

RIMFC Lobster Advisory Panel  
March 22, 2006  
Wakefeild, RI

RIMFC Members (\* = primary voting member):

Jody King (Chairman)  
\*Robert Smith (Inshore trap)  
\*Albert Christopher (Offshore trap)  
\*Jeffrey Jordan (Offshore trap)  
\*David Spencer (Offshore trap)  
\*Kevin Bates (Dealer)  
Dennis Ingram (alternate/T. Sutton)  
Lanny Dellinger (alternate/R. Wallis)  
Dr. John Gates (alternate/K. Castro)  
Greg Lisi (alternate/A. Christopher)  
Brian Thibeault (alternate/R. Smith)

Others:

Bruce Hawkins, James Low, Ed Baker, William Mulvey, Steve Crandall, Aaron Gewirtz, Richard Neidich, Barry O'Neill, Bruce Barr, Mark McSally, William McElroy, David Borden, Richard Fuka, Peter Brodeur, William Solitro, Brad Mathews, Jim Maher.

DFW Staff:

Mark Gibson, Scott Olszewski, Thomas Angell

Meeting convened at 6:10 pm by Chairman Jody King.  
There were 31 people in attendance.

**AGENDA:**

**1. Review draft RI regulations for implementation of ASMFC Lobster Addendum VII.**

T. Angell opened the review of the draft RI regulations for implementation of ASMFC Lobster Addendum VII; several internal DFW meetings held to develop/revise the regulatory language; most of Addendum VII is mandatory/compliance; not much opportunity to alter the compliance measures; regulatory language was drafted to be in compliance with Addendum VII.

The Lobster AP then reviewed each section of the draft regulations and made comments.

- Section 15.14.2 – no comments.
- Section 15.14.2-1(a) and (b) – no comments.
- Section 15.14.2-1(c) – add language at end of sentence; “...until the discrepancy is resolved.”
- Section 15.14.2-2(a) – no comments.
- Section 15.14.2-2(b) – Concerns expressed about the application process; why limit the pool of license holders? The LCMT process did not restrict the pool of

- license holders. If a person does not submit an application, are they out of the Area 2 lobster fishery forever? The application form needs to address consequence of non-application; non-applicants would not be in the initial trap allocation pool and would have to wait for transferability option to get in to the lobster fishery.
- Section 15.14.2-2(c) – Need to exempt the recreational lobster trap fishers? How do you prove that you harvested lobster from traps in Area 2? This information is already contained in the logbook records (gear codes). Need to change reference at end of last sentence to “15.14.2-5”. Application form should remind applicants that only lobster trap fishers can qualify for initial lobster trap allocation.
  - Section 15.14.2-2(d) – no comments.
  - Section 15.14.2-3(a) and (b) – no comments.
  - Section 15.14.2-3(c) – need to clarify the intent of this section.
  - Section 15.14.2-3(d) – need to clarify; check with MA to see if this causes a problem.
  - Section 15.14.2-4 – previous language was removed and replaced with the 3/22/06 draft language; can’t get Addendum IX done in time to be in compliance with Addendum VII. Concerns that this could be a major problem for people who do not get a large enough initial trap allocation; need to acquire trap allocation to make fishing economically feasible. Need to get addendum for transferability ASAP. We will know better after the April ASMFC meeting whether or not transferability will be part of Addendum VII or a future addendum (Addendum IX ?) What about leasing/renting trap allocation?
  - Section 15.14.2-5 (1), (2), (3) – no comments.
  - Section 15.14.2-5 (4) – concerns expressed that almost every lobsterman could appeal based on a medical hardship; need to define “material incapacitation”; what about a medical condition prior to 1999?
  - Section 15.14.2-6 – This is the maximum number of lobster traps allocated among all license/permit holders that can be fished in Area 2. Area 2 overall trap cap may be adjusted up or down by Lobster Management Board based on results of stock assessment. What are the criteria for federal permits that left Area 2; do they receive an Area 2 trap allocation?

**Motion by R. Smith to send the 3-22-06 draft RI regulations for implementation of ASMFC Lobster Addendum VII to the RIMFC for approval to go to public hearing, including amendments made at tonight’s meeting.**

**Second – J. Jordan**

**Voted – YES; unanimous.**

**The motion passes.**

## **2. Status of ASMFC Addendum VIII and Amendment 5.**

M. Gibson gave a status report on ASMFC Lobster Addendum VIII.

There will be a Public Hearing for Addendum VIII on April 11, 2006 at 6:00 pm at Corless Auditorium.

Covers through 2004 and is in response to Peer Review findings; Significant findings in last 2 stock assessments; fishing mortality (F) exceeds the threshold and the resource is below the abundance threshold.

Addendum introduces possible changes to biological reference points and data collection process.

- Status quo or new biological reference points for F and abundance.
- Continue or expand current data collection programs.
- Addendum is the beginning of a possible ASMFC action.
- Addendum 7 may be inadequate to address the current resource condition in Area 2.
- Need to get the other management areas (Areas 4, 5 and 6) in the Southern New England (SNE) stock area to adopt the same/compatible regulations as Area 2.

**3. Proposal submitted from RI Commercial Rod & Reel Angler's Association (Jim Low).**

Proposed due to concerns by Multi-Purpose license holders who fish small numbers of lobster traps; stopped fishing and did not have history in 2001-2003.

Proposing a minimum trap allocation of 100 lobster traps.

Concerns expressed about opening the trap allocations up for people who never fished for lobster; trap allocation given to people who don't fish for lobster will be taken away from the remaining pool of Area 2 lobster traps; people who actively fish for lobster will be giving up trap allocation to people not actively fishing for lobster.

Request to forward this proposal to RIMF for consideration at the Addendum VII public hearing, whenever that takes place.

Meeting adjourned at 9:00 pm.