



# MAINE

## Lobstermen's Association, Inc.

203 Lafayette Center • Kennebunk, ME 04043

Phone: 207-967-4555 • Fax: 866-407-3770

[www.maine lobstermen.org](http://www.maine lobstermen.org)

### **Testimony of Patrice McCarron Executive Director of the Maine Lobstermen's Association**

#### **In Opposition to LD 563 An Act Regarding the Purchase of Trap Tags in the Lobster Fishery**

**Before the Committee on Marine Resources  
March 18, 2015**

Senator Baker, Representative Kumiega, and members of the Joint Standing Committee on Marine Resources, my name is Patrice McCarron. I am the Director of the Maine Lobstermen's Association (MLA). MLA is Maine's oldest and largest fishing industry organization whose mission is to advocate for a sustainable lobster resource and the fishermen and communities that depend on it.

The MLA Board does not support LD 563. This proposal attempts to address a symptom of the larger issue of if or how the lobster entry system should be reformed. The MLA believes that the lobster industry must be fully engaged in any conversations on how this reform would happen, and if it does happen, it must be a comprehensive rather than a piecemeal reform.

The MLA has been engaged in discussions over how to make changes to the limited entry system for more than 15 years. There have been a number of bills introduced to the Legislature since at least 2003 either seeking exemptions to the limited entry system or to establish a mechanism to allow for the transfer of licenses. All of these proposals are symptomatic of the amount of demand that exists to gain access to the lobster fishery. None of these bills, with the exception of expanding access for veterans and island communities, have moved forward.

At the same time these bills were being introduced to the Legislature to relax standards to access the fishery, the DMR working with the Lobster Advisory Council and the zone councils enacted regulations to further restrict access to the fishery. These took the form of more restrictive exit ratios and changing the exit ratio currency from licenses to tags.

The extreme difficulty in finding a resolution to issues of access to Maine's lobster fishery resulted in the 125<sup>th</sup> Legislature directing Maine's Department of Marine Resources (DMR) to conduct an independent evaluation of the lobster fishery's limited entry system. The report, published by the Gulf of Maine Research Institute in 2012, revealed a number of issues which need to be addressed.

The MLA agrees that these issues warrant further discussion, but the conversation is still very much a work in progress. Commissioner Keliher and his staff of Maine DMR have been extremely proactive in

initiating this conversation. During the winters of 2013 and 2014, the Commissioner held numerous meetings along the coast to engage lobstermen on these topics, and particularly the topic of latent effort which LD 563 attempts to address. The DMR has further committed to work with the Lobster Advisory Council to develop a Fishery Management Plan (FMP) for Maine's lobster fishery. The FMP requires the industry to establish goals and vision for the fishery; both of which are essential first steps in guiding how the fishery might reform its entry system.

With regard to the issue of latent effort, the lobster industry is split on whether or not it is perceived as a problem. Most believe that effort that is not in the water is a good thing. That means less traps in the water and less pressure on the resource. And most believe that if this latent effort were going to be fished it likely would have been by now given the record catch and strong prices. And there is much angst around how to deal with latent effort in a way that would not create a "use or lose it" mentality, resulting in more effort and gear in water.

That said, many others firmly believe that you cannot reform Maine's lobster entry system without first dealing with latent effort. Maine's experience in the mid-1990's in implementing trap limits is a case in point. The trap limit was enacted without a program to freeze or tier lobstermen who were fishing below the limit. The final result was that while many lobstermen were taking traps out of the water to meet the new trap limit, others were building up to the trap limit to hedge against potential future reductions. No one wants to see history repeat itself.

Finally, there is strong concern around dealing with latent effort or reforming the entry program in a piecemeal fashion. The MLA Directors were in full agreement that if the lobster entry system is to be reformed, it must be done in a comprehensive manner. It is simply impossible to judge how a proposal such as LD 563 would affect the lobster fishery without it being fully vetted as part of a larger reform strategy.

The MLA will continue to be involved in these discussions, but strongly urges you to vote ought not to pass on LD 563.

I would be happy to answer any questions. Thank you for your consideration of MLA's comments.