

Date of Hearing: March 19, 2024

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

AB 2504 (Dixon) – As Amended March 14, 2024

**SUBJECT:** State seashell

**SUMMARY:** Declares that the shell of the black abalone (*Haliotis cracherodii*) is the official state seashell of California.

**EXISTING LAW:**

- 1) Declares, among other official emblems, that:
  - a) The golden poppy (*Eschscholzia californica*) is the state flower (Government Code § 421);
  - b) The California redwood (*Sequoia sempervirens*, *Sequoia gigantean*) is the state tree (Government Code § 422);
  - c) The California red-legged frog (*Rana draytonii*) is the state amphibian (Government Code § 422.7);
  - d) The California desert tortoise (*Gopherus agassizii*) is the state reptile (Government Code § 422.5);
  - e) The California dog-face butterfly (*Zerene eurydice*) is the state insect (Government Code § 424.5); and
  - f) The pallid bat (*Antrozous pallidus*) is the state bat (Government Code § 425.12).
- 2) Does not identify an official state seashell.

**FISCAL EFFECT:** None. This bill is keyed non-fiscal.

**COMMENTS:**

- 1) **Purpose of this bill.** This bill declares that the shell of the black abalone (*Haliotis cracherodii*) is the official state seashell of California. According to the author, “California is a large state with a majority of the Pacific coastline and yet we have not recognized such an important and beautiful part of the coastal ecosystem. Acknowledging the Black Abalone as an endangered state seashell, will not only bring forth much needed attention to the coastal conservation efforts but, connect these official symbols with the rich Native American history in our state. We believe it is important to the state’s legacy to recognize the Black Abalone as the official symbol for all to learn about, and hopefully act as a vehicle for encouraging increased education surrounding marine conservation.”
- 2) **Background.** California is renowned for its diverse landscapes, rich history, global influence, and its industrious and colorful people. The state represents its natural beauty, historical significance, and cultural identity with a unique array of official symbols. To

celebrate this diversity, the state designates a number of state emblems that serve as reminders for residents and visitors alike of the state's distinct identity and the importance of preserving its heritage for future generations. As California continues to evolve and grow, its state emblems are intended to remain steadfast symbols of the state's past, present, and future.

Seashells are typically the exoskeletons of marine mollusks. Mollusks are second only to arthropods in terms of the number of living animal species and are the largest marine phylum, comprising ~23% of all named marine organisms.<sup>1</sup> The mollusk phylum includes squid and octopuses, as well as gastropods (*e.g.*, snails and slug) and bivalves (*e.g.*, clams and oysters). Seashells are typically the calcium carbonate or chiton exoskeleton that grow with or molt from the marine organism.

*Abalone: the best in shell.* Black abalone (*Haliotis cracherodii*) is a marine snail with one large, oval-shaped shell and a muscular foot used to move and to hold tightly to rocks. The blackish-blue shell has five to nine holes (respiratory pores) used to breathe, remove waste, and reproduce. The luminous interior of the shell is called nacre, or mother of pearl, which some mollusks, such as abalone and oysters, deposit onto the inner surface of their shells to help smooth the surface and defend against damage and disease. The colorful and iridescent nature of nacre is not a result of pigment. The microscopic structure of the nacre interferes with the visible wavelength of light presenting a stunning array of colors.

Black abalone live on rocky substrates in intertidal and shallow subtidal reefs (to about 18 feet deep) along the coast. Because they occur in coastal habitats, black abalone can withstand extreme variations in temperature, salinity, moisture, and wave action. Black abalone range from about Point Arena, California, to Bahia Tortugas and Isla Guadalupe, Mexico. They typically occur in habitats with complex surfaces and deep crevices that provide shelter for juveniles and adults. Adult abalone eat different types of algae and kelp and are also the occasional snack for other marine creatures like sea otters, fish, and crabs. They are estimated to live up to 30 years, but are threatened by disease, sedimentation events (*i.e.*, *land slides*), and human impacts such as over fishing and chemical spills.<sup>2</sup>

Two of California's eight native abalone species, the white abalone (2001) and black abalone (2009), are listed as federally endangered species. Other native abalone species, including the once populous red abalone species, are also in decline due to kelp loss, climate change and related factors. All commercial fishing for abalone has been banned since 1997 and sport take of abalone has been closed since 2017. Despite the closed commercial seasons, there is a robust demand for abalone in seafood markets and restaurants across the state. Licensed California aquaculture farms fulfill part of that demand by legally farming red abalone.

Indigenous communities that have sustainably tended and harvested these shellfish for more than 10,000 years – and possibly longer. In many of these communities, abalone is seen to be

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<sup>1</sup> Wang, X. and Wang, Y. Editorial: Molecular Physiology in Molluscs. *Front Physiol.* 2019; 10: 1131. doi: 10.3389/fphys.2019.01131

<sup>2</sup> NOAA, Black Abalone. <https://www.fisheries.noaa.gov/species/black-abalone/overview>

of high importance both for its meat and its shells, which are used to adorn ceremonial regalia and were once a centerpiece of the complex pre-colonial trade systems among tribes.<sup>3</sup>

- 3) **Policy considerations.** California is now represented by 44 symbols, 40 of which are codified: state amphibian, animal, bat, bird, colors, dance, dinosaur, fabric, flower, flag, folk dance, fossil, gemstone, gold rush ghost town, grass, historical society, insect, LGBTQ veterans memorial, lichen, marine fish, marine mammal, marine reptile, military museum, mineral, motto, mushroom, nickname, nuts, prehistoric artifact, reptile, rock, seal, silver rush ghost town, soil, song, sport, tall ship, tartan, tree, and Vietnam veterans memorial. (Government Code § 420–429.9). See “Related legislation” for a collection of current and unsuccessful state symbol legislation. *The Committee may wish to consider, at what point does adding additional symbols make the designation meaningless?*

Symbols present heartwarming opportunity for reflection, recognition, and civic engagement. Designating a new state symbol may briefly stir a media response, but does not materially accomplish any policy goal such as supporting habitat, research, or protections for the identified symbol. A 2002 LAO report estimates that each bill costs at least \$18,000, which is over \$30,000 today. So is it worth the cost? Other options are available to the Legislature, such as Resolutions, to establish state symbols. The Golden Trout (state fresh water fish), the California Coastal Trail (state trail), the California Consolidated Drum Band (state fife and drum band), and the Pasadena Playhouse (state theater) have all been established via resolutions. *The Committee may wish to consider whether legislation is the most appropriate mechanism to provide recognition to any potential symbol?*

- 4) **Related legislation.** AB 868 (Garcia) of 2021 would have established the date shake as the official state milkshake. AB 868 died in the Senate Governmental Organization Committee.

AB 1769 (Voepel) of 2018 would have established the California Vaquero Horse as the official state horse. AB 1769 died in the Assembly Governmental Organization Committee.

SB 73 (Hueso) of 2017 would have established the “San Salvador” as the official state ship of exploration. SB 73 died in the Senate Governmental Organization Committee.

AB 2470 (Nielsen) of 2012 would have established the sculpture in the Norther California Veterans Cemetery as the official state memorial for Vietnam veterans. AB 2470 died in the Assembly Veterans Affairs Committee.

AB 2063 (Huffman) of 2010 would have established the Chinook salmon as the official state anadromous fish. AB 2063 was vetoed by the governor.

SB 624 (Romero) of 2009 would have removed serpentine as the official state rock and lithological emblem. SB 624 died in the Assembly Rules Committee.

SB 1253 (Migden) of 2006 would have established zinfandel as the historic wine of California. SB 1253 was vetoed by the governor.

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<sup>3</sup> IMMP, Abalone, Otters, and Indigenous Peoples. <https://savedolphins.eii.org/news/abalone-otters-and-indigenous-peoples#:~:text=In%20many%20of%20these%20communities,colonial%20trade%20systems%20among%20tribes>

AB 2636 (House) of 2000 would have established the almond as the official state nut. AB 2636 died in the Assembly Governmental Organization Committee.

AB 1797 (Wood) of the current legislative session establishes the Dungeness crab as the official state crustacean. AB 1797 is pending before this Committee

AB 1850 (Pellerin) of the current legislative session establishes the banana slug as the official state slug. AB 1850 is pending before this Committee.

AB 3118 (Wallis) of the current legislative session establishes solar energy as the official state energy. AB 3118 is pending before the Assembly Committee on Utilities and Energy.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

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