

RECEIVED  
CALIFORNIA  
FISH AND GAME  
COMMISSION

February 19, 2014

California Fish and Wildlife Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

2014 FEB 24 PM 2:05

MLS

Dear Commissioners:

During the California Fish and Wildlife Commission meeting on June 26, 2013 the Commission voted to reduce the annual limit of abalone. Other changes to abalone regulations included a coast-wide start time for the fishing day of 8 a.m. I understand and applaud the reduction of the limit for the preservation of the species but the later start time seems to unfairly target a small segment of handicapped fishermen.

I am a 67 year old "former" abalone diver and my partner is 85. I suffered a heart attack in May 2003 and was told by my cardiologist not to dive again. I have more recently been diagnosed with atrial fibrillation and am therefore limited to "rock picking" during a minus tide and "calm" ocean conditions. Your recent ruling to adopt the new start time has eliminated my ability to participate in an activity/sport I enjoy very much. An 8 o'clock a.m. start time does not work very well for a handicapped sportsman.

The Tide tables for the north coast of California (Humboldt County) show that during the months of April to June, there are few to zero days a rock picker can get into the water early in the morning and be successful at taking an abalone. Additionally, it is not uncommon for the surf to become more dangerous as the sun comes up and offshore winds increase.

Political correctness is also an irritation when rules are handed down. Since the heart attack, my gathering activities have been from Shelter Cove north. To the best of my knowledge, individuals that participate in the illegal taking of abalone for sale do not come this far north to commit the crime. Why blanket the whole coast of California north of the Golden Gate Bridge with a misplaced rule when the problem is more specific to Sonoma and Mendocino Counties.

I am asking for relief from the 8 a.m. start time for my peers and myself. For the benefit of rock pickers, please return to the one half hour before sunrise start time when taking abalone. I do not like raising the question regarding the Americans with Disabilities Act, but I believe I have genuine problems that prevent me from participating in the sport as it is now structured (Only available to divers).

I would appreciate a timely written response on how the commission intends to right this wrong before the 2015 season.

Sincerely,



Donald G. Kudrna

Cc: Wesley Chesbro, State Assembly Member  
Noreen Evans, State Senator  
Carlton Bonham, Director  
Mike Carion, Chief of Enforcement  
Thomas Gibson, General Council  
Craig Schuman, Marine Regional Manager  
Rex Bohn, Humboldt County Board of Supervisors

Attachment to California Fish and Wildlife Commission letter dated February 19, 2014

Items I consider prior to planning an abalone rock picking trip:

- Enter the water up to 1 hour before scheduled low tide (allows for up to two hours in the water when gathering and working on a limit).
- I look for a low tide series that is negative 0.5 feet or greater.
- Shelter Cove. Need to adjust the time for low tide (minus 30 minutes from the mouth of Humboldt Bay) (A tide table for the north coast of California uses the mouth of Humboldt Bay as the baseline).
- Ocean Conditions. I call the National Weather Service Office in Eureka to determine if it is safe to be in the water. It happens that trips are canceled due to ocean conditions

I took the above bullet items under consideration and applied them using two scenarios. The first being historical gathering rules. The second applied the 2014 rule (8 a.m. start time).

	April	May	June	July	August
Pre-2014	9	15	13	Closed	7
2014	2	5	3		0

Historically, there would have been 44 opportunities to gather abalone from April to August (pre-2014).

Following the new rule (8a.m. start time), there will be 10 Opportunities to gather abalone in 2014 (April to August). This is an 81% reduction in the number of days a rock picker can gather abalone.

Note: The pre-2014 number and the 2014 number of days do not account for cancellations due to ocean conditions.

Submitted by: Donald G. Kudrna