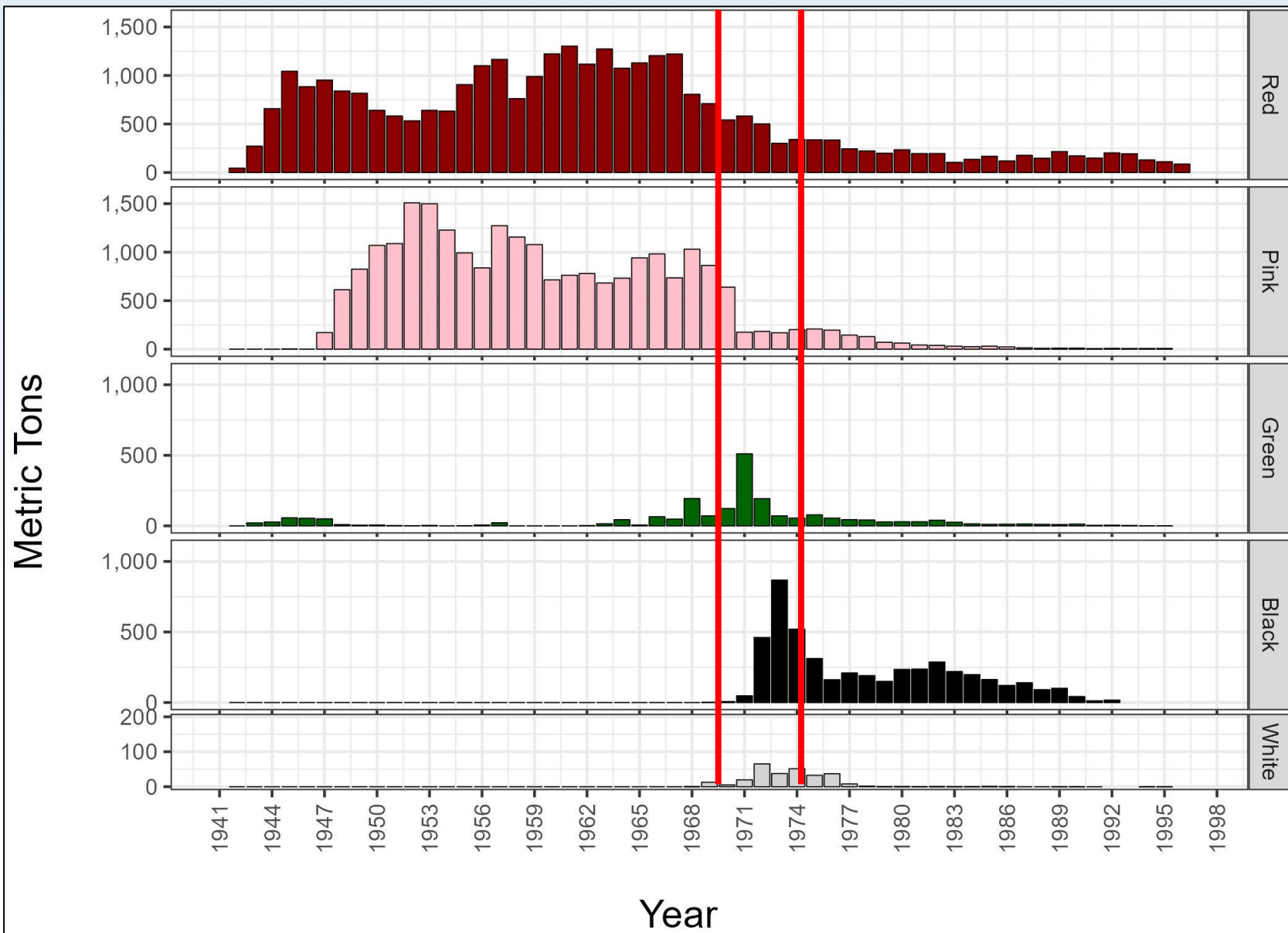


Commercial Abalone Landings- Cont.





Serial Depletion





Current Status

- All 7 CA abalone species remain depleted
- White and black abalone are federally endangered and have federal recovery plans
- CDFW is a key partner supporting Section 6 grants for both species



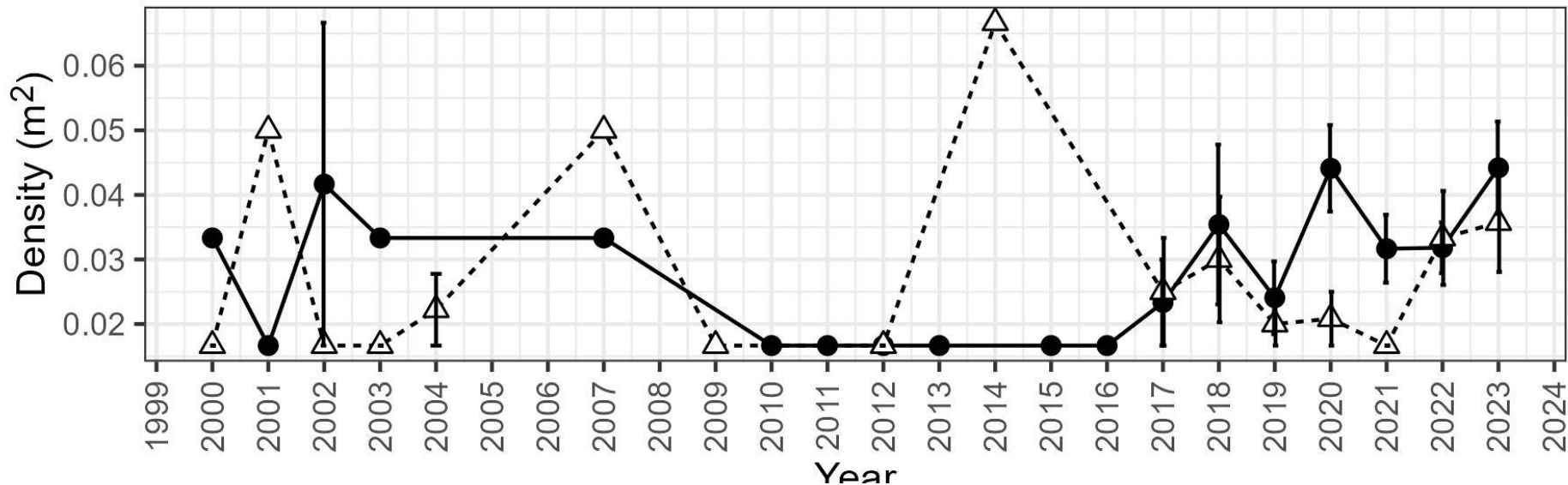
Photo Credit: A. Maguire



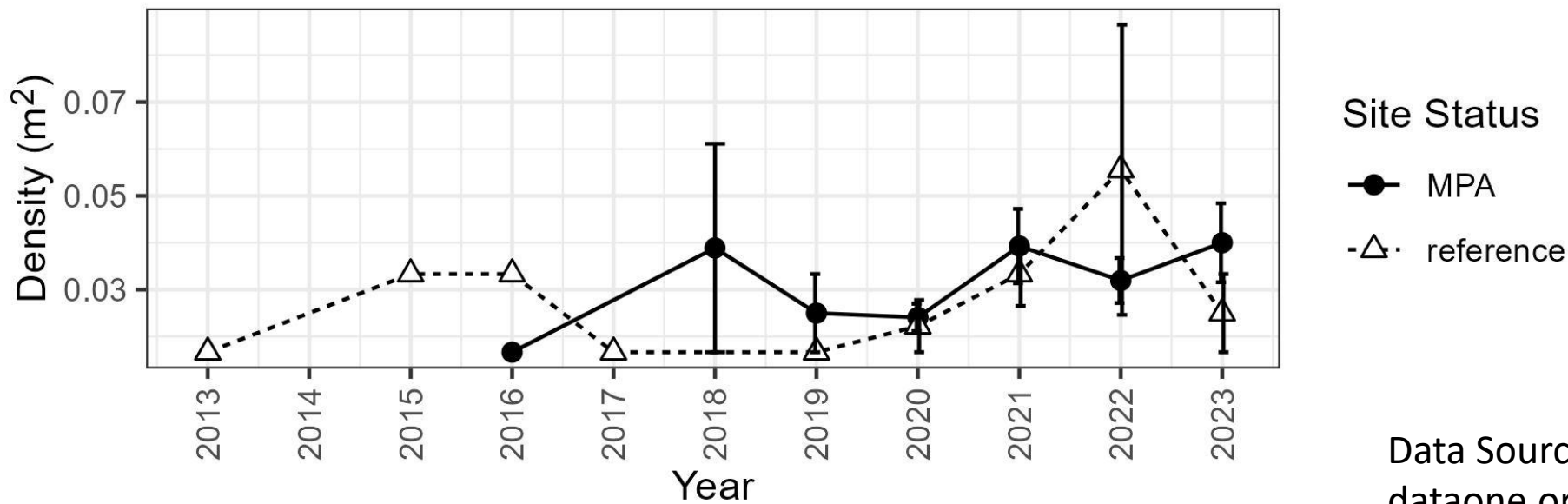
Photo Credit: D. Stein



Current Status - Pink and Green Abalone



Pink



Green

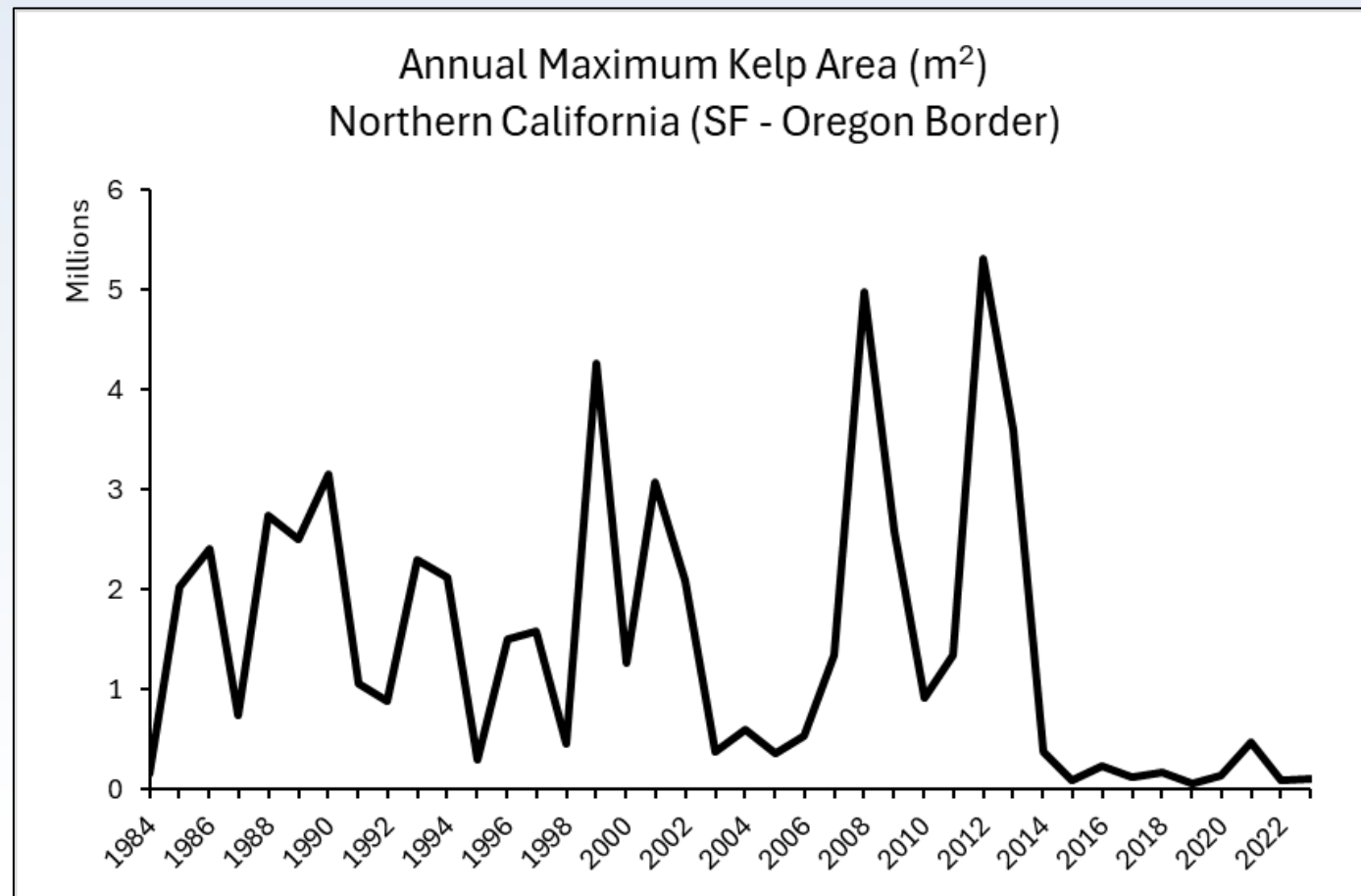
Site Status
● MPA
-△- reference

Data Source: PISCO,
dataone.org



Current Status - Environmental Conditions

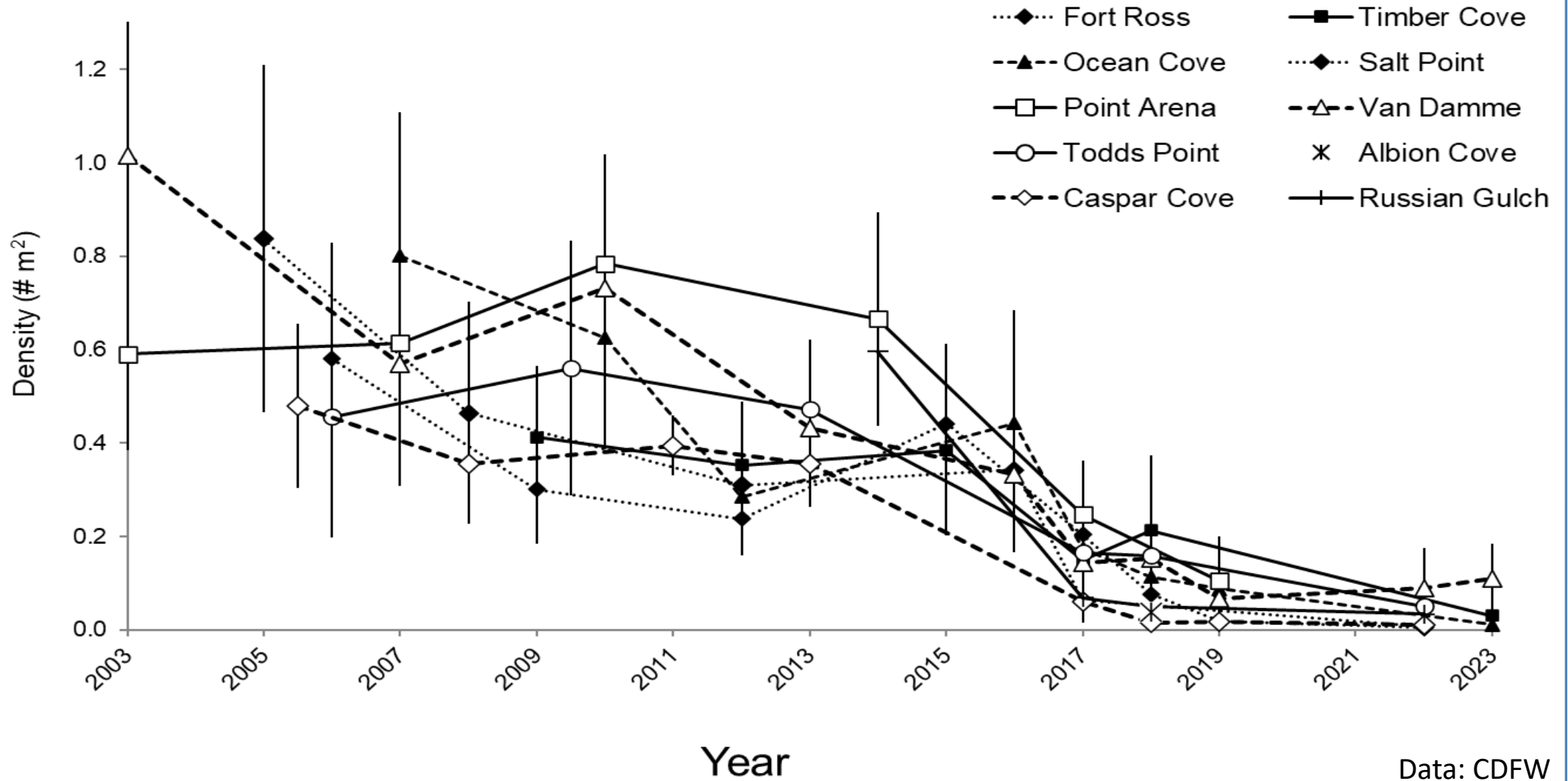
- Greater environmental variability
- Minimal kelp recovery



Data: Kelpwatch.org



Red Abalone Recreational Fishery



Data: CDFW



San Miguel Island

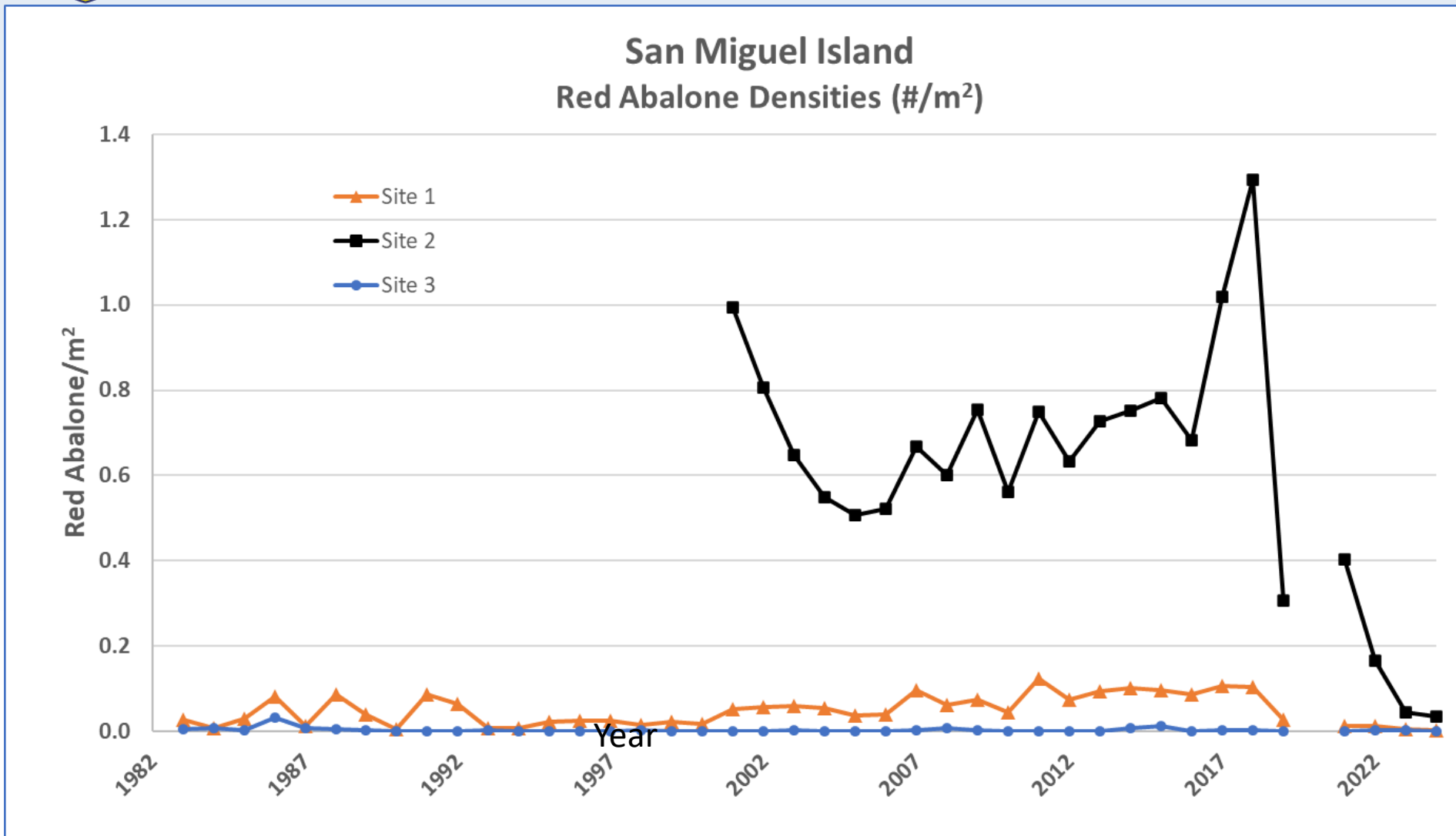
- Refuge for red abalone in Southern California
- Area of interest for test fishery



Photo: ESA



San Miguel Island - Abalone Status

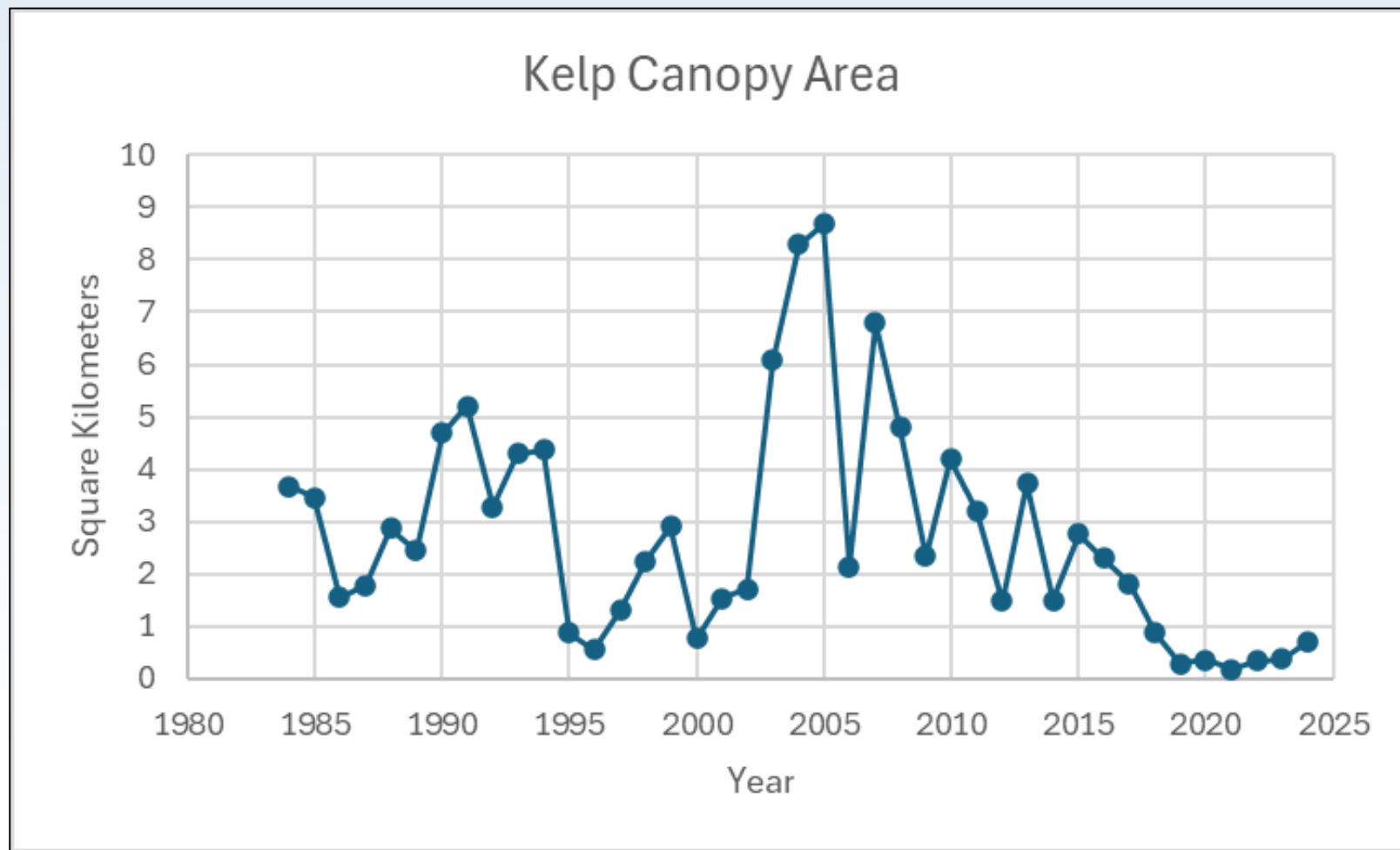


- Abalone density low at all locations

Data: National Park Service Kelp Forest Monitoring Program



San Miguel Island – Kelp Status



Kelp forest conditions at SMI have been poor over the past 8 years

Data: kelpwatch.org

Summary

- Abalone species statewide remain depleted
- Some signs of recovery
- Environmental variability expected to continue in the future





Department Recommendations

- Focus on species recovery, not harvest opportunities
- Continue to monitor Kelp Recovery Management Plan (KRMP) process
- Build partnerships for abalone monitoring and recovery

Next Steps

- Discuss Recreational Red Abalone Fishery (next presentation)
- July MRC Meeting
 - Update on Red Abalone Recovery Planning Process
 - Future Data Collections



Thank You



Questions: Abalone@wildlife.ca.gov



Recreational Red Abalone Fishing Moratorium

March 13, 2025

Presented to:

Marine Resources Committee
CA Fish and Game Commission

Presented by:

Joanna Grebel
Invertebrate Program Manager
Marine Region

Overview

- Background on Fishery Closures
- Current Status
- Department Recommendation





Background – Red Abalone

- Fishery closed in 2018 (one year)
- Second sunset implemented in 2019 (two years)
- Last sunset implemented in 2021 (five years)
- Fishery to automatically reopen on April 1, 2026



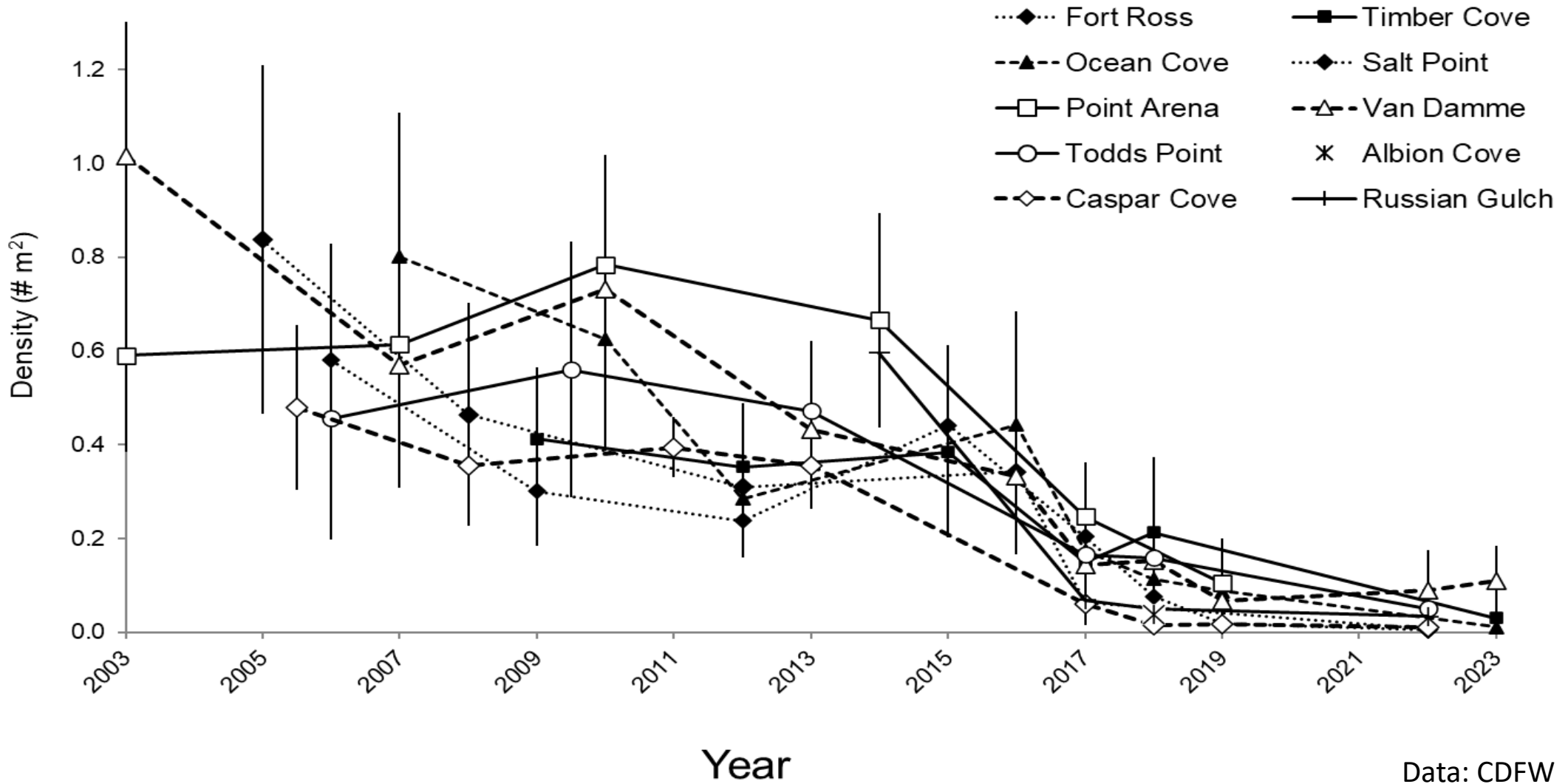
Current State of Knowledge

- Red abalone
- Kelp
- Purple Sea Urchin
- *Pycnopodia sp.*





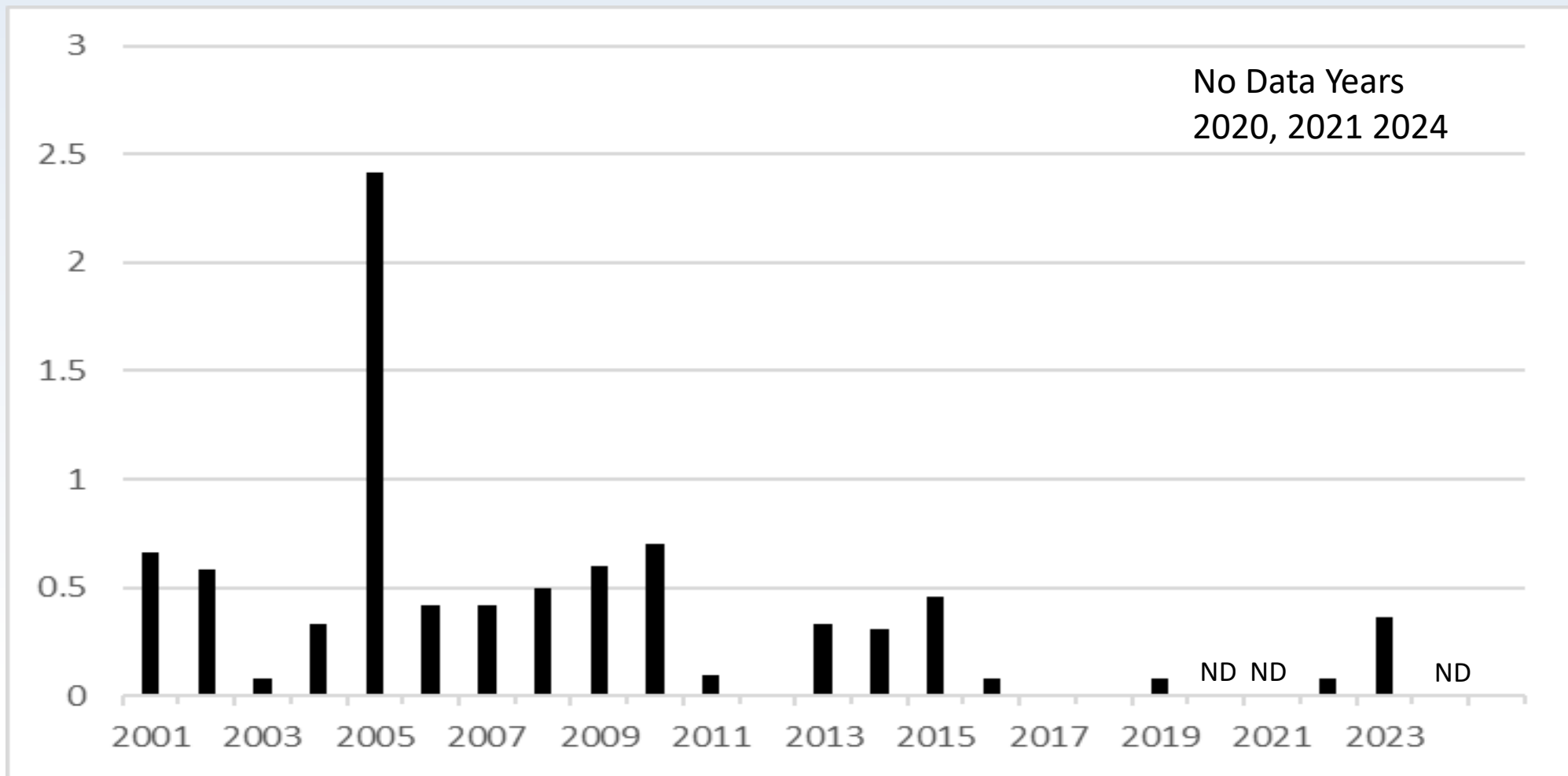
Current Status – Red Abalone Density



Data: CDFW



Current Status – Red Abalone Recruitment

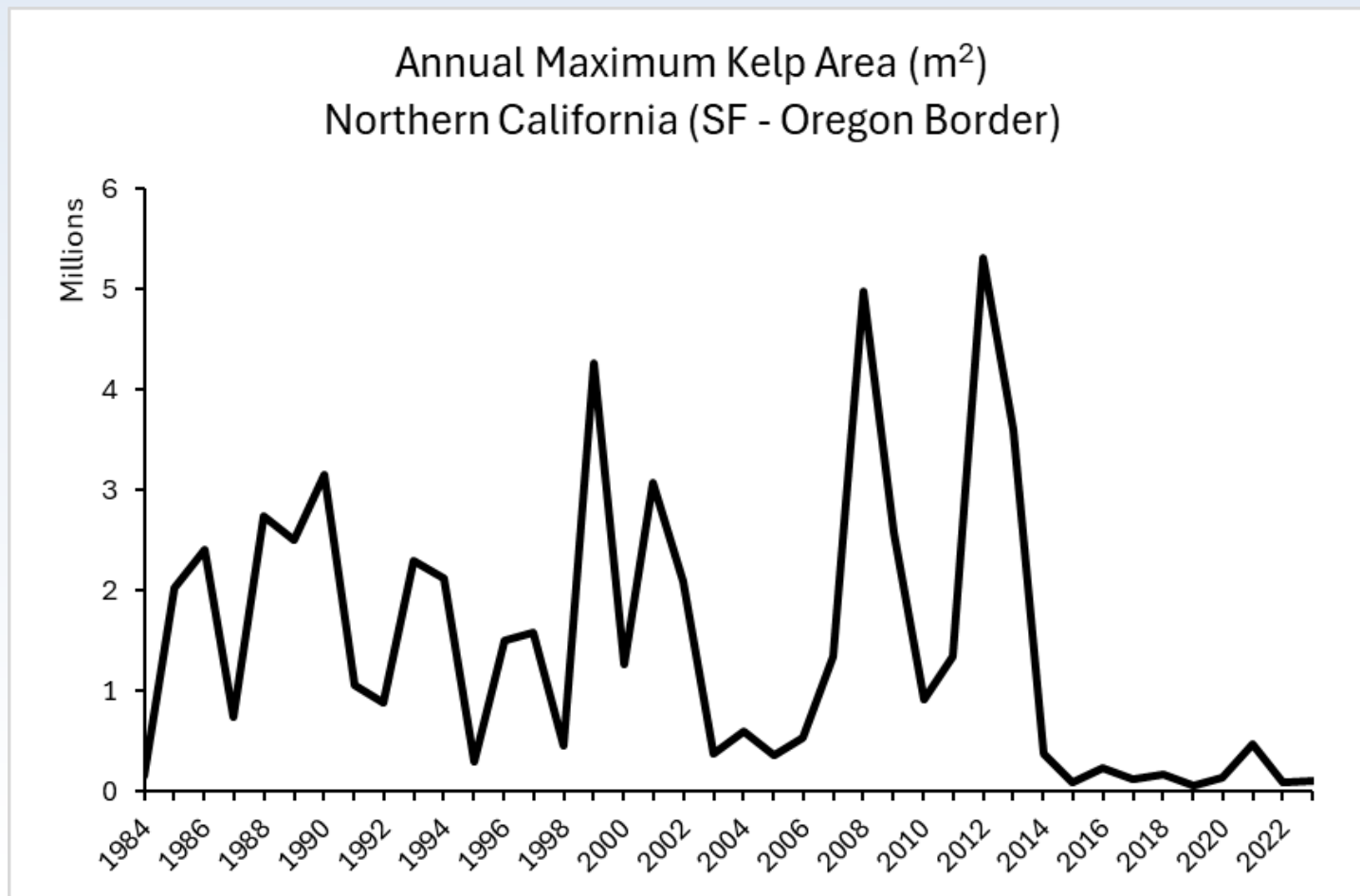


Data: CDFW



Current Status - Kelp

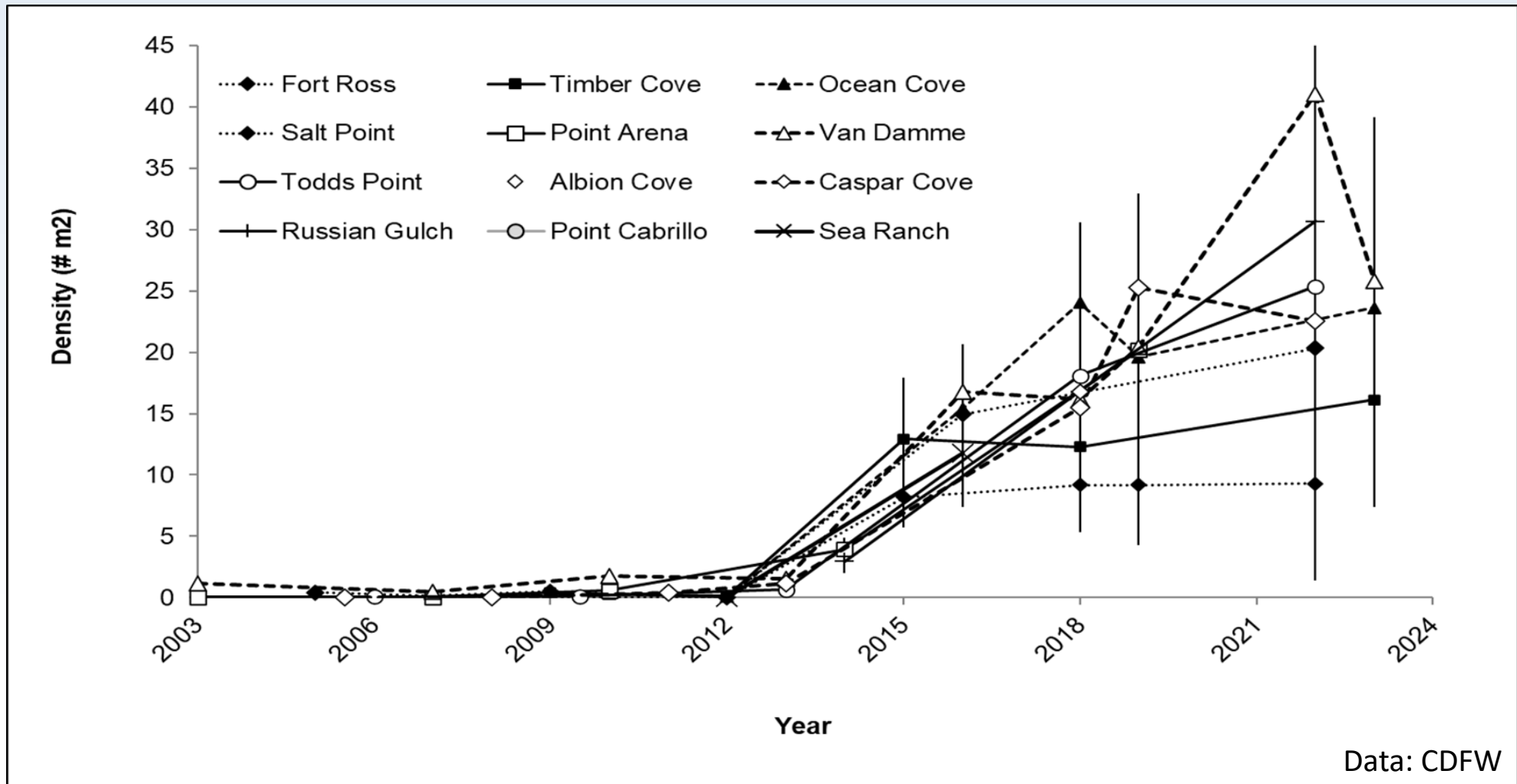
- Over 90% loss of bull kelp canopy in Sonoma and Mendocino
- Minimal recovery since kelp die-off events began in 2014



Data: Kelpwatch.org



Current Status – Purple Sea Urchin





Current Status – *Pycnopodia* sp.

- *Pycnopodia* sp. are functionally extinct in California waters due to disease
- Only 5 observed in CA in 2023



Summary

- Abalone: No widescale recovery.
- Kelp: No widescale recovery.
- Purple Sea Urchin: Continued increases.
- *Pycnopodia*: No recovery.





Recommendation

- Continue fishery closure
- Implement indefinite moratorium





Regulatory Timeline

- Tribal Notification Letter: Late March 2025
- Tribal Committee Meeting: April 2025
- Notice: Aug 2025
- Discussion: October 2025
- Adoption: December 2025
- Target effective date for regulation: March 31, 2026

Thank You



Questions: Abalone@wildlife.ca.gov

From: Zoe Collins <[REDACTED]>

Sent: Friday, February 28, 2025 04:27 PM

To: FGC <FGC@fgc.ca.gov>

Cc: [REDACTED]
[REDACTED]

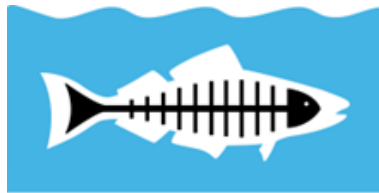
Subject: Red Abalone Recovery NGO Comment Letter

Good afternoon!

Please see the attached document as comments for the March 13th Fish and Game Commission Marine Resources Committee meeting. This letter is one of two submissions and includes comments on agenda item 4 addressing red abalone recovery. Thank you for the opportunity; we look forward to hearing more at the upcoming meeting.

Best,

Zoë Collins



Heal the Bay

ZOË RAELYN COLLINS | MARINE PROTECTED AREA PROGRAM
COORDINATOR

She/Her/Hers ([What does this mean?](#))

Heal the Bay

1444 9th Street

Santa Monica, CA 90401

T: 310.451.1500 x 151 | **F:** 310.496.1902 | **M:** 310.422.2790

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February 28, 2025

California Fish and Game Commission
Marine Resources Committee
P.O. Box 944209
Sacramento, CA 94244-2090

Submitted electronically to fgc@fgc.ca.gov

RE: Comments on Fish and Game Commission Marine Resource Committee March 2025 Meeting Agenda Item 4: Red Abalone Recovery

Dear Vice President Murrery and Commissioner Sklar:

We want to first thank the Fish and Game Commission (FGC) Marine Resource Committee (MRC) and the California Department of Fish and Wildlife (CDFW) staff for their dedication to the effective management of species in California waters based on best available science. The undersigned organizations – representing the public interest, marine science and environmental justice advocates, and recreational and subsistence fishing interests – in collaboration with FGC and CDFW, are working to ensure that marine species and resources in California are resilient to increasing stressors.

We recommend that science be carefully evaluated to ensure that any harvest will not harm the recovery of the red abalone population and urge you to take a precautionary approach to managing this vulnerable and beloved species. The red abalone fishery was closed to prevent its irreversible loss. Any consideration to reopen the fishery needs to be supported by scientific information to confirm that the abalone population is at a level capable of withstanding additional extractive pressure in addition to increasing environmental stressors, like climate change and ocean acidification, that this species now faces. Strong scientific evidence needs to demonstrate that red abalone has recovered sufficiently before opening up the fishery to prevent future collapse of the species and ensure red abalone can be harvested from a stable population for generations to come.

Thank you for your consideration,

Anupa Asokan
Founder and Executive Director
Fish On

Katie O'Donnell
US Ocean Conservation Manager
WILDCOAST

Rikki Eriksen, PhD
Chief Marine Scientist
California Marine Sanctuary Foundation

Ella Merkle
Marine Scientist
California Marine Sanctuary Foundation

Zoë Collins
Marine Protected Area Program Coordinator
Heal the Bay

Laura Deehan
State Director
Environment California

From: Steve Rebuck [REDACTED]
Sent: Monday, December 23, 2024 09:43 AM
To: Miller-Henson, Melissa [REDACTED]; Ashcraft, Susan [REDACTED]
[REDACTED]; Rogers, Kimberly [REDACTED]; FGC
<FGC@fgc.ca.gov>; Bob Treanor [REDACTED]; Shuman, Craig [REDACTED]
[REDACTED]
Cc: TRENT ROBERT PETERSEN [REDACTED]; JONATHAN5685 [REDACTED]
[REDACTED]; Generic Bonnette [REDACTED]
JEFFBALDWIN39 [REDACTED]; Robert Duncan
[REDACTED]; UNIDIVERSE [REDACTED]
Bobby McKinley [REDACTED]; Ed Pierce [REDACTED]
KITAHARA [REDACTED]; Bob_McMillen [REDACTED]
LEONARD.MARCUS [REDACTED]; Bill Bernard
[REDACTED]; SEAPETT [REDACTED]
Arapawabluepearls Co Info [REDACTED]; JBECKERSUP [REDACTED]
[REDACTED]; Mark Becker [REDACTED]; DANV [REDACTED]
[REDACTED]; CHRISJVOSS [REDACTED]; Verhagen
[REDACTED]
Subject: Red Abalone Conservation Plan

To: California Fish and Game Commission
From: Steven L. Rebuck
Date: December 23, 2024
RE: Red Abalone Conservation Plan

Dear Ms. Miller-Henson:

Concerning your Red Abalone Recovery/Conservation Plan. It was my understanding this plan was to be heard at the next meeting, following the one in November 2024. Apparently this Marine Resources Committee (MRC) agenda item is postponed.

This may be a good thing. In preparation for this meeting, I watched the FGC meetings on abalone conducted in 2005. These meetings are conveniently available on your Fish and Game Commission (FGC) website. The dates are:

- * July 12, 2005, Santa Barbara
- * August 16, 2005, San Diego
- * August 19, 2005, San Luis Obispo
- * September 30, 2005 Susanville
- * November 3, 2005 Santa Barbara
- * December 8, 2005 Concord

Of these, July 12, August 19, September 30, and November 3, are the more important meetings. I suggest your staff and Commissioners view these meetings over the next couple months. There are

important differences between how the FGC currently operates in comparison to how Mr. Treanor and President Kellogg previously conducted meetings.

At the 2005 meetings on abalone, speakers were not rushed. Speakers were given adequate time to express their concerns and opinions. Some speakers were allowed 10 minutes or more to make their comments. The benefits were obvious. These professional divers have considerable years of experience. In comparison, the Department of Fish and Game (Department) representatives could not answer questions asked by the Commissioners. Their incompetence was obvious. Lead Department biologist Peter Haaker was embarrassing in his lack of preparation. There was a very useful exchange of information between the divers and Commissioners who were very patient and respectful.

In comparison, our experience with the current Commissions during the last 5 years of testimony has been extremely difficult and unfair. For example, at the April FGC meeting in San Jose, I thought we had negotiated at minimum, 2 minutes per speaker opportunity. Immediately, President Samantha Murray cut our speaker time to 1 minute. Several former divers had driven hundreds of miles, spent considerable dollars on fuel, hotels etc to speak for 1 minutes. Not very gracious nor kind.

One of our speakers, Ed Pierce was not called to speak. We were later told his speaker card was "lost." None of us believed that. Some of the Commissioners typically gush over Native Californians. Besides being a former abalone diver and processor, Ed Pierce is an elder in the California Salinan Tribe. While he did get to speak, it was an hour late and out of context with our previous agenda item. Many people watching online asked me later what had taken place.

Next was the Mammoth Lakes meeting in June. Ed Pierce and I attended and were the only civilians in the room. President Murray limited our time and at the end told me to. "Take your seat!" In my opinion, President Murray is in constant violation of the FGC Code of Conduct. Yet she continually gets away with this behavior. She treats fishermen like they are just so much clutter to be dismissed as soon as possible. She asked no questions concerning the health of the abalone resource, instead read a list of what we cannot fish: Need for a risk assessment, a new survey, and even used my own words against me. And, no mention of the video evidence of resource health at San Miguel Island we showed the FGC at the April meeting.

Then there was the rude behavior of Dr. Craig Shuman in San Jose. He lectured me from the dias: "Why are you here again? We told you before you could not do this" (go fishing again?)! I reminded him it is our US Constitution Right: "...Petition the Government for redress of grievance."

1st Amendment, Bill of Rights, US Constitution.

Again, continued arrogance, ridicule and disrespect by a government agent.

There is considerable evidence that the commercial and recreational abalone divers were told by the Department, the abalone closure of 1997 would be for 2 years. It has now been 28 years with no return to fishing in sight. No surveys. Cancelled cruises. Estimated \$24.million in annual poaching (Department RAFMP, 2014),

Lastly, at the Mammoth Lakes meeting, I raised the issue of Abalone Recovery and Management Plan (ARMP) Alternative 8. This is where we found reference that Alternative 8 had been the "Preferred Alternative" when the 2005 FGC voted to approve the ARMP. I asked the question twice of the Attorney General (AG) representative, but got no answer. Marine Advisor Susan Ashcroft raised the question and she got no answer. I again asked by letter in July 2024. Still no answer. It is now been over 180 days. Why no answer from the AG? In addition, I went online and looked up Alternative 8 again, but could not find the reference to "Preferred Alternative." It appears this phrase has been deleted. How is this possible? Tampering with evidence? I hope I am wrong about this last one. I had eye surgery recently and maybe it is just my failing eye sight. But, maybe not. Nothing about the Department surprises me anymore.

END