

Important Facts About California's Red Abalone Resource 2007

- **WHAT IS A RED ABALONE?**

Abalone is a marine mollusk popular as a seafood delicacy and valued in excess of \$100 per pound on international markets. Red Abalone are the largest abalone species in the world and are native to the coastal waters of the eastern Pacific Ocean ranging from northern Baja Mexico to Oregon. Aside from wild Red Abalone, numerous commercial aquaculture operations produce limited quantities of cultured Red Abalone sold into domestic and international markets. The discussion in this document focuses on California's wild abalone including all references to commercial abalone fishing.

- **WHERE ARE CALIFORNIA'S WILD RED ABALONE FISHERIES?**

As a result of differing fishing regulations in existence for more than 50 years, there are two separate wild Red Abalone fisheries off the California coast:

- South of San Francisco

Historically, the largest concentrations of wild Red Abalone existed off of southern and central California and served as the foundation of valuable commercial and recreational fisheries. But after 150 years of active abuse and neglect, wild Red Abalone in the waters of central and southern California were on the verge of a total population collapse when the both fisheries were closed by emergency orders issued by the California Fish and Game Commission in 1997. Also in 1997, the California State Legislature passed Senate Bill 463 which imposed an indefinite moratorium all abalone fishing south of San Francisco including the Farallon Islands. Governor Pete Wilson signed SB463 into law in October of 1997.

- North of San Francisco

North of San Francisco, the recreational Red Abalone fishing has been limited to breath-hold only¹ and, at the request of the early commercial abalone divers, was closed to commercial take in 1953. The result of this serendipitous set of circumstances is that the northern California wild Red Abalone fishery is one of the world's last healthy and still successful abalone fisheries. Each year, nearly 40,000 members of the general public buy fishing licenses and an Abalone Report Card² to go diving or shore-picking for northern California Red Abalone. Trips to and

¹ Use of SCUBA for taking abalone north of Yankee Point near Monterey has been illegal since 1953.

² The Abalone Report Card replaced the Abalone Stamp originally mandated by SB463. Individuals who take abalone recreationally are required to fill out the Abalone Report Card. The resulting information is used by law enforcement to insure the card holder has not taken more than the law allows and is used by resource biologists to track the impact of recreational fishing on the abalone resource.

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weekends at the coast by divers and their extended families provide a substantial economic boost to many small California businesses.

In addition to Red Abalone, there are seven species³ of abalone off the coast of California. Four are seen off northern California⁴ but at sizes that make their fishing illegal. Off southern California, the same factors that crashed the wild Red Abalone fishery had an equally devastating impact on the other southern California species.

The result is that northern California has one active recreational-only abalone fishery while all southern California's recreational and commercial abalone fisheries are under a fishing moratorium.

- **WHAT WAS THE SITUATION THAT LED TO THE 1997 EMERGENCY CLOSURE OF CENTRAL AND SOUTHERN CALIFORNIA'S ABALONE FISHERIES?**

The situation in 1996 going into 1997 was described in an earlier write-up similar to this one. You can find that write-up attached to this one or, if you're accessing this from the Internet, there should be a nearby link to the 1996 write-up.

- **WHAT IS THE SITUATION IN 2007 SOUTH OF SAN FRANCISCO?**

For the most part, California waters south of San Francisco are barren of all species of wild abalone. Recent underwater surveys of abalone habitat around southern California's Channel Islands found only 31 abalone per hectare (12.5 abalone per acre)⁵. For comparison purposes, 8,500 abalone per hectare (3440 abalone per acre) were counted in equivalent surveys off northern California. Within living memory, southern California's abalone populations vastly exceeded those of northern California in both range and biomass. The situation today has turned historic norms inside out and southern California is left with only its superior range of wild abalone habitat.

What this means for the average recreational diver is that it is very possible to explore excellent abalone habitat and not see a single wild abalone or even so much as an abalone shell if that exploration is anywhere off California south of San Francisco. This is very abnormal to divers with more than ten years of experience in California waters; something that used to be quite common is now entirely missing. This is true along the inland shore of southern California as well as the offshore Channel Islands. Barren abalone beds up and down the coast are an eerie sight to behold for divers familiar with northern California. For experienced southern California divers, the sight is heart wrenching.

As with anything, there are exceptions. Within sea otter territory, wild abalone are very abundant wherever the bottom topography includes deep nooks and crannies. Around Carmel, Monterey or north of Morro Bay, it takes only a few minutes with a flashlight to begin spotting abalone hiding in cracks and crevices; fresh abalone shells are quite common⁶.

³ Red, Pink, Green, Black, White, Flat, Threaded and Pinto

⁴ Red, Black, Threaded and Pinto

⁵ Recreational Abalone Advisory Committee meeting, 11/3/2006, "Abalone Reproduction and Recruitment: Tracking a Fishery" presentation by Dr. Laura Rogers-Bennett

⁶ Areas with pre-emergent abalone invariably have bright and shiny abalone shells sprinkled along the bottom.

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And then there's San Miguel Island. Located outside of sea otter territory and on the edge of the Southern California Bight, this island with 27 miles of coastline, has a few areas with relatively healthy abundances of wild Red Abalone when compared to the "abalone barren" that is the rest of southern and central California. Note, however, that what is "relatively healthy abundances" at San Miguel Island are quite dismal when compared to historic norms or today's northern California abundances.

To better illustrate how bad the "good news" is concerning San Miguel Island, it only takes looking at the results of monitoring efforts at an area off San Miguel Island with a reputation of having one of the densest concentrations of Red Abalone. In that "Miracle Mile" area, 7 artificial habitats were installed between 2002 and 2006. The purpose of these artificial habitats is to provide attractive shelter for abalone and then to periodically count how many have taken residence. For the Miracle Mile, the numbers averaged 1.9 abalone per habitat⁷. For comparison, northern California's Van Damme recently turned up 3.7 abalone per habitat and a 1991 Channel Islands sampling yielded almost 3.4 abalone per habitat⁸. Simply put, San Miguel Island in 2007 is doing poorly compared to northern California today or much of the Channel Islands 15 years ago.

Other than sea otter areas and San Miguel Island, there are a few locations where anecdotal accounts lay claim to healthy abalone beds, places like Fitzgerald Marine Reserve and the Farallon Islands. However, those anecdotal claims are invariably made by recreational or commercial divers seeking to have those specific areas reopened for fishing. Surveys by the Department of Fish and Game and observations by recreational divers heavily discount these claims⁹.

• **WHEN WILL/CAN THE SOUTHERN AND CENTRAL CALIFORNIA WILD RED ABALONE FISHERIES BE REOPENED?**

This can be answered from two perspectives: what the law requires and what the resource requires.

By law, the fisheries can be reopened only after specific milestones have been achieved¹⁰:

- Acceptance of the Abalone Recovery and Management Plan by the Fish and Game Commission. This happened at the December 2005 meeting of the Fish and Game Commission.
- The Department of Fish and Game must make a request to the Commission to reopen part or all of the areas under a fishing moratorium.
- Any reopening must meet the recovery criteria found in the Abalone Recovery and Management Plan and be consistent with the plan.

In terms of what the resource requires, that is the focus of the current debate.

⁷ Recreational Abalone Advisory Committee meeting, 11/3/2006. "Abalone Reproduction and Recruitment: Tracking a Fishery" presentation by Dr. Laura Rogers-Bennett

⁸ Unfortunately, ten years later, Channel Islands counts had dropped to less than 0. 2 abalone per habitat with each year since continuing the downward crash.

⁹ DFG has completed dive surveys of the Fitzgerald Marine Reserve and ROV surveys of the Farallones. The Farallones survey was done with the assistance and direction of ex-commercial abalone divers familiar with the area. These surveys encountered the occasional abalone but nothing more. Recreational divers with experience at the Farallones report observations inline with DFG's results.

¹⁰ FGC 5522d

- **WHAT IS THE CALIFORNIA FISH AND GAME COMMISSION?**

The California Fish and Game Commission is a constitutional body made up of five commissioners appointed by the governor. The Fish and Game Commission has responsibility for overseeing the Department of Fish and Game and is best known for its role in setting recreational hunting and fishing regulations. The Fish and Game Commission has additional powers and is the political decision-making body for commercial and recreational abalone fisheries in California coastal waters. As such, the commissioners are the central figures in today's dispute.

- **WHAT IS THE ABALONE RECOVERY AND MANAGEMENT PLAN?**

When SB463 imposed a moratorium on wild abalone fishing south of San Francisco, it also mandated development of the Abalone Recovery and Management Plan to be paid for by Abalone Stamp fees imposed by SB463 on northern California's recreational abalone divers. The Abalone Recovery and Management Plan is required to contain detailed biological and economic information on California's wild abalone resource, plans for managing the northern California recreational fishery, recovery programs for abalone south of San Francisco and measurement criteria to monitor the success of the recovery programs.

The Abalone Recovery and Management Plan took six years to develop and nearly three years of consideration by the California Fish and Game Commission before it was adopted in December 2005. An on-line copy of the plan can be found at <http://www.dfg.ca.gov/mrd/armp/index.html>

- **WHAT IS MANAGEMENT ALTERNATIVE 8?**

In October of 2005, eight and a half years into the Abalone Recovery and Management Plan development process, the Fish and Game Commission heard a presentation by the California Abalone Association, the political arm of would-be commercial abalone divers. That presentation made a questionable case for reopening San Miguel Island and Farallon Islands Red Abalone fisheries. One month later, the Fish and Game Commission directed the Department of Fish and Game to add the October presentation's proposal to the Abalone Recovery and Management Plan. That option is management Alternative 8: Limited Abalone Fishery at Selected Areas at a Reduced Density and Prior to Full Recovery in All Areas¹¹.

In December of 2005, the Abalone Recovery and Management Plan, now containing the California Abalone Association proposal as management Alternative 8, was adopted by the Fish and Game Commission. The Fish and Game Commission also directed that management Alternative 8 be the "Preferred Alternative."

- **WHAT IS A "PREFERRED ALTERNATIVE"?**

In the world of California's resource management, any proposed resource plan is required to list a number of alternatives from which a selection can be made by the decision-making body. The alternative that is selected over all others is the "Preferred Alternative."

¹¹ <http://www.dfg.ca.gov/mrd/armp/chapter7.html>, paragraph 7.3.8 "Alternative 8: Limited Abalone Fishery at Selected Areas at a Reduced Density and Prior to Full Recovery in All Areas".

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When Alternative 8 was made the Preferred Alternative for managing all of California's wild abalone, the Fish and Game Commission also directed the Department of Fish and Game to invest their limited available resources into aggressively pursuing Alternative 8. Since then, some strong proponents for the reopened fishery have emerged on the Fish and Game Commission and they have been successful in building momentum for the proposal.

- **WHAT IS AT STAKE HERE?**

The target of a reopened San Miguel Island fishery is the last vestige of southern California's wild Red Abalone.

In 1997, waters off San Miguel Island held the healthiest of a small number of wild Red Abalone populations still remaining in southern California¹². Short of torturing recently collected data to support the untenable, the situation hasn't fundamentally changed during the interim. The Red Abalone in place back in 1997 have grown in size and there are indications of successful spawning events. But in terms of overall densities, the National Park Service reported at the December 2005 Fish and Game Commission hearing that they have seen no significant recovery based on underwater surveys dating back to 1983.

Hopefully, the scientists of the National Park Service (and California's Department of Fish and Game) are wrong and there's been a miraculous recovery of San Miguel Island's abalone populations. Unfortunately, during the period this recovery may have taken place, San Miguel Island became the last remaining location off southern California with any natural and reproducing population of wild Red Abalone. To opponents of a reopening, San Miguel Island's Red Abalone are the "last buffalo" and are more valuable for use in repopulating southern California habitat in areas where wild Red Abalone have entirely disappeared.

Concerns over the Farallon Islands are focused on the impact a reopened commercial fishery will have on Red Abalone farther north. A short boat trip from the Farallon Islands are some of the richest, most valuable wild abalone beds in the world. And, at \$100 per abalone, there's a powerful incentive to illegally harvest wild Red Abalone from areas north of the island and land the abalone claiming they came from the Farallones. This type of commercial-commercial poaching happened prior to the 1997 moratorium and will be renewed if abalone fishing is allowed at the Farallones.

- **WHAT ARE THE BENEFITS OF A REOPENED FISHERY?**

This is a good question that begs an answer.

There is the obvious financial windfall for the would-be commercial abalone divers.

A reopened commercial fishery requires a new approach to managing the resource. If the new approach proves successful over the long term, a case could be made that a benefit is the new management techniques. There aren't many examples of successful management of California's (or any) marine resources: there are very many hazards trying to develop new techniques using the "last buffalo" for experimentation.

¹² "Healthiest" should not be confused with healthy; the San Miguel remnant was but a small fraction of Red Abalone densities typically encountered with the far healthier northern California fishery.

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Improvement in our national trade imbalance could be counted as a benefit. The market for abalone is mostly overseas and exporting 10,000 to 20,000 of California's wild abalone would yield a tiny positive shift in our nation's trade balance.

And there is a questionable claim by the would-be commercial abalone divers that they would bolster efforts to stop poaching.

- **WHAT ARE THE PROBLEMS OF A REOPENED FISHERY?**
 - **Renewed fishing will jeopardize Red Abalone recovery**

Opponents of renewed fishing fear entirely losing southern California remaining wild abalone. As the title of Alternative 8 notes¹³, the fishery would target reduced-density populations before recovery. This will necessarily slow down or halt whatever recovery may be currently in progress¹⁴. With no appreciable wild Red Abalone anywhere else south of San Francisco, a failure experimenting with this fishery could very well trigger a final collapse of California's central and southern California wild abalone.

- **Reopening of a commercial wild abalone fishery is premature.**

After 150 years of fishing by humans, 9 years have passed since this major and controllable cause of southern California wild abalone depletion has been stopped. Abalones are long-lived animals that may only spawn once every 8 or 9 years. On the north coast, the last successful spawning event was in the early 1990s¹⁵. Whether or not there's been a successful spawning event off San Miguel Island since the 1997 moratorium is entirely unknown. It takes longer than 9 years to recover a fished down population and there should be no harvesting until we're sure that's happened¹⁶.

- **Reopening the San Miguel Island or Farallones commercial abalone fishery will aggravate poaching of northern California abalone**

It would be irresponsible to ignore the fact that commercially licensed divers are regularly arrested and convicted for poaching wild abalone off northern California¹⁷. This was true before

¹³ Limited Abalone Fishery at Selected Areas at a Reduced Density and Prior to Full Recovery in All Areas (opponents believe a more honest and accurate title for Alternative 8 would be: Privileged Abalone Fishery at Selected Areas with Densities at or below MVP and Before Any Recovery Anywhere Else)

¹⁴ Jim Marshall, commercial diver, member of the California Abalone Association and one of the chief proponents of management Alternative 8, noted:

“The plan of Fish and Game managers ‘is to wait 30 years and then reopen the fishery,’ Marshall said. ‘We don't want to wait. We are going to slow the recovery’ of abalone populations ‘by fishing a little bit. We are not going to stop recovery.’ “ Los Angeles Times, 12/23/2005

¹⁵ Recreational Abalone Advisory Committee meeting, 11/3/2006. “Abalone Reproduction and Recruitment: Tracking a Fishery” presentation by Dr. Laura Rogers-Bennett

¹⁶ At the October 2005 Recreational Abalone Advisory Committee meeting, member John Colgate stated that San Miguel Island should not be reopened to harvest before recovery. John Colgate is a commercial diver and long-time president of the California Abalone Association, the organization that proposed the San Miguel Island reopening less than one month later at the Fish and Game Commission hearing in Santa Barbara.

¹⁷ [2004 Curt Ward](#), [2004 Joshua Holt](#), [2000 Joel Roberts](#) (member of the DFG's Director's Abalone Advisory Committee comprised of ex-commercial abalone divers), [1996 Tom Monaghan](#), [1990 Darrell Tatman](#)

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the 1997 moratorium and continued after. One big difference since 1997 is that large quantities of wild Red Abalone are indisputably poached. This puts the burden of proof on the individuals caught in possession of commercial quantities of wild Red Abalone. A reopened commercial abalone fishery will transfer the burden of proof back to law enforcement. Ten years ago, it cost California \$1,000,000 in surveillance and undercover efforts by law enforcement to establish that level of proof. It is unlikely those costs have gone down in the past ten years.

Would-be commercial divers claim a reopened commercial abalone fishery would increase “the number of eyes” watching and protecting the abalone. However, the Chief Warden for the Department of Fish and Game testified to the Fish and Game Commission¹⁸ that:

- 1) abalone poaching is currently occurring at San Miguel Island,
- 2) that the poaching is being done by commercial sea urchin divers and
- 3) that other commercial sea urchin divers know who is doing the poaching.

Chief Warden Foley further stated that she had yet to receive a single telephone call from any commercial diver informing the Department of Fish and Game of who is involved and how. The commercial divers responded to her statement by pointing out that they currently have no ownership of the abalone. To those concerned about the increased poaching they expect to accompany a reopened commercial fishing, neither Captain Foley's observation nor the commercial diver response were at all assuring. Recovery of abalone at San Miguel Island has long been recognized as the first great hope for southern California wild abalone and, by extension, the future prospects of would-be commercial abalone divers. Yet, faced with illegal activities that threaten those prospects, law enforcement had not been able to do anything and the would-be commercial abalone divers have so far chosen to do nothing.

- **Costs to reopen a commercial abalone fishery are too high**

Would-be commercial abalone divers enthusiastically embrace the notion that a reopened commercial abalone fishery would pay all costs for the commercial fishery. However, it only takes a short look at the numbers involved to see that their enthusiasm is either disingenuous or misplaced.

Their initial proposal included a Total Allowable Catch of around 15,000 abalone and a landing fee of \$6 per abalone¹⁹. The proposal also included a recreational TAC of 3,000 abalone and a \$6 fee for each abalone. Over the course of the past year, the \$6 fee has increased to \$10. At that level, about \$180,000/year might be generated by the reopened fishery.

What are the costs of the fishery? Offhand, that \$180,000 has to pay for abalone tag production, abalone tag distribution and fishery-dependent data collection, collation and analysis and administrative costs (which can run up to 18% of total income). It also has to pay for a resource manager²⁰ and for law enforcement at landing locations, San Miguel Island, the Farallon Islands and the northern California recreational fishery that will see an increase in poaching activities.

¹⁸ Fish and Game Commission Hearing, 11/3/2005

¹⁹ Abalone Recovery and Management Plan, Appendix H, Proposed Amendment to Alternative 1 in the ARMP as submitted by Abalone Commercial Constituents to the Fish and Game Commission. http://www.dfg.ca.gov/mrd/armp/pdfs/appendix_h.pdf

²⁰ A close reading of the California Abalone Association's proposal reveals a plan that is very similar to the commercial abalone landing tax that existed prior to the closure. With that program, the \$0.05 per landed abalone went into a special escrow account

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For comparison purposes, the northern California recreational fishery has been generating about \$450,000 per year in abalone stamp fees. Based on unspent reserve funds after ten years of the Abalone Stamp fees, supplemental funding of abalone resource management runs between \$350,000 and \$500,000 per year²¹.

The latest draft of the California Abalone Association's proposal covers only a fraction of the fisheries costs²² while tacitly acknowledging the proposals funding shortfall by adding \$400,000 in fees on northern California's recreational divers. More appropriately bridging the funding shortfall would require increasing the landing/tag fee to \$31.50/abalone or increasing the Total Allowable Catch from 15,000 to something closer to 47,250 abalone per year²³.

- **Reopening a commercial abalone fishery will drain already limited resources from the Department of Fish and Game**

Management Alternative 8 is effectively an unfunded mandate by the Fish and Game Commission to the Department of Fish and Game. Unfortunately, the Department of Fish and Game has been undergoing budget cuts and is already struggling to accomplish all it is already tasked with. Efforts in pursuit of Management Alternative 8 have already added strain to the budget wasting both time and money that could have been put to more productive use.

- **The benefits of a reopened fishery accrue to just a few individuals**

There were approximately 100 commercially licensed California abalone divers at the time of the 1997 closure. By law, participation in a reopened commercial abalone fishery would be limited to those ex-commercial abalone divers. From that small group of individuals, they expect be able to sell their "ownership" portions to others within that same small group. This arrangement has obvious financial benefits for a few. But, because abalone's major markets are almost entirely foreign, the remainder of California's citizens will see no benefit. It's very unlikely that future commercially-landed California Red Abalone will end up on any California tables.

- **Reopening the fishery requires that the Fish and Game Commission set aside key provisions of the Abalone Recovery and Management Plan**

The Abalone Recovery and Management Plan contains density level criteria below which northern California recreational harvesting is reduced or closed. Those numbers have been set at 6,600 and 3,000 wild abalone per hectare, respectively. The would-be commercial abalone

where the ex-commercial abalone divers continue to wield veto power over use of those funds. Not surprisingly, enthusiasm for use of those funds appears to be tied to how much of a funded program can be serviced by the ex-commercial abalone divers. For example, the 2006 dive surveys of San Miguel Island included a \$40,000 contract between the Department of Fish and Game and the California Abalone Association to pay for the would-be commercial abalone diver's participation in the surveys. These monies came from the \$0.05/abalone landing tax escrow account.

²¹ Until recently, spending of Abalone Stamp Funds was limited to augmenting Department of Fish and Game expenditures for abalone-related efforts and ran about \$350,000 per year. Going into 2007, the proposed budget transfers general fund expenses onto the Abalone Stamp Funds account to the tune of \$500,000 per year.

²² Most notably, the proposal skips funding for additional law enforcement at San Miguel Island and elsewhere ([San Miguel Island Limited Abalone Fishery Market Sector Plan Components](#)).

²³ Based on the abalone counts from the 2006 surveys at San Miguel Island, those levels requires stripping **every single abalone** from 11.9 or 37.5 acres of underwater reef **every single year**.

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diver's proposal to reopen fisheries at San Miguel Island necessarily includes operating below the Minimum Viable Population²⁴ densities of 2,000 abalone per hectare²⁵ based on the best-available science. "Necessarily", in this case, acknowledges the fact that no discussion of a reopened fishery south of San Francisco is at all possible if the reopening threshold is set any higher than Minimum Viable Population because even the healthiest populations of wild abalone south of San Francisco exist at densities much lower than the Abalone Recovery and Management Plan's 2,000 abalone per hectare. Opponents of a reopened fishery are concerned that the Commission will respond to the field data by lowering the Abalone Recovery and Management Plan's definition of MVP to less than the current 2,000 abalone per hectare.

Back in 2002, the Fish and Game Commission responded to concerns raised by Department of Fish and Game biologists by reducing the recreational bag limit for northern California Red Abalone from 4 per day to 3. Information available to the Commission at the time indicated northern California wild abalone densities in the range of 6,000 abalone per hectare at survey sites up to 100 miles apart (recent surveys off northern California reveal population densities in excess of 8,000 abalone per hectare²⁶).

Between the 2002 and now, we have the ironic situation of a Fish and Game Commission pursuing extremely conservative management of a northern California fishery that is healthy along 100s of miles of coastline while pursuing a radical, possibly reckless, approach for managing the last 10 or so miles of coastline off southern California that has an arguably viable abalone resource. For opponents of an abalone fishery off San Miguel Island or the Farallones, it has been impossible to reconcile the incongruity of this Commission's management choices.

- **Reopening the fishery requires the Commission to override recommendations from the Department of Fish and Game**

Based on public testimony, the Department of Fish and Game is not in favor of reopening fisheries at San Miguel Island or at the Farallones. In fact, the Department of Fish and Game identified **Alternative 2: Limited Fishing at Reduced Criterion 3 Density Level and Establishment of New Criterion 4** as their Preferred Alternative. This choice by the Department emerged after almost nine years of developing the Abalone Recovery and Management Plan.

The Fish and Game Commission overruled the Department of Fish and Game in this instance and instead selected a management alternative added to the ARMP on a last minute basis without scientific peer review and with the Department of Fish and Game simply serving stenographer.

It is within the purview of the Fish and Game Commission to overrule the Department of Fish and Game. However, according to the Fish and Game Commission itself, "the Commission rejects or substantially modifies actions recommended by the Department, but **only where it is convinced that such action is in the best interest of the resource and truly reflects the**

²⁴ Minimum Viable Population, or MVP, is the lower bound assigned to a population of an organism such that the population can survive. That is populations existing at or below the MVP are at high risk for extinction from natural or human-caused stresses.

²⁵ The Fish and Game Commission members have already discussed a possible need to lower the Minimum Viable Population level from the Abalone Recovery and Management Plan's 2000 abalone per hectare.

²⁶ Abalone Recovery and Management Plan, Table 7-1

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wishes and needs of the people.”²⁷ Opponents to a reopening at this time believe there is no question that it would not be in the best interest of the abalone nor does it reflect the needs of California's citizens other than the financial desires of a few would-be commercial abalone divers.

- **Reclosing the fishery will be politically difficult**

The 1997 closure of California's commercial and recreational wild abalone fisheries south of San Francisco was difficult for all parties involved: recreational divers, commercial abalone divers, resource advocates, the Department of Fish and Game, the members of the Fish and Game Commission, the legislators and the governor. The only justification for going through all the pain involved was the dire state of the remnant abalone resource. Little has improved in the interim ten years. In light of this fact, if a fishery is reopened, it begs the question as to how bad will the situation in the future have to be to qualify anew as bad enough to warrant reclosing the fishery? This is a question that leaves opponents to the reopening discouraged and alarmed.

- **WHO FAVORS REOPENING COMMERCIAL ABALONE FISHERIES OFF SAN MIGUEL ISLAND AND THE FARALLON ISLANDS?**

The [California Abalone Association](#) is the representative organization for the commercial divers and the leading proponent of the reopening.

The California Seafood Council, administered by the Department of Food and Agriculture, historically advocated for the commercial interests.

Tom Raftican of the Southern California United Anglers splinter group has spoken in favor of a renewed fishery. It is not clear if he is speaking on behalf of SCUA or strictly as a private citizen.

Finally, there are certain members of the Fish and Game Commission who appear to be enthusiastic for the reopening.

- **WHO OPPOSES REOPENING COMMERCIAL ABALONE FISHERIES OFF SAN MIGUEL ISLAND AND THE FARALLON ISLANDS?**

Only individuals and organizations with a financial interest in reopening the fishery have been vocally in favor of the reopening. By way of contrast, recreational diving and fishing organizations and mainstream environmental organizations are appalled at the prospect of a reopening.

Representatives of the following organizations have stated their opposition to a prospective reopening:

- California Sportfishing Protection Alliance
- Catalina Conservancy Divers
- Central California Council of Dive Clubs
- Golden Gate Fisherman's Association
- Greater Los Angeles Council of Divers

²⁷ <http://www.fgc.ca.gov/>

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- Kelp Forest Coalition
- Los Angeles Fathomiers dive club²⁸
- National Resources Defense Council
- North Coast Fishing Association
- Ocean Defenders
- Recreational Fishing Alliance
- San Diego Council of Divers
- San Diego's recreational dive clubs²⁹
- Sonoma County Abalone Network

Worthy to note is that opposition to reopening abalone fishing at San Miguel Islands affects recreational divers as much as commercial divers. Still, recreational divers are united in opposing both recreational and commercial fishing for wild abalone off San Miguel Island and the Farallones.

Additionally, officials of the California Department of Fish and Game and the Channel Islands National Park have stated strong concerns and reservations before the Fish and Game Commission.

• **SHOULD NORTHERN CALIFORNIA BE OPENED TO COMMERCIAL FISHING?**

No.

Prohibitions in northern California on commercial fishing (1945) and the use of SCUBA for recreational fishing (1952) have resulted in a de facto preserve in waters too deep or too remote for most recreational divers. This preserve has proven quite capable of replenishing wild Red Abalone stocks removed from shallower areas. In 1995, an estimated 40,000 sport divers spent upwards of \$10,000,000³⁰ in their quest for northern California's Red Abalone. Resource experts predict that recreational take can continue indefinitely barring major environmental changes.

Northern California's wild Red Abalone has a decades-long track record of being successfully managed for sustainable yield while simultaneously providing substantial economic and recreational benefits to a large segment of California's citizens. Opening the North Coast to commercial diving would require that this unique example of successful resource management be completely overhauled.

• **WHERE ARE THE FARALLON ISLANDS?**

The Farallon Islands are located 26 miles due west of the Golden Gate Bridge. Famous for white sharks patrolling those islands, Department of Fish and Game scientists are prohibited by

²⁸ The Fathomiers was one of the first dive clubs formed in California and, today, is one of the largest in the United States. In 1997, the membership of the Fathomiers voted unanimously to support closure of southern California's recreational and commercial abalone fishery. Canvassing of club officers and various members in 2006 reaffirmed their opposition to a reopening of abalone fisheries off southern California unless and until there is a wide area recovery.

²⁹ At the November 14th, 2006 general meeting of the San Diego Council of Divers, representatives of dive clubs in the greater San Diego area voted unanimously to oppose renewed commercial fishing for wild abalone at San Miguel Island.

³⁰ California Department of Fish and Game, 1995, [Kelp Forest, Newsletter of Northern California Fish and Game's Sport Finfish and Shellfish Project](#)

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department policy from diving off the Farallones; only a few commercial and recreational divers have been willing to take the plunge.

- **WHAT IS THE SIGNIFICANCE OF THE FARALLON ISLANDS?**

Would-be commercial abalone divers claim there exists a healthy population of wild Red Abalone in the waters surrounding the Farallones. However, underwater surveys by Remotely Operated Vehicles have been conducted by Department of Fish and Game biologists working alongside ex-commercial abalone divers familiar with the islands. Those ROV surveys turned up no significant populations of wild abalone. Additionally, recreational divers willing to dive the Farallones have not seen any notable concentrations of Red Abalone, commercial claims to the contrary notwithstanding. So the Farallones are a potential but disputed Red Abalone fishery.

Another controversy related to the Farallones is their role in enabling abalone poaching from waters immediately north of the Farallones. When the Red Abalone fishery was open and landings were allowed at Half Moon Bay, the Department of Fish and Game took note of the higher relative success rate of commercial divers who migrated north from Southern California as compared with those commercial divers with a long history working out of Central California³¹. This information resulted in some undercover cases being made against commercial abalone divers who ended up going to prison over north coast poaching activities. In those cases, poaching was made much easier by the proximity of an open and legal fishery at the Farallon Islands. Outside of the commercial diving community's public statements, there's a widely held concern about the potential for increased and commercial-scale abalone poaching off northern California if the Farallon Islands fishery is reopened or if Half Moon Bay is allowed as a landing point.

- **WHERE IS SAN MIGUEL ISLAND?**

San Miguel Island is one of the Northern Channel Islands to the south of Pt. Conception and visible on clear days from Santa Barbara and Ventura.

- **WHAT IS THE SIGNIFICANCE OF SAN MIGUEL ISLAND?**

San Miguel Island was one of the few areas off southern California that still held a viable population of wild abalone at the time of the 1997 emergency closure and subsequent moratorium. By viable, it is meant that the population was potentially adequate to achieve successful reproduction and recruitment. However, even very dense and healthy abalone populations have spotty success in spawning; it is estimated that northern California's Red Abalone achieve reproductive success once every eight years or so.

- **IS THIS A NATIONAL ISSUE?**

Only California, Alaska, Oregon and western Canada has wild abalone resources of any significance so the issues unique to that resource are not national. On the other hand, California's resource choices have not been very different from the way most state governments and the federal

³¹ California Department of Fish and Game, 1995, [Kelp Forest. Newsletter of Northern California Fish and Game's Sport Finfish and Shellfish Project](#)

Important Facts about California's Red Abalone Resource 2007

government manage their public trust assets. In terms of "whether" and "how" valuable resources are managed, the wild Red Abalone crisis illustrates national resource issues in microcosm.

- **WHAT DO OPPONENTS OF REOPENING CENTRAL OR SOUTHERN CALIFORNIA'S WILD ABALONE FISHERIES HOPE TO ACCOMPLISH?**

Substantial pain and effort was invested by all parties involved in the 1997 moratoriums. At that time, the goal of SB463 clearly stated that a wide-area recovery of wild abalone would be required before the possibility of renewed fishing could be justified. The intent of that goal was to provide some insurance that a reopened fishery would not be at the expense of our children or our children's children. The goal and its intentions are on the verge of being forgotten or ignored.

Important Facts about California's Red Abalone Resource 2007

• WHAT CAN I DO?

Who might want/need to receive these questions could include:

- How will poaching be controlled?
- How much will it cost and who will pay for a commercial abalone fishery?
- How can a small fraction of 1% of a once vast resource be a basis for commercial fishing?

Who might want/need to receive these questions could include:

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814
Phone: 916-445-2841
Fax: 916-445-4633
<http://www.govmail.ca.gov>

Mr. Richard Rogers, President
California Fish and Game Commission
1416 Ninth Street
Sacramento, CA 95814

Ms. Cindy Gustafson, Vice President
California Fish and Game Commission
1416 Ninth Street
Sacramento, CA 95814

Mr. Jim Kellogg, Commissioner
California Fish and Game Commission
1416 Ninth Street
Sacramento, CA 95814

Mr. R. Judd Hanna,
California Fish and Game Commission
1416 Ninth Street
Sacramento, CA 95814

Mr. John Carlson Jr. , Executive Director
California Fish and Game Commission
1416 Ninth Street
Sacramento, CA 95814

Senator <your Senator's name>
State Capitol
Sacramento, CA 95814

Assemblyman/woman <your Assembly member's name>
State Capitol
Sacramento, CA 95814

Secretary Mike Chrisman, Secretary for Resources
Resources Agency
1416 Ninth Street, Suite 1131
Sacramento, CA 95814

Mary Delaney, Assistant to the Secretary for Resources
Resources Agency
1416 Ninth Street, Suite 1131
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Mr. Ryan Broddrick, Director
California Department of Fish and Game
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Mr. Sonke Mastrup, Deputy Director
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