Rhode Island Marine Fisheries Council

Lobster Advisory Panel Meeting Summary

Coastal Institute, URI Bay Campus, Narragansett, RI

December 18, 2013

Rhode Island Marine Fisheries

3 Fort Wetherill Road, Jamestown, Rhode Island 02835
(401) 423-1920 Fax: (401) 423-1925

Meeting Attendees:
Jeff Grant – RIMFC Member and Panel Chair*
Bob Ballou- Department of Environmental Management
Jason McNamee- RI Marine Fisheries
Scott Olszewski – RI Marine Fisheries
John Lake – RI Marine Fisheries
Stephen Parente
Lanny Dellinger*
Brian Thibeault*
Todd Sutton*
David Spencer*
James Kelly
Steven Anderson
Al Eagles
Al Christopher*
Peter Brodeur*
* Voting Members

1. **Lobster Trap Transferability Plan discussion**:

The Panel reviewed each section of the proposed Lobster Trap Transferability Plan put forward by the Department. Comments and concerns from the Panel and members of the public are as follows.

Dave Spencer asked for the addition of Single Ownership Cap or Individual Permit Cap for LCMA 3 and Aggregate Ownership Cap or Ownership Accumulation Limits sections from Addendum XXII of the Atlantic State Marine Fisheries Commission Fishery Management Plan for American Lobster be added to the proposed regulation. The Area 3 portion of the Plan differs from the Area 2 in many ways and this should be documented in the proposed plan. The industry needs to be sure of which License/Permit by Area can transfer to whom.

Lanny Dellinger of the Rhode Island Lobstermen's Association stated that the trap reduction portion of the management plan will be delayed until NOAA Fisheries adopts its transferability plan. The exact date is still to be determined. The Panel

asked that the Department contact the appropriate Federal authorities. The State of Rhode Island is going forward with its transferability regulations to avoid a potential compliance issue with the ASMFC.

The Panel asked that at some point the Department lay out a detailed description of which permit (license) types are eligible to transfer to which permit (license) types.

Steve Parente submitted a proposal to the Panel that created a lobster trap allocation floor at which allocation holders would not be subject to ASMFC mandated trap reductions. His proposal is attached and is also part of the RIMFC Public Hearing document.
Discussions by Panel members raised concern over Mr. Parente's proposal and the separation of allocation holders by trap allocation bins, where a group of fishermen would be treated differently with respect to the mandated trap reductions that the entire industry is subject to. The Panel understands that mathematically, very low trap allocations will not be reduced the entire 50% but realizes that some reduction will occur.

Motion by Brian Thibeault to include Mr. Parente's Proposal in the RIMFC Public Hearing, but that it is not supported by the Lobster Advisory Panel.
Second by Todd Sutton
4 in favor
1 against
1 abstention

It should be noted that this proposal was not endorsed by the RIMFC Lobster Advisory Panel

2. Licensing:

Panel discussion of licensing issues associated with the issuance of new license upon acquisition of Lobster trap Allocation. Some Panel members felt that the pool of possible transferees should be as large as possible to accommodate as many transfers as possible and to allow new younger participants into the fishery. Other panel members felt that if individuals wanted to get into the lobster fishery they should have to purchase a business from someone already licensed and participating. They also felt that although the number of traps will decrease with transferability to non licensed individuals by increased transfers, the potential for increased effort is real.

Motion by Lanny Delinger for the Lobster Advisory Panel to recommend to the Industry Advisory Panel the adoption of the issuance of new Principal Effort Licenses with a Lobster Endorsement one year after the implementation of the Trap Transferability Plan.
Second by Todd Sutton
4 in favor
1 opposed 1 abstention

3. Trap Transfer window:

The Panel discussed the trap transferability window when transfers could take place. Many felt that this should be open year round to accommodate as many transfers as possible but that the State should make this decision based on the administrative burden they may encounter. Also it was noted that Area 3 may have to be treated differently and have a different and possibly shorter window due to the nature of the fishery and the ability or inability to bring home transferred traps in a timely fashion.

No Panel action was taken on this item.

RIMFC Lobster Advisory Panel adjourned at 9:00 pm

Attachment from Steve Parente:

DATE: 18 December, 2013

TO: Jeff Grant, Council Chair, Lobster Advisory Panel

FROM: Stephen Parente, R.I. State Multi-Purpose Licensed Holder

Subject: Proposal Submission, Lobster Advisory Panel Scheduled 18 December 2013.
              Addition to Draft Amendments to Part XV, Lobster Trap Effort Control
              Program

<div align="center">GOAL</div>

To insure equity and clarity during the trap reduction process for currently licensed individuals with an extremely low initial trap allocation.

<div align="center">PROPOSAL</div>

Implement a minimum floor to allocation reduction by inserting the following language, following Section 15.14.2-5, Paragraph (i), (b), to read, "(c) Trap Reduction Exception- Paragraphs (a) and (b) above, do not apply to individuals with an initial lobster trap allocation (LTA) of 10 traps or less".

<div align="center">JUSTIFICATION</div>

The trap reduction schedule as depicted in the draft regulation (Part XV) does not take into consideration the gross inequity imposed upon those individuals that currently possess an extremely small allocation, and particularly those that are actually fishing it. Furthermore, under

the proposed scenario, the reduction process does not calculate mathematically, in that once the reduction fall to 5 traps the reduction mathematically ceases.

In the sense of regulatory clarity, equity, fairness, and operational necessity, it is imperative that this proposal be given the utmost consideration.

Prepared by: Stephen Parente
R.I. Multi-Purpose Licensed Holder