Rhode Island
Department of Environmental Management

DIVISION OF FISH AND WILDLIFE

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SUMMARY OF PUBLIC HEARING COMMENTS

Hearing Officer: B. Ballou
DEM Staff present: L. Mouradjian, G. Powers, and N. Scarduzio
RIMFC Members present as observers: None

The public hearing was held on January 25, 2010 in Narragansett, RI at the URI Bay Campus. Approximately 12 people attended the hearing. The following item was presented for public comment:

1) **Eligibility Criteria – Groundline Conversion Program – Lobster Management Area 2: Proposed establishment of eligibility criteria for commercial fishers, engaged in the harvest of lobsters with traps in Lobster Management Area 2, to obtain vouchers for the purchase of sinking groundline.**

This proposal was brought forward by DEM/DFW Marine Fisheries Section for public comment. This would allow DEM to assist with the implementation of a federal grant issued by National Marine Fisheries Service (NMFS) to provide vouchers to be used for the purchase of sinking groundline for lobster traps used for fishing in Area 2.

> ***Public Comment:*** P. Brodeur identified himself as an Area 2 fisherman and a member of the Take Reduction Team. He first spoke as a Take Reduction Team member and summarized how the various equipment and gear requirements had changed over the years to comply with regulations. For example, no poly on groundlines hence the rope exchange program which had been heavily negotiated with the conservation groups. He indicated that it appeared that DEM was reclassifying the rope exchange money as an economic stimulus program. He felt that the intent of the rope exchange program had switched for trap fishermen whether or not they ever fished poly, which seemed to be steering the original purpose of the grant in a different direction.
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> He then spoke as a fisherman, stating he was going to fill out an application to apply for the funding just like everyone else in the room. He requested there be a snail mail notification to all the trappers in RI so people would be aware of the program and have an equal opportunity to apply. He made reference to a bullet item listed under Eligibility Criteria "must have actively fished south of the COREGS lines and outside

of all RI coastal pond inlets", suggesting that the VTR numbers should be reviewed to reduce the number of people. Brodeur expressed concerns as to why there were two agencies involved with this process, DEM and the Commercial Fisheries Research Foundation (CFR Foundation), and expressed concerns about administrative funds being used by both agencies. He felt there would be a larger expenditure of funds for two agencies to be involved and thought DEM should be able to administer the program on its own so more funds could be disbursed to fishermen.

Brodeur was also opposed and adamant about not having DEM provide his fishing activity to the CFR Foundation in an unsecured building at East Farm. He felt this was private information that he did not want passed around. He preferred DEM to retain the information and have DEM make the decisions. He recommended this bullet item listed under "Notification" be removed from the document.

Public Comment: B. McElroy stated that he was basically in favor of the concept with a couple of minor exceptions. He expressed concern about allowing an "Added Credit" for some fishermen where it would not be allowed for others. He pointed out that as of April everyone was suppose to be switched over anyway, it did not seem right to give a 50 % bonus to a guy who was late in complying. He also stated that he had difficulty in the determination of fishing effort. The criteria should be based on lobster trap allocation, so that rope allocation should be based on a person's trap allocation, there should not be concern as to whether or not every single trawl was put in the water by an individual.

Public Comment: G. Mataronas stated this was the first he had heard that the grant amount had been increased from $300,000 to $404,167. He indicated he understood that $50,000 would be taken out for administration of the program. He expressed concern and hoped that the $50,000 in administrative costs would not increase, because fishermen would need all available funding. He also stated he wanted to see the average feet between traps for Area 2 increased just on the off chance that not many people would qualify. He suggested the increase should be to possibly 20 fathoms, or 120 feet, because if not many people qualify then the money may not get used up. He recommended that the multiplier be increased to be able to get at least 120 feet. He stated that he agreed with the 50 % extra because that survey was conducted three and one-half years ago, well before the implementation of the rule, and it was to find out who was still fishing poly which indicated there was still a significant amount of people.

Public Comment: T. Sutton stated that he did not agree with the "Added Credit" because you were supposed to be in compliance anyway. He also stated that he never received a letter for the survey, whether he fished poly or not. He also agreed that the Eligibility Criteria should be based on lobster trap allocation as recommended early by B. McElroy.

Public Comment: M. Anacko identified himself as a local rope manufacture. He stated that he had concerns about the supply of rope. He explained that it took a month or two to get raw materials in and he was hoping there would be some way to get orders so he could estimate supplies and what he would need to order. Under the voucher program he could not accept the voucher unless he had the finished rope on hand. He felt the voucher program put him in an awkward situation as far as knowing how much product to have available without over buying supplies.

B. Ballou closed the public hearing.

There was one written comment submitted by D. Ingram, which was received at the public hearing by B. Ballou, (Exhibit 4). D. Ingram stated in his written commend that he was opposed to the voucher program and suggested using the money as seed money for an industry funded effort buy back program. He also indicated that the voucher program was rewarding people for not coming into compliance, and penalized people that were conscientious enough to do the right thing.

List of Exhibits:
Exhibit 1 – Affidavit of Publication/Posting
Exhibit 2 – Public Notice and Public Hearing Summary Document
Exhibit 3 – Introductory remarks prepared by R. Ballou
Exhibit 4 - Letter submitted by D. Ingram opposing the voucher program