

AGENDA
Recreational Abalone Advisory Committee (RAAC)
Saturday, October 22, 2005
9:00 A.M. to 3:00 P.M.

Location: The Health Education Center of Samuel Merritt College
400 Hawthorne Ave.
Oakland, CA 94609

Contact Persons: Konstantin Karpov, Senior Marine Biologist, 19160 S. Harbor Drive, Fort Bragg, CA 95437
Phone: (707) 964-9078 Email: kkarpov@dfg.ca.gov
Ian Taniguchi, Associate Marine Biologist, 4665 Lampson Ave. Suite C, Los Alamitos, CA.
90720 Phone: (562)342-7182 Email: itaniguchi@dfg.ca.gov

Committee Web Page: <http://www.dfg.ca.gov/mrd/raac/>

- 1. Introductions –Announcements and Review of minutes** (Karpov)
- 2. WLP report 2004-2005 activities** (Riske)
- 3. Abalone punch card enforcement discussion** (Daniels)
 - a. What percentage of citations are punch card violations
 - b. What are the specific violations resulting in punch card citations
 - c. Who devises the language in the pamphlets
 - d. Who decides what "immediate" means in terms of when cards are filled out
 - e. Where did the 500 yards allowed shore divers go
 - f. Does Wildlife Protection have any concerns with how the punch card is enforced

Break [10:30-10:45]

- 4. ARMP discussion and comment on final draft** (Taniguchi)

Note: RAAC members please review final draft ARMP and the FAQ sheet and be prepared to discuss the plan with ideas towards recommendations to the Director.

Lunch

- 5. Proposed Budget 2005-2006** (Karpov and Taniguchi)
- 6. Abalone fishery assessments Updates**

Transect surveys (Kashiwada)
Abalone Recruitment Modules (Rogers-Bennett)
Abalone Pathology (Moore/Robbins)
Punch card and Telephone Surveys (Kashiwada)

Public Expression (non-agenda items, please limit to 3 minutes per person)

Adjournment

Minutes

RAAC Members Present: Konstantin Karpov, Steve Campi, John Colgate, Lt. Steve Riske, Rocky Daniels, Paul Dayton, Brooke Halsey (Member-Elect)

Absent: Richard Pogre, Steve Benevides

Others Present: DFG staff - Lt. Steve Morse, Ian Taniguchi, Pete Haaker, Jerry Kashiwada, Dr. Laura Rogers Bennett, Lucy Johnson. Members of the public - Paul Weakland, Gene Kramer, Ed Schulze, Marilyn Schulze, Greg Holzer, Bob Johnson

1. Introduction and approval of last meeting minutes

Karpov opened the meeting and briefly went over the history of RAAC and introduced all members of the committee. He also welcomed Dr. Paul Dayton as the new scientific representative on the committee that was recently approved by the Director. Karpov briefly went over the minutes of the last meeting and asked for any clarification or additions. The following changes were suggested; correction to Steve Benevides name, addition of Ms Marilyn Schulze to the list of attendees, and the addition of several public comments from Paul Weakland. The minutes of the last meeting were passed with the new corrections.

Karpov also reported that the Governor's office performed an audit of the RAAC. Lucy Johnson gave a brief report on the audit. Johnson explained that the audit was part of a review of all advisory committees that report to the Director of Fish and Game to make sure that they were compliant to the duties that they were assigned to do. The RAAC checked out ok and in addition were complimented on the organization and detail in documentation of the Committee's work.

2. Enforcement report 2004-2005 activities

Riske gave the enforcement report beginning with the announcement that enforcement has lost some additional wardens along the coast due to retirements and transfers. Due to this short staffing issue enforcement has tried to enlist the help from other agencies, such as state and regional parks to fill the gap of vacant warden positions.

Spending authority and approval to use the RAAC recommended \$50,000 overtime came in June. With the approval, other coastal and inland wardens were deployed to the coast during extreme low tide periods to help with abalone enforcement. The additional help allowed for two check points to be run in the spring, one in Mendocino County and one in Sonoma County. Not all of the overtime could be used due to the short notice of approval just one month prior to the start of the new fiscal year.

Riske reported that there seemed to be more fishing effort on the coast this year especially during low tide periods. Report card violations are still a major portion of the abalone violations. Large majority of the card violations are alterations to the card or not filling them out. To help address this common violation, a pre-season meeting with outside agencies, such as state and regional parks enforcement personnel, was held to help better coordinate information sharing. Part of this improved information sharing included the purchase of digital cameras through funds received from SCAN and the Sonoma County fines commission. The cameras were used by enforcement personnel to take pictures of people that were suspected of altering cards or were way up in numbers of abalone reported on the card. Pictures were shared among all enforcement personnel along the coast.

The addition of cameras helped in making cases on over limits on the annual limit. These cases were charged under code section 5521.5 which call for stiffer sentences, fines of \$15,000 - \$40,000 and up to year in county jail, revocation of fishing privileges, and gear confiscation.

Besides report card violations the other common enforcement problem is over limits. The most common of these types of infractions involves groups of divers where several experienced divers are taking their limits and the limits for the other less experienced divers.

An enforcement detail was run this past June to look for abalone in fish markets in the bay area. No abalone violations were found during the detail, although other violations were cited.

Two of the big cases made this year involved the poaching of abalone in San Mateo County. One case involved three men who took 56 red abalone off of the Franklin Point area. The three individuals were arrested. The second case involved four divers diving off of Bean Hollow State Park which took 16 black abalone and nine red abalone. Lieutenant Riske related a few other big cases from this year.

SOU continued to work the coast this year and made several good cases. One case involved four individuals from San Francisco that were caught taking abalone in Mendocino and Sonoma counties and unlawfully selling the abalone in San Francisco. During the interrogation it was revealed that two of the subjects were caught poaching abalone at night back in the 1990s.

Two abalone checkpoints were done this year. The first one was done in Sonoma County at Russian Gulch where 334 vehicles were stopped and 33 citations were issued and 44 abalone seized. The second checkpoint was done the next day in Mendocino County along Highway 20 and 210 vehicles were stopped and 59 citations were issued and 115 abalone were seized. Also five abalone report cards were seized during the checkpoint operation.

Riske gave a brief run down of the overall enforcement statistics for this year which were included in the handout he passed out. The total number of citations issued this year was 522, warnings 247, and 652 abalone were seized for abalone enforcement north of San Francisco. For enforcement south of San Francisco there were 16 abalone related citations, 19 warnings and 122 abalone seized.

Overall, the outlook for enforcement this year is the same as last year. There will not be any gain in warden positions and the budget is either the same or worse this year. The best hope is that enforcement can back fill any positions that become vacant.

Campi asked a question about the statistics south of San Francisco. Specifically he asked if the warnings given were for times when people were taking other invertebrates. Riske confirmed this.

Campi also asked about other enforcement efforts on the part of SOU and whether they detract from the abalone focus of the one position that the abalone funds? Riske answered that he does know that SOU did work on some other cases, such as dear, sturgeon and lobster. He is not sure to what extent that Scott Melvin, the SOU warden that is paid out of abalone funds, was involved in those cases. However, Riske also assured everyone that abalone is still SOU's primary function and that everyone in SOU works on abalone, so even if Scott's duties were not fully 100% abalone, there was reciprocal work from the rest of SOU. Daniels asked a question about the use of the cameras this year. Daniels wanted to know how wardens make the connection between a picture taken of one person's report card and two months down the road another picture of the same person's card? Riske answered that someone at state parks is entering the information into a database that they were issuing periodic reports to everyone of who was in the database. Daniels suggested that if the information is in a database then it wouldn't be too hard to put it onto a PDA so that it can be referenced in the field.

Karpov made the observation that it sounds like enforcement cost and operation has changed since the costs were estimated in the draft ARMP a few years back. As part of the continued updating of the ARMP, once it is adopted, the new enforcement costs and operation should be included in the ARMP at a later date.

Halsey pointed out the difficulties in making the felony conspiracy cases of selling sport caught abalone. Riske also reiterated the difficulties in making these cases because it is hard to prove a sale transaction occurred since most of this activity now days occurs in private residences. Riske also said that SCAN, CenCal, and the Recreational Fishing Alliance groups have approached Assemblyman Wes Chesbro with a proposal asking for stiffer penalties on the felony cases of sale of sport caught abalone. In short this would make it easier to prosecute such cases as felonies rather than having to try to prove felony conspiracy. Halsey also pointed out that with this law change that overtime costs would probably go down because the officers would not have to spend as much time tracking down all of the details needed to make a felony conspiracy case.

3. Abalone punch card enforcement discussion

Daniels discussed the problem of increased number of report card violations. SCAN is getting a lot of reports of citations for not filling out cards on the beach or not punching the card properly. Daniels wanted to know what the percentage break down by type of violation in regards to report cards. Daniels also raised the issue of the current regulations regarding the filling out of the report cards could be confusing to people and this might be the reason for increased violations. Daniels pointed out that the language in the regulations pamphlet says that persons diving from shore are allowed to keep the license and report card within 500 yards on the shore but also in the same paragraph it states that fishermen must immediately fill out the report card once reaching shore. This is causing some confusion with both fishermen and enforcement. Daniels wanted a clarification of this part of the regulations as well asking what enforcements concerns might be on this issue.

Riske answered Daniels questions by first stating that he does not have specific breakdowns of report card violations but these violations were approximately 65% of all abalone violations. Riske did go into the types of report card violations that make up the 65%. The types of report card violations include; not having one at all, report card not on the boat, and failure to complete the report card. Riske stated that the last one pertains to most of Daniels questions. He stated that interpretation of that part of the regulations is a judgment call by enforcement. This is the reason that he and his counterpart in Mendocino County have had a preseason meeting of all allied enforcement agencies to come up with a consistent enforcement policy in interpreting the abalone regulations. When they (enforcement) write a ticket for not filling out the card is specifically discussed. The courts have given some direction on this type of citation in that enforcement personnel must provide a timeline of events from the point a person returns to the beach until a citation is given. The reason for this is to show that ample time was given for the person to fill out the card once they have returned to the beach.

Daniels related that there still doesn't seem to be consistency in the application of the regulations in regards to this issue. He has been told of incidences where people have been cited for not filling out the report card while they were walking back to the car from the beach. In those cases they were well within the stated 500 yards. Daniels stated that it seems that enforcement of the rules has become more draconian in nature, probably because of the need to constantly keep up with the poachers etc., but this has caused more common every day recreational users to be caught up in the process. Daniels related that part of SCAN's duties is to inform the recreational community on how to stay within the law. Currently the organization is having a hard time doing this when there seems to be no consistency in application of the regulations. Riske answered that he is willing to talk to specific Enforcement personnel if Daniels has some names. But the crux of the matter is that enforcement must write citations that will fly in a court of law otherwise the case is thrown out. So there is incentive to be consistent in enforcing the rules and to make good cases. If the wardens are not following the stated policy or the rules (ie. applying the 500 yard rule) then the Department has a problem to address.

Daniels asked who is responsible for writing the annual regulations pamphlet? Could the wording be changed to try to make it more clear? Karpov asked if the Marine Enforcement Legislative Team (MELT) came up with the wording? Riske pointed out that a lot of the original language for the report card came from other similar laws that were already on the books. The language for the abalone report card regulations were borrowed from salmon punch card regulations. The 500 yard rule originally pertained to the fishing license while diving from shore, the report card wording just followed that. Daniels stated that his question was more about the language

used in the fishing pamphlet and not the actual letter of the law. The pamphlets have an informal explanation of the law.

Halsey suggested that one of the things that would facilitate consistent enforcement is better perforation of the card so that it is easier to punch out holes. If punching out the card is made easier then that will help facilitate better enforcement. Daniels related that he personally has difficulty in being able to punch out the card. He also said that finding the right pen with ink that will actually write on the card is not easy also. Riske agrees that it is difficult to write and punch the card but that is the trade off for having cards printed on paper that is sturdier and will not fall apart when wet.

Campi asked if considering of going to some sort of a tag system would better address the problem? Is there more of an advantage enforcement wise to think about another system other than report cards? Karpov stated that we are talking about two problems, one is insitu (in place) and the other is programmatic. The programmatic problem is compliance such as the non return of the report cards or not having the ability to track card sales. The punch card versus tag system is an "in field problem" which is different from the programmatic problem. A lot of the programmatic problems can not be addressed until we have a system that tracks license sales (point of sale system). Colgate suggested that maybe it is now time to look at some different concepts for compliance other than what is now in place.

Karpov asked if there is any recommendation to move forward regarding this issue? Daniels said that the issue still needs to be discussed and resolved but it will not happen at this meeting. He did announce that SCAN has plans to distribute leaflets that explain the regulations in a simpler fashion. He welcomes any suggestions on wording for the leaflet. Daniels motioned to table the issue to the next meeting for further discussion. Campi second the motion and the committee voted to pass the motion.

4. ARMP discussion and comment on final draft

Taniguchi passed out several handouts which included an ARMP FAQs sheet based on comments on the final draft from public meetings conducted during the summer. The final draft ARMP was given to the Commission in the spring. The Commission felt that the public should have a last chance to comment on the document and set up five public comment meetings throughout the state in July and August. The meetings were held at Santa Barbara, Oakland, Santa Rosa, Eureka, and San Diego. The second handout was the suggested additions to alternative one; option one, regarding a limited fishery at San Miguel Island. The suggested additions were more details to possible management measures to be added to option one. The additions include; 1) the prohibition of export of red abalone outside of the state, 2) a trip limit of eight dozen abalone per commercial diver and maximum of two divers per vessel, 3) Implement an individual quota system for commercial fishermen based on the TAC, and 4) Allowing only two points of landing, Santa Barbara and Halfmoon Bay, to better control and account for the TAC. More additions to option one maybe forth coming based on discussions at the September Commission meeting.

The Commission was aiming for the adoption of the ARMP at their November meeting but that has been pushed back indefinitely to allow the Department to incorporate recent additions. A new date for adoption has not been set but it might be December or the first part of the New Year.

Before discussion started Karpov wanted to clarify what the committee is to discuss regarding the ARMP and its alternatives. He reminded members that a previous discussion on the alternatives took place at an previous meeting, so everyone should be up to speed on them, with the exception of the new members (Paul and Brooke). Campi reiterated that the adoption of the ARMP is not scheduled for the November Commission meeting. However The CAA is on the agenda to discuss the alternatives and also the subject was discussed at the Commission's Marine sub-committee meeting a few days ago. Daniels asked if these additions warrant an additional peer review. Taniguchi said that the Commission's current position is that these changes are not substantial enough to warrant a peer review.

Campi said that from his memory on the discussions of these alternatives, and especially alternative one, there were many scientific reasons to not do this alternative and those reasons are listed as bullets under the disadvantages to the alternative. An additional reason not to act upon this alternative is that a few years back there was discussion of translocating red abalone from San Miguel Island to other islands etc. to help promote recovery throughout the southern California recovery range for the species. If we allow a limited fishery at San Miguel Island we are possibly reducing our chances to carry out recovery in this fashion. Campi does not want to see the "seed corn" for recovery wasted on a limited fishery. Campi made a motion that the RAAC recommend that this alternative be taken out of the ARMP. Halsey asked if there is anyone from RAAC that can represent the groups concerns in front of the Commission at the time for adoption of the plan? Taniguchi stated that the RAAC does not have such a person and that the RAAC is set up to advise the Director of the Department and probably can not as a body speak in front of the Commission. Karpov reiterated the Committee's charge is to advise the Director. However, since the Commission meetings are public, any RAAC member can speak in front of the Commission and voice their concerns and comments as an individual, but they can not do so in the capacity of representing the RAAC.

Karpov wanted to know what current data is available for San Miguel Island such as abundances that would determine a TAC. Taniguchi stated that as part of the ongoing Commission process, He has been asked to gather as much current abundance and size frequency data at the island to help paint a picture of what the current stock is. Taniguchi said that he and other Dept. divers have been going out to the island to gather some of this abundance and size data the last several months. Haaker provided some insight on the current trend in the sizes of abalone in the population. Since the closure the number of legal size abalone has increased. Taniguchi also described current density estimates for one part of the island where some historic information exists. This information was presented to the Commission at their last meeting. Daniels brought up the point that the area being looked at now, as far as abundance, seems to be a very small percentage of the over all area that is possible for red abalone. Haaker related that red abalone is a cold water species and thus is only found in certain habitats and areas in southern California and is not found throughout the entire southern California bight. Haaker also pointed out that these pockets of red abalone populations may come under more stress as the warm water trend increases thus this should be considered in any decision for having a fishery. Dayton also reiterated this point. The discussion ventured into the possible use of translocation of animals from San Miguel to other areas to help promote recovery. The ARMP does mention the possibility of a feasibility study to translocate reds from San Miguel to Santa Rosa. Karpov discussed the possible use of reserves on Santa Rosa to do this. Colgate was in support of such a venture and also posed the possibility that some of the funds generated from a limited fishery could go towards funding the work. Karpov summed up the discussion by reiterating that everyone is in agreement that translocation studies should be done.

Karpov refocused the discussion back on the topic of the ARMP and alternative one and asked what the committee wants to do. Campi proposed making a motion as a basis of further discussion. He passed out a handout of a proposed motion that **"the RAAC affirm its agreement with the Department's preferred alternative as set forth in the ARMP and recommends that the Commission adopt the plan with said preferred alternative."** Dayton second the motion for discussion. Daniels opened the discussion by disagreeing with it and suggested an amended motion that would seek to remove the alternative for an immediate fishery from the ARMP prior to its adoption. If that is not possible Daniels recommends that the document undergo another peer review. Daniels reason for this is that he feels that the alternative violates the literal intent of the law. Daniels clarified the amended motion as a two part motion where first, alternative one (section 7.3.1) be taken out and if not, then it should under go scientific review. Karpov asked for a clarification since providing alternatives in the plan was part of the legislation and the amended motion seems to contradict that. Colgate expressed opposition to the motion on the basis that the ARMP is comprehensive and inclusion of the alternative makes it so. Daniels reiterated that the alternative contradicts some of the recovery parameters listed in the legislation, mainly that recovery should occur over a wide geographic area of the species historic range. This particular alternative seeks to open a fishery on a small geographic area without consideration of the rest of the surrounding area. Karpov stated that the RAAC has already made a recommendation to the Director about adopting the ARMP with these alternatives, thus the current motion would contradict the previous

recommendation. He asked for further clarifying discussion on the motion. Campi summed up the intent of the motion, which is that the recreational constituents are not opposing a commercial fishery per se, but they are against having a fishery prior to full recovery. Campi suggested a revised motion along these lines. Karpov suggested that the committee break for lunch and then revisit this topic after.

Lunch Break

4. ARMP discussion and comment on final draft (continued)

After the lunch break discussion on the motion continued. Campi asked to withdraw the original motion to pose a new motion. It was motioned and seconded to withdraw the original motion. Campi proposed a new motion that; **"the RAAC opposes the implementation of any and all alternatives of the ARMP that allows for the harvest of abalone either recreational or commercial prior to demonstrated recovery."** The motion was seconded and discussion on the motion was opened. Some clarification questions were answered and the Committee moved to close discussion and vote on the motion. The committee approved the new motion with one member opposed.

5. Proposed Budget 2005-2006

Karpov went over the 04/05 final abalone budget and the 05/06 straw budget which were given as handouts to RAAC. Karpov started by pointing out that the current fund condition is good with approximately \$1 million in the account, which is a substantial prudent reserve. Karpov reported that the 04/05 budget was most likely under spent. This is due to a late approval by Sacramento for the Enforcement branch to spend their allotment of over time, thus not much was spent from that portion of the abalone budget. Two significant changes to the budget included a permanent allotment transfer of \$50,000 to Enforcement branch for overtime and increasing the allotment for the abalone funded SOU position. In the past the RAAC has had to recommend to the Director an increase in the allotment for Enforcement overtime, with the permanent allotment change the \$50,000 is now always there. Johnson provided more detailed report on the 04/05 budget. She also reported on the history of stamp sales and that there is now an automatic annual prorating of the cost of the stamp, so the cost of the stamp will now incrementally go up in price each year based on an index of all sport and commercial license sales. The additional cost goes toward the "point of sale" license system setup.

Karpov went through the highlights of the proposed 05/06 budget. One was a contract with UC Davis for diving help to complete two of the Sonoma Co. fishery index sites. Colgate had some questions on the content of the contract and asked for a copy of the contract. The contract has not been signed off on yet so it is not available at this time. Rogers-Bennett said that the contract is for completing 36 transects at two of the index sites identified in the ARMP. Another change in the budget from last year is the coverage of Jim Moore's lab space lease and histology costs at BML. This is a switch from covering Rogers-Bennett's office space lease at BML in previous years.

The 05/06 budget is projected to be over spent by approximately \$33,000 because of the contract to UCD. Campi asked a question about previous expenditures on preparation of the ARMP, now that the final adoption of the plan is near, what items in the budget are to be reduced? Johnson answered that in previous budget expenditures most of the cost of ARMP preparation was in a contract for a research writer and that contract is now coming to a close. There is a chance it might be extended depending on whether the plan is needs further revision before adoption. Karpov also noted that this budget may under go significant change due to recent changes in the Marine Region personnel structure. At this point it is too early to tell how significant the change will be but just be aware that the budget may change. Someone asked about the General Expenses are for in the budget? Johnson answered that it covers overhead expenses for personnel such as travel, office supplies etc.

6. Abalone Fishery Assessments Updates

- **Abalone Recruitment Modules (Rogers-Bennett)**

Rogers-Bennett presented a brief summary of some of the abalone work done in northern California. She announced that two papers have been published in the Journal of Shellfish Research, one is on red abalone reproduction in northern California and the other is on red abalone recruitment using ARMs. She passed out a sign up sheet for people to receive a copy of those papers.

Rogers-Bennett first discussed the current results of the abalone reproduction work. The study is conducted by looking at and assessing gonad maturity on a quarterly basis. She reported on the results of their sampling for the past five years. The results can show the seasonal patterns in reproduction. There are plans to continue this monitoring to better define changes in patterns of reproduction associated with varying yearly conditions.

Rogers-Bennett also reported on the recruitment monitoring study using ARMs deployed in Van Damme. This year, a record number of juvenile abalone (< 50 mm size) were found in the ARMs (a total of 51 abalone). There was a wide size range of juveniles with lots of smaller size new recruits represented (<10 mm). This monitoring would be good to continue also so that we have one index site that has information on adult densities, reproduction and recruitment patterns that could help refine fishery management in the future. In comparison to established ARMs in southern California the north has a tremendous amount more recruitment and higher abundances of abalone on the reef. The south has seen a decline in the number abalone seen in ARMs as well as an overall decline in the population.

Rogers-Bennett also reported on red abalone monitoring work done by Dr. Pete Raimondi of UCSC on the Stornetta Ranch intertidal area. A year after opening the area to the public, Dr. Raimondi has found a significant reduction in the amount of legal size abalone right around the access point.

For the future Rogers-Bennett is looking at the impact of starvation on abalone tissues, they are also working on identifying sliced wild caught abalone versus farmed raised abalone. This work is in conjunction with the SOU to help them in Enforcement. She is also assembling all of the reproduction, growth and survival information to construct matrix models to better guide enforcement and management decisions. Daniels asked if there was some sort of biological marker that could be fed to farmed abalone to help distinguish them from wild stock? Rogers-Bennett said that she is not aware of any work on this and that it might be of some interest to someone to look into it, although it would bring up other questions regarding FDA approval etc. Her study is strictly looking at the size of the abalone to see if they can distinguish between the two.

Karpov did ask anyone in the room if they had specific questions for Laura since she had to leave early. Paul Weakland asked why not show the error or variance around her estimates? Roger-Bennett did point out that the graphs do show the error around her estimates for the gonad index.

- **Northern California Transect Surveys (Jerry Kashiwada)**

Kashiwada presented an update on dive surveys to fulfill established guidelines for fishery management under the ARMP. This year the Dept. conducted dive surveys to complete transects at two of the eight index sites, Salt Point, and Caspar Cove. Caspar Cove is a new site and Salt point is one of the original index sites used for calculating the sustainable fisheries density number in the ARMP. This information coupled with the work done in 2003 at Van Damme and Arena Cove represents half the total number of index sites that are required to be done on a three year basis. Information from these four index sites show that the abalone population is healthy. In fact the overall density from these sites is above the density trigger for possible increase in the TAC according to the TAC decision table in the ARMP (Table 7-2). However, the recruitment criteria has not been fulfilled, thus a recommendation for increase

of the TAC is not warranted. The size frequency information from the index sites show the lack of recruitment. There are very few sub legal size emergent abalone.

Daniels asked the question if this scheme of distinguishing between deep and shallow water populations would be used in southern California if and when a fishery is ever opened again. Taniguchi pointed out that the ARMP calls for the use of the long term management scheme when that event comes up on the horizon. The long term management would include the use of a TAC as well as zone specific management of areas.

- **Report Card and Telephone Surveys (Jerry Kashiwada)**

Kashiwada reported on the report card data and recent telephone survey estimates of take. Report card sales have declined slightly since the three year average of 40,000 cards sold from 1999 through 2001. Some of the decrease could be due to regulation changes in 2002 which restricted the bag and annual limit. The preliminary sales for 2005 are slightly lower than previous years. However, not all sales are accounted for yet so this number could go up. Johnson pointed out that at our last RAAC meeting the same trend occurred and since then the number of card sales did go up and is within a few hundred of the 2003 sales total.

Report card return compliance still remains low at around 30% each year. Thus to compensate for the low return a telephone survey of those people purchasing cards is done annually. Kashiwada went into the explanation of the advantages of conducting a telephone survey which include capturing data on people who bought cards but did not go fishing. There is two pieces of information that can be gained from knowing this rate. One is that the low rate of return may be due to people buying cards and not fishing thus they either forget to turn them in or figure they do not need to turn them in. The other piece of information is that those cards that were returned blank do not reflect whether that is due to not going fishing or that people tried but were not successful. Both pieces of information is important to know in determining total effort and defining regulations for management.

Telephone survey data over the past three years has been fairly consistent in that the average catch of those people returning cards was higher than those people not returning cards. Catch estimates are around 300,000 abalone annually. This number is lower than the estimated annual catch of 400,000 for the TAC mentioned in the ARMP. Fort Ross and Van Damme continue to be the two highest effort sites according to all estimates. Kashiwada presented a table showing the percentage of overall catch broken down by sites.

- **Abalone Pathology (Moore)**

Jim Moore was not able to attend the meeting but he did provide a written handout on the pathology update that Taniguchi passed out to everyone.

7. Other business

Karpov asked for dates for the next meeting. Everyone decided that September 30 is good. The meeting will be in Oakland at the same venue as long as it is available.

Haaker announced that he has copies of papers on abalone recovery assessment that were presented at the American Academy of Underwater Sciences (AAUS) for those who are interested in having one.

8. Public Comment

Members of the public that attended the meeting were given five minutes each to provide comments to the committee.

Gene Kramer - Mr. Kramer's first comment was in regards to the opening and closing of fisheries. His specific concern is in applying the density dependent criteria for certain areas such as Humboldt County where abalone densities have never been at 6600 abalone per hectare. Since there was time remaining in Mr. Kramer's comment time Karpov addressed his question. Karpov related that the premise of interim management in the ARMP is designed in a precautionary manor taking into consideration limited resources to manage the fishery. The site closure decision table in the ARMP is based on declining success or effort. If this were to happen at Shelter Cove, for example, then that would trigger the assessment of that area to determine if population densities fell below our criteria for site closure. Additionally, differences in abundance by area are addressed in the long term management plan in which zonal management is used to manage discrete sections of the coastline in the fishery.

Lucy Johnson - Ms Johnson commented that at a future meeting she would like to see a presentation from Arthur Melvin, the warden from SOU that is funded by the stamp. She would like to hear what type of work he is doing in regards to abalone enforcement particularly in southern California.

Greg Holzer - Mr Holzer commented on the RAAC's resolution for recommending delaying harvesting until demonstrated recovery. He specifically asked if there are specific criteria for demonstrated recovery for both recreational and/or commercial. Karpov answered that there is no reference to separate criteria and is based on quantitative criteria of the stock.

Paul Weakland - Mr. Weakland made comments in regards to enforcement. He suggested that the use of surveillance cameras in some areas where sport diving occurs might be useful for enforcement. Mr. Weakland also made a comment on Mr. Riske's enforcement report in regards to the continued existence of a black market is due to high market value of abalone. Mr. Weakland proposes that the high market value is due to no legitimate market for abalone. By not having a legal market for selling abalone there is no mechanism for the general public to access this public resource thus you are forcing people to obtain this commodity through illegal means. Legitimizing the sale of abalone would eliminate the black market activity.

Mr. Weakland also commented that there is a robust population of abalone at the Farallon islands besides what exists in Mendocino and Sonoma Counties.

Mr. Weakland also suggests eliminating the report card because it is too difficult to enforce and is not working. If phone surveys are an accurate way to get the information then while bother with the report card.

Mr. Weakland also commented on the translocation issue. He pointed out that natural recovery is preferred. He points out that translocation has been tried in the past and has not worked. He suggests that not all the information on translocation is reported and that the failures are not shown. He also pointed out that translocating abalone from area to another could be doing more harm than good by upsetting the genetics.

Mr. Weakland also commented on the prohibition of take of flat and pinto abalone in northern California. There is no scientific rationale for not allowing harvest of these species.

Mr. Weakland also supports the suggestion for another peer review of the ARMP.

Mr. Weakland had comments on the decision tables and the use of criteria in management. In particular he suggests that the decision tables do not work for southern California.

Mr. Weakland asked about the report from the disease control committee that has been promised for years. What is known about WS and the Sabellid worm in the wild.

Ed Schulze - Mr. Schulze had several comments and suggestions. The first one was to suggest funding the enforcement database that Riske mentioned, through the county fines committees. The Sonoma and Mendocino counties fine commissions should have funds to support such and endeavor and would likely approve of the expenditure.

Mr. Schulze also commented on Daniels concerns regarding report card violations. He mentioned that he now carries his license, report card, and pen in a water proof container while diving. It was difficult finding a container that could house everything plus a pen, but they do exist.

Mr. Schulze also recommended that someone from the RAAC be in attendance at the Commission meetings. The person would be there to answer any questions that may come up regarding recreational abalone fishery issues.

Mr. Schulze also commented on the RAAC's resolution on limited fishery proposals. He suggests adding in the sustainable density level number of 6600 abalone per hectare. The current resolution does not have that specificity and including it gives clarity and a target to shoot for.

Mr. Schulze suggested of having a mail in survey rather than the phone survey. He also suggests that the cost of the stamp should be increased. He offered as an example the cost of a deer tag is \$26 for one time where as the cost of the abalone stamp is \$15 for multiple times. Thus it seems the cost of the stamp could be increased and boost the enforcement capability.

Marylin Schulze - Ms. Schulze asked what happens to the questions from the general public. Are these questions being asked in front of the Commission and getting answers? It seems that a lot of these questions are being asked over and over at public meetings and are not addressed. Karpov answered that public comments and questions on the draft ARMP are recorded and sorted in a cohesive fashion for the Commission to see the major issues of concern. In the RAAC all public comment is recorded in the minutes and are posted on the web.

Ms Schulze asked how are the license vendors monitored. Are they required to return all information on the stamps they sold? If so it should be easy to determine who is not returning the completed report cards and thus they should not be allowed to purchase another one the following year. DFG staff answered that the problem is in entering the names of those that returned cards, without that capability we have nothing to cross reference the database of sold stamps.

Ms. Schulze commented on the enforcement issue that all should be on the same page as far as contacting the public. She was most concerned about possible discrimination against women. She related a personal experience where the warden came up to her and asked to see her license, report card and checked her catch and no one else's. She happened to be the only female surrounded by males.

Meeting Adjournment