

SHELLFISH LICENSE REQUIREMENTS IN SELECTED ATLANTIC STATES

AREAS, ADDRESSED BY OTHER STATES, FOR RI CONSIDERATION:

- ?? What species does “shellfish” cover. Do separate shellfish species have different needs? (ME)
- ?? Resident vs. Non-Resident harvesting abilities. (ME & NC)
- ?? Resident vs. Non-Resident Fees. (NJ)
- ?? Shellfish License vs. Shellfish Endorsement for additional licensed fishermen. (MA)
- ?? Shellfish License vs. Shellfish Endorsement Fees. (MA)
- ?? Should vessel registrations be a requirement? (NC)
- ?? What type of Shellfish Fishermen ID Card should be created? (MA)
- ?? Should there be cooperation with local towns/regions? (MA & ME)

MASSACHUSETTS

- ?? An individual must possess a town/city commercial shellfish permit, a state commercial fisherman permit endorsed or license for shellfish, and a shellfish ID card issued by the Division of Marine Fisheries.
- ?? There is an established cooperation between the coastal cities and towns and the Director for biological protection, from contaminants, and human protection, from illegal activities, to enhance the supply of shellfish. Received license funds have been set aside for this program.

A. SHELLFISH ENDORSEMENT for Commercial Fisherman Permits - Available for No Additional Fee.

COASTAL LOBSTER PERMIT: (limited entry) allows the taking, landing and sale of lobsters and finfish from within the coastal waters of the Commonwealth. *The permit may be endorsed to take and sell shellfish at no additional cost.*

Renewal Fee \$260 Resident \$520 Non-resident

OFFSHORE LOBSTER PERMIT: allows the landing and sale of taken outside of the coastal waters of the commonwealth only; pursuant to a federal lobster permit. *The permit may be endorsed to take and sell shellfish and finfish at no additional cost.*

Fee \$260 Resident \$520 Non-resident

SEASONAL LOBSTER PERMIT: allows the licensee only to take and sell lobsters from June 15 – September 15. Maximum of 25 pots may be used. Diving is not permitted, *sale of fish or shellfish is not permitted.*

Fee \$65 Resident \$130 Non-resident

BOAT PERMIT: allows the taking of, landing and sale of fish *and may be endorsed for shellfish.* The permit covers everyone on the vessel. No lobster may be taken.

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| Fee (0-59ft. boat) | \$130 Resident | \$260 Non-resident |
| Fee (60-99ft. boat) | \$195 Resident | \$390 Non-resident |
| Fee (99+) | \$260 Resident | \$520 Non-resident |

INDIVIDUAL PERMIT: allows the holder only to take, land and sell fish and *may be endorsed for shellfish*. No lobster may be taken.

Fee \$65 Resident \$130 Non-resident

B. SHELLFISH LICENSE – Fee applied.

SHELLFISH AND SEAWORMS PERMIT: allows an individual to take, land and sell shellfish and seaworms. A shellfish ID card, from the Division, and town permit are also required.

Fee \$40 Resident \$80 Non-resident

SHELLFISH & ROD AND REEL:

Fee \$55 Resident \$130 Non-resident

MAINE

RESIDENCY REQUIREMENT: An individual is eligible for a license if that person has resided in Maine 6 months prior to the date of application.

SHELLFISH LICENSE: *A shellfish license is only issued to an individual and is a resident license. Many municipalities regulate their own shellfish and may require a license in addition to the State license. Each container, hod, or bag of shellshock must be tagged during landing. Moneys collected from license fees are placed into a Shellfish Fund. A shellfish conservation license issued by a shellfish conservation ordinance established within a respective municipality. Shellfish conservation ordinances may be adopted by municipalities or unorganized townships.*

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| Fee | \$63 |
| Conservation License Fee | If \$200 or less established by the ordinance (Resident) then the Non – resident must not exceed twice the resident fee. If greater than \$200 established by the ordinance (Resident) then the Non-resident must not exceed 1½ times the resident fee. |

MAHOGANY QUAHOG LICENSE: Allows a license holder to fish or take mahogany quahogs in any harvesting area indicated on the license. The license authorizes crew members aboard the licensee’s vessel to undertake these activities when engaged in dragging for mahogany quahogs when the licensee is present. Moneys collected go into the General Fund.

SCALLOP LICENSE: Required by persons who take no more than two bushels or shellstock or four quarts of shucked scallops for personal use.

Scallop Boat License: Covers vessels and crew members aboard that vessel that are taking scallops by drag method. The license shall only be issued to an individual and shall be a resident license.

Fee \$89

Hand Fishing Scallop License: Required by persons taking scallops by other methods other than by a scallop drag. The license is only issued to an individual and shall be a resident license.

Fee \$89

Scallop Diver Tender License: Authorizes persons who tend divers who harvest scallops by hands and operate a boat as a platform for the harvesting of scallops by hand and may possess, ship, transport and sell scallops harvested by licensed harvesters the tender has tended. A scallop diver tender license does not authorize the holder to harvest scallops.

Fee \$89
Fee for 30-Day Temporary \$25

NEW YORK

LICENSE CATEGORIES:

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|----------------------------|----------|
| Shellfish Digger's Permits | |
| Resident | \$50.00 |
| Nonresident | \$100.00 |

NEW JERSEY

SHELLFISHERIES (Individual Licensed)

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| Commercial Clam | \$50 |
| Surf Clam Commercial | \$600 |
| Surf Clam Bait | \$100 |
| Surf Clam Landing Fee - Commercial | \$4.80/tag |
| Non-Commercial | \$.15/busshel |
| Oyster Dredge Boat License | \$2.00 (gross ton) |

For most licenses, non-resident fees are the same as resident fees if a resident of New Jersey is not charged a higher fee than a resident for the same license in the applicant's state. Other wise, the fee is ten times the resident fee.

NORTH CAROLINA

SHELLFISH LICENSE: Available to any North Carolina resident – *residents from other states are not eligible*. No previous license requirements are needed for this license. This license allows for the commercial harvest of shellfish and the sale of shellfish to a licensed fish dealer. If a boat is used in a shellfish operation, that boat must have a commercial fishing vessel registration. The license can not be transferred or assigned.

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| Fee | \$25 Residents |
| Vessel Registration Fee | Up to 18 ft\$1 per ft. |
| | Over 18 ft. to 38 ft.....\$1.50 per ft. |
| | Over 38 ft. to 50 ft.....\$3 per ft. |
| | Over 50 ft.....\$6 per ft. |

SHELLFISH ENDORSEMENT:

Standard Commercial Fishing License available at no extra cost, *for residents only.*

Retired Standard Commercial Fishing License available at no extra cost, *for residents only.*

RHODE ISLAND SHELLFISH FISHERY
SEAFOOD DEALER COLLECTION/REPORTING SYSTEMS

CHAMPLIN OF WICKFORD

Met with Rob Johnston

WHAT TYPE OF DATA IS BEING COLLECTED?

Champlin has a record for each fisherman landing his or her catch. The record includes personal contact information such as name, address, phone and a history of his or her past landings. The information collected during each landing that is added to the individual's record includes:

1. Seller Name
2. Purchase Date
3. Location or Source of the Catch
4. Different Types of Shellfish Landed
5. Count or Pound of Each Type of Shellfish
6. Unit Price of the Shellfish
7. Extended Price of the Shellfish

WHAT TYPE OF DEALER DATABASE SYSTEM IS BEING USED?

Champlin is using a Microsoft Access database that was developed by an independent contractor. The database was installed in May of 1999.

- ~~///~~ The database includes a section for finfish, lobster, and shellfish landings, as well as a section to prepare reports and to adjust the landing price.
- ~~///~~ There are approximately 400 fishermen in the database.
- ~~///~~ The personal information that can be entered into each record is the fisherman's name, address, home phone, vessel phone, vessel registration, social security, and fishing license number.
- ~~///~~ The landing information that is included is the landing date, location of catch, the seller's name, the receiver's name, and the quantity landed with the catch price and total.

WHAT IS THE FORMAT OF THE DISPLAYED PAGE ONCE THE DATA IS ENTERED?

With Microsoft Access there are different display pages then can be viewed. There is a window option that allows the fisherman's new landing data to be entered, a spreadsheet format that breaks down the categories and reveals past landing data, a format to view total catches and fisherman landing per day, or reports can be prepared to design a specific display page.

For DEM reporting requirements, a specific report has been created and by the 15th of every month is sent to the department. However, the information that DEM requires is only a total amount of each category of shellfish landed either by pounds, pieces, or both and the monthly average price for that species.

Since there is a report design mechanism within Microsoft Access it would require minimal to almost no additional work for Champlin to simply alter the report to provide DEM with more specific effort and catch data. Presently, Champlin is already storing the type of effort data that DEM is seeking in their own records.

HOW MUCH EFFORT IS INVOLVED IN ENTERING THE DATA?

The landing data is entered once the fisherman has landed his catch. When fisherman land their catch they provide the dealer with a license/bag tag that includes the name of the fisherman, permit number, type of shellfish, and the location of the catch. The tags are kept on file at the dealers. The total amount landed is stored in the computer and an invoice is printed out for the fisherman. Fishermen, for the most part, are paid daily. The data-entry takes a few minutes and overall is a very simple and precise process.

Fishermen catch data is also required for the IRS and the Department of Health. Champlin has to report all fishermen making over \$600 to the IRS. The department of health also visits dealers to monitor the location of the catches. These two requirements are what drove Champlin to be more efficient in their data collection and storage.

GREENWICH BAY CLAM

Met with Jenny, Margaret, and Joe Bradsha at the Main Street office in East Greenwich.

WHAT TYPE OF DATA IS BEING COLLECTED?

Greenwich Bay Clam has a different data collection system. The first location of data collection occurs at the point of landing which could either be on one of their two boats that accepts shellfish from diggers on the water, or at their water front store. At these two points shellfish are weighed, counted, and the fisherman are given a receipt of their catch. The receipts from the store and the boats is then brought to the main street office where the total information is first copied onto a piece of paper and then given to a woman who keeps manages the accounting system.

1. The Landing data on the receipts includes:

1. Fisherman license number and name
2. Date of the landing
3. Quantity, pound or piece, of each species landed
4. Location where the shellfish were caught

2. When the copies of the receipts go to the main office there are two processes.

Process #1.

?? Receipts are brought in from the 3 different landing locations that include Greenwich Bay Clam, Wickford Shellfish, and the Clam Queen.

- ?? For the three landing locations, each shellfish fisherman's landed species amount is combined to provide one total output for each species and the species price for that day.
- ?? The information is copied onto a hand written report that holds the total amount for that month.
- ?? Each month is kept separately and filed.
- ?? This hand written report is added up at the end of each month and reported to DEM. Information that is not included on this sheet is the location of the catch or the individual fisherman's catch.

Information collected at this point includes:

1. Date
2. Either the boat or landing location
3. The different species of shellfish
4. Number of shellfish pieces
5. Pounds of the shellfish pieces
6. Dollar Value

Process #2.

- ?? The landing receipts are then given to the person handling the accounting.
- ?? Landing information for each fisherman is then placed in the database program called Quick Books.
- ?? Fisherman information that is included on Quick Books includes the license number the name, address, and social security number.
- ?? The total amount provided to that fisherman on the date landed is recorded.
- ?? There is a report that can be run from this location that includes the total amount landed, in dollar amounts, for the fisherman for the year.

Information collected at this point includes:

1. Date
2. Fisherman total landed catch and price provided, which is recorded by using the fisherman license number

WHAT TYPE OF DEALER DATABASE SYSTEM IS BEING USED?

The process for the DEM collection reporting is a paper system and the business uses Quick Books for accounting and tax purposes.

WHAT IS THE FORMAT OF THE DISPLAYED PAGE ONCE THE DATA IS ENTERED?

Under Quick Books, when the daily landing information is included there is a simple screen that allows for the license number to be entered and the total dollar value of the catch. Reports can be done to show the individual days and amount that had been earned on those days and throughout the year.

HOW MUCH EFFORT IS INVOLVED IN ENTERING THE DATA?

Since the office is at a separate location from the point of landing and sale, there are two steps that are taken. The first data collection step is on the water and the second is at the main office. At the main office this process again is divided into two separate

processes. The first process follows the DEM reporting requirements while the second process follows the accounting requirements of the business.

The receipts are brought to the office the same day of the landing. While in the office it could take an additional day before the receipts have been properly tallied.

General License Trends WITH OTHER ATLANTIC STATES

HOW ARE STATES MANAGING THEIR QUOTA SPECIES?

The majority of states are moving toward limited entry systems in licensing their fisheries and more specifically their quota species.

State methods that are being used to create limited entry programs include:

- ✍✍ Historical presence in a fishery
- ✍✍ Percentage or quantity of a species landed
- ✍✍ Income % derived from fishing
- ✍✍ Time periods are chosen for which the above can apply

State methods to prove presence in a given fishery include:

- ✍✍ Federal or state income tax records
- ✍✍ Documentation of license & sale history ~ dealer receipts, copies of sale records
- ✍✍ Trip ticket records
- ✍✍ Log book records

State methods for establishing amount of participants in a quota species fishery include:

- ✍✍ Capping the fishery
- ✍✍ Holding the fishery under a moratorium
- ✍✍ Creating a waiting list for new entrants incase the stock rebounds or fishermen exit the quota fishery
- ✍✍ Allowing license or endorsement transfers to retain the participant level
- ✍✍ Creating quota licenses or endorsements that are either restricted, determined by the amount of pressure in the state on that quota, or unrestricted if pressure is not at a critical level

Examples of how individual states have implemented their limited entry programs for restricted species.

Massachusetts: Historical presence and control dates have been used for their Coastal Lobster Permit and Limited Entry Endorsements.

Connecticut: Historical presence is used. The state has also required fisherman to submit catch reports each year before license renewal would be approved.

New York: For new Commercial Food Licenses and Crab Permits issued in 2001 proof that an average of \$15,000 or over 50% of income, using federal income tax forms, came from fishing 3 years in a row.
At time of issuance of Striped Bass Permit shares, full time quota shares must have currently possessed a valid New York State

Commercial Food Fish License, previously held a New York license to sell striped bass during 1984, 1985, 1990, 1991, 1992, 1993, 1994, or 1995, and persons who could demonstrate through Federal or New York State income tax records that 50% or more is his or her income resulted from direct participation in the harvest of marine fish, shellfish, crustaceans or other marine biota in any one year during 1994, 1995, or 1996.

At time of issuance, Summer Flounder Permits required persons to currently possess a valid New York State commercial food fish license and previously held a New York State food fish license during 1992 or any subsequent year, previously held a summer flounder permit, has on file with the department an application prior to close of business day on April 15, 1994, or could demonstrate through Federal or New York State tax records that 50% or more of his or her earned income during any one year in the period of January 1988 to December 1992 or any subsequent year resulted from his or her direct participation in the harvest of marine fish, shellfish, crustaceans or other marine biota.

For both Flounder and Striped Bass permits a waiting list of 1,000.

New Jersey:

The Commercial Crab Pot is a limited entry system that is currently under a moratorium. There are over 400 names on the waiting list but no new entrance is being allowed at this time. The Crab Dredge Permit is also on a limited entry system. Every year names are taken and placed in a lottery. Once a year there is a draw. Usually persons included in the lottery get chosen for permits. However, if an individual's name is not chosen he/she must reapply to the lottery for the follow year.

For the Gillnet Fishery there is a "Delayed Entry System" currently in place in New Jersey for Residents and Non-Residents who over the last two years have not possessed a Fish Net License.

Applicants are subject to a two-year waiting period before being eligible. The individual must visit the office in person once a year for two years and fill out the appropriate forms revealing their interest to enter the fishery.

In order to participate in a New Jersey Fishery under Quota, such as Fluke, which is limited entry, persons must show past participation in a New Jersey fishery. They must be able to document their license and sale history. One other requirement is the quantity of fish landed. For instance, in the Fluke fishery one must show that they landed 1,000 lbs of Fluke in 2 of the last 10 years. The landing quantity could alter between species.

Maryland:

First there was a delayed entry system for licenses in 1988. Then Maryland went through a few moratoriums when a waiting list was established that included a primary group (held a license but wanted a license upgrade or change, had been a crew member for 2 years certified by 3 licenses, held a valid license from another state, family member of a current licensee) and a secondary group who didn't meet the primary criteria. Once the final moratorium was lifted in 1998, candidates on the primary waiting list were issued licenses while the secondary candidates

were given apprenticeship permits. Apprenticeship Permits were capped. General Apprenticeship requirements needed to be followed and availability for a fishing license would be available after 2 years of the Permit issuance once the requirements had been met.

North Carolina:

Standard Commercial Fishing License & Retired Standard Commercial Fishing License: The licensed were first capped. To be eligible for these licenses, an individual must have had a current/valid Endorsement –to-sell-license on June 30, 1999. Now an eligibility pool exists. Licensees have one year to renew. If the licensed is not renewed then the license goes to the eligibility pool.

Eligibility Pool Process: To allow new fishermen to enter the industry after July 1, 1999, 500 licenses have been placed in an eligibility pool and randomly distributed to fishermen meeting established criteria, including past involvement in the commercial fishing, degree of reliance on fishing and other factors. Between April 1 – June 30 1999 applications were received, an eligibility board decided who qualified for the pool, and the Marine Fisheries Commission held a draw.

Two key quota species in North Carolina are Flounder and Bluefish. Control dates were used in order to determine who could obtain a permit to fish on the quota species.

License to Land Flounder from the Atlantic Ocean: Vessels used in fishing operations must have been licensed by the Division of Marine Fisheries during two of the years between 1993-1995. Also must have documented landings from a single vessel of at least 1,000 lbs. of ocean-caught flounder in two years between 1993 – 1995.

Florida:

A Restricted Species Endorsement on a saltwater products license is required to sell to a licensed wholesale dealer those species, which the state, by law or rule, has designated as a restricted species. This endorsement is used to a person who is at least 16 years old, or to a firm certifying that that over 25 % of its income or \$5,000 if its income whichever is less is attributable to the sale of saltwater products. Requirements also hold for for-profit corporations.

Acceptable proof of income earned from the sale of saltwater products includes copies of trip ticket records documenting qualifying sale of saltwater products, copies of sales records from locales other than Florida documenting qualifying sale of saltwater products, a copy of the applicable federal income tax return, including Form 1099 attachments, verifying income earned from the sale of saltwater products, crew share statements verifying income earned from the sale of saltwater products, and a certified public accountant's notarized statement attesting to qualifying source and amount of income.

LICENSE STRUCTURE CONNECTICUT

Since commercial fishing licenses in the State of Connecticut are currently under a moratorium and the licensing program is suspected to turn into a limited entry system by 2003, this report specifically looks at CT's Data Collection and Management, Quota Species Program, and Shellfish Industry. The information was obtained through a phone conversation with Eric Smith, Division of Marine Fisheries' Assistant Director, and through Connecticut's written licensing material.

DATA COLLECTION AND MANAGEMENT

Over the past 25 years, the State of Connecticut's Division of Marine Fisheries has used a Commercial Fishing Statistics System to compile their licensing and landing data. The data presently collected is very similar to the information parameters under ACCSP and therefore easy to download into the ACCSP format. Although some deviations of the current system might change, CT is assuming that the conversion over to ACCSP will not be a difficult task. Connecticut is interested in the economic information that ACCSP collects that will allow for proper economic analyses of each fishery.

There are a total of five staff members managing the data collection and Commercial Fishing Statistic System. The staff includes a senior program technician, two resource technicians, a biologist and general workers or temporary work. Their responsibilities range from data entry, data error checking, and species quota monitoring.

QUANTIFYING EFFORT:

In addition to license information, the State of Connecticut requires a fisherman to complete and submit a catch report in order to renew his/her license. This comprises of a complete catch report detailing the catch, effort and landing activities with

- 1) Any landings made in Connecticut regardless of where the fishing took place
- 2) Any fishing in Long Island sound and Western Block Island (or Lobster Area Management Area 6") regardless of where the landings take place.

The Division of Marine Fisheries also issues "CT Fish Plates" which are a numbered license plate and color codes decal that must be displayed from all vessels engaged in commercial fishing.

QUOTA MANAGED SPECIES

The State is very careful not to exclude nonresidents from fishing their State's quota managed species. Eric Smith, Assistant Director, said that by excluding nonresidents a State would be exposed for a lawsuit, and the activity could become "constitutionally suspect". CT limited their licenses to those who have had a history of fishing and landing in the State. This system was created to deal with the problem of latent effort without excluding the residence of an applicant or license holder.

SHELLFISH FISHERY

?? Since the 1970's, the CT General Assembly has approved of privately owned shellfish beds. The General Assembly has believed that more productivity would come from beds that are privately owned rather than publicly owned.

- ?? Shellfish is managed by the Connecticut Department of Agriculture and Aquaculture.
- ?? CT is unique in that there are very few open and natural shellfish beds.
- ?? Presently, the beds are either leased or franchised.
- ?? One Problem that arose out of this management system is the lack of effort, landing or licensing data. The Division of Marine Fisheries does not receive the data that it needs in order to make appropriate management decisions. Unlike the other marine fisheries, the shellfish industry is not required to complete catch reports. The process is voluntary rather than mandated. The Department of Agriculture is responsible for submitting the landing data to the Division of Marine Fisheries.

The coastal zone of CT has faced an increase in coastal development, pollution, and where the state is located there is minimal tidal flushing. Shellfish beds close to shore have been closed due to contamination and low water quality. The CT shellfish industry has evolved to counter balance this coastal zone dilemma. In many areas, shellfish are moved from these contaminated locations and placed in deeper and cleaner water. The shellfish are left for a period of time to flush contaminants out of their systems before they are re-harvested and landed. Shellfishing in CT requires more effort and is a costly venture.

Historically, the CT shellfish fishery has been the most lucrative and valuable fishery in CT. In the year 2000, the total yield was \$13 million dollars, greater than the finfish and lobster fisheries.

MAINE COMMERCIAL FISHING LICENSES

The holder of a Maine Commercial Fishing License may take fish for or take, possess, ship, transport, or sell fish that has been taken from state waters.

#1. LOBSTER AND CRAB LICENSE:

- Required of all persons who trap lobsters and crabs in Maine coastal waters.
- **The license is available for residents only.**
- Any one who assists a lobster or crab fisherman in any way must be licensed.
- Trap tags are required for traps fished and there is an 800-trap limit.
Trap tag purchasing limits: If the license holder bought between 0 and 200 trap tags before Nov. 20, 1998 then he/she can not purchase more than 300 tags for the initial license year. But if 201 or more tags were bought before that date than the license holder may purchase a number of traps not greater than 100 more than the number the license holder purchased as of Nov. 20, 1998. **Trap Tag Fee \$.20** each.
- Funds collected from lobster license and trap fees are placed into a lobster management fund.
- Coastal lobster fishing areas have been broken down into Lobster Management Zones and these Zones have their own regulations and trap limits. Each zone has a lobster management council, with an appointed non-voting appointed legislator, who makes management recommendations to the Commissioner.
- 5 Lobster Zones are currently limited entry and others may be closed in the future. There is a waiting list and on Feb 1st of each year the Commissioner new entrants may be authorized for each limited-entry zone. If the chosen new entrant does not respond by 30 days then the next person on the list is chosen.

THERE ARE 5 TYPES OF COMMERCIAL LOBSTER AND CRAB FISHING LICENSES

(1) CLASS I: Authorizes the licensed activities under subsection 2 by the individual who is named in the license. Anyone assisting this person must also be licensed.

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| Fee | \$46 Under 18 years of age | \$93 Age 18 years of age or over |
| Fee Exception | \$46 Over 70 years of age | |

(2) CLASS II: Authorizes the license holder to engage in the licensed activities under subsection 2. This person may engage one unlicensed crew member to assist in the licensed activities under the direct supervision of the Class II license holder.

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| Fee | \$186 |
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(3) CLASS III: License holder may engage 2 unlicensed crew members to assist in the licensed activities under the direct supervision of the Class III license holder.

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| Fee | \$290 |
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(4) STUDENT: Established for entrance into the lobster fishery. The program must hold practical lobstering experience and the Commissioner will determine the length of time, must be a minimum of 2 years, and educational courses that should be taken. The person must hold three consecutive student licenses, has to turn 18 years old prior Dec. 31 of that license year, and has to have documented 200 fishing days. The License

allows an individual, must be a 22-year-old full-time student at time of application, submerge no more than 150 lobster traps at any one time in the coastal waters of the state. The applicant must also designate a sponsor who holds a Class I, Class II, or Class III license.

Fee \$46

(5) APPRENTICE: Established for entrance into the lobster fishery in 1996. The apprentice program must provide practical lobster fishing experience and the Commissioner determines the length of time, must be a minimum of 2 years, documenting 200 fishing days with up to three sponsors, each fishing day must be at least 5 hours, and educational courses that should be taken. Allows an individual to tend traps that are fished by the sponsor, permanent license holder that is either licensed under a Class I, Class II, or Class III.

Fee \$46 Under 18 years of age \$93 Age 18 years of age or over

NON-COMMERCIAL LOBSTER AND CRAB LICENSE: Authorizes the license holder to engage on the licensed activities under 2-A. The individual may not submerge at any one time more than 5 lobster traps in the coastal waters of the State.

Fee \$46

#2. COMMERCIAL FISHING LICENSE: Issued only to an individual but the license shall authorize crew members aboard the licensee’s boat when it is engaged in commercial fishing to undertake these activities, if the license provides for crew members.

Fee \$33 Resident Operator \$89 Resident Operator and Crew Members
\$334 Non-resident Operator and Crew Members

#3. ELVER FISHING LICENSE: Are issued to individuals who during the 1996 elver fishing season held an ell fishing license or an elver fishing license and paid fee for the use of elver fyke nets, Sheldon eel traps or dip nets. During the 1997 and 1998 elver fishing seasons held an elver fishing license under this section. A non-resident can purchase an elver-fishing license if the non-resident can prove that the nonresident’s state of residence allows Maine residents to purchase an elver license. Tags are required for the gear. License or gear fees collected are placed into an Elver and Eel Management Fund.

Fee \$83 Resident \$384 Non-resident
Gear Fee \$50 per fyke net, dip net, Sheldon eel trap

SEA URCHINS: [Currently under Moratorium until Dec. 31, 2001.] Required for diving, dragging, and raking/trapping sea urchins from coast waters. Moneys collected from fees are placed into a Sea Urchin Research Fund.

#4. Hand Fishing Sea Urchin License: Issued to an individual who is a resident for hand fishing harvesting of sea urchins.

Fee \$89

#5. Sea Urchin Dragers License: It is unlawful for a person to use a boat to drag for sea urchins without this license. Captain and crew members are covered under this license.

Fee \$89

#.6 Sea Urchin Hand Raking and Trapping License: Allows an individual who is a resident to harvest sea urchins by using hand-raking and trapping methods.

Fee \$89

Fee for 30-Day Temporary \$25

SCALLOP LICENSE: Required by persons who take no more than two bushels or shellstock or four quarts of shucked scallops for personal use.

#7. Scallop Boat License: Covers vessels and crew members aboard that vessel that are taking scallops by drag method. The license shall only be issued to an individual and shall be a resident license.

Fee \$89

#8. Hand Fishing Scallop License: Required by persons taking scallops by other methods other than by a scallop drag. The license is only issued to an individual and shall be a resident license.

Fee \$89

#9. Scallop Diver Tender License: Authorizes persons who tend divers who harvest scallops by hands and operate a boat as a platform for the harvesting of scallops by hand and may possess, ship, transport and sell scallops harvested by licensed harvesters the tender has tended. A scallop diver tender license does not authorize the holder to harvest scallops.

Fee \$89

Fee for 30-Day Temporary \$25

Non-Commercial Scallop License: Allows a person to take scallops by hand or by use of drag. In any one day, the holder may not take or possess more than 2 bushels of shell scallops or 4 quarts of shucked scallops. Harvest is restricted to personal use only.

Fee \$8

#10. MARINE WORM DIGGER'S LICENSE: Required for persons taking, possessing, shipping, transporting, or selling of marine worms in state waters. Licenses are required for persons taking more than 125 worms. The license is issued only to an individual who is a resident. Moneys collected from licenses are placed into a Marine Worm Fund.

Fee \$43

#11. SEAWEED PERMIT: Required for a person that takes, posses, ships, transports, or sells seaweed that has been harvested. The permit shall not apply to the holder of a current marine worm dealer's license, wholesale seafood license, or any persons who harvest no more than 50 pounds of seaweed per day for noncommercial uses, charitable or municipal organizations that harvest for noncommercial uses, or anyone harvesting detached seaweed or naturally dead. License fees collected are placed into a Seaweed Management Fund.

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| Fee | \$50 Resident | \$200 Non-resident |
| | \$25 Resident Supplemental | \$50 Non-resident Supplemental |

#12. SHELLFISH LICENSE: A shellfish license is only issued to an individual and is a resident license. Many municipalities regulate their own shellfish and may require a license in addition to the State license. Each container, hod, or bag of shellshock must be tagged during landing. Moneys collected from license fees are placed into a Shellfish Fund. A shellfish conservation license issued by a shellfish conservation ordinance established within a respective municipality. Shellfish conservation ordinances may be adopted by municipalities or unorganized townships.

| | |
|---------------------------------|--|
| Fee | \$63 |
| Conservation License Fee | If \$200 or less established by the ordinance (Resident) then the Non – resident must not exceed twice the resident fee. If greater than \$200 established by the ordinance (Resident) than the Non-resident must not exceed 1½ times the resident fee. |

#13. MAHOGANY QUAHOG LICENSE: Allows a lcence holder to fish or take mahogany quahogs in any harvesting area indicated on the license. The license authorizes crew members aboard the licensee's vessel to undertake these activities when engaged in dragging for mahogany quahogs when the licensee is present. Moneys collected go into the General Fund.

| | |
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| Fee | \$89 |
|------------|------|

MUSSEL LICENSES

#14. HAND - RAKING MUSSEL LICENSE: A hand-raking or boat license is required to take mussels. The license is issued to an individual and shall be a resident.

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|------------|------|
| Fee | \$63 |
|------------|------|

#15. MUSSEL BOAT LICENSE: It is unlawful to use a boat to drag for mussels without a boat license. The license authorized the captain and crew to drag for mussels. Issued only to an individual who is a resident.

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| Fee | \$130 |
|------------|-------|

#16. COMMERCIAL SHRIMP LICENSE: Allows for the take of shrimp in state waters and authorizes unlicensed crew members aboard a vessel declared by the license holder to

engage in harvesting activities. The license holder must report the boat used for the harvesting. The license may only be issued to an individual. License holders are also required to report catch information to the Commissioner. License fees collected are placed into the Shrimp Management Fund.

Fee \$33 Resident \$89 Resident with Crew \$334 Non-resident and Crew

COMMERCIAL FISHING NOTES:

It is illegal to take Atlantic Salmon, Shortnose or Atlantic Sturgeon from Maine waters.

RESIDENCY:

Individual: is eligible for persons have resided in Maine 6 months prior to the date of application.

Corporation: eligible if it has created and exists under the laws of Maine and has been established 6 months prior to the date of application.

Firm or Partnership: eligible if all its partners have been residing in Maine for 6 months preceding the date of application.

LICENSES ARE NON-TRANSFERABLE

DISCUSSION WITH DAVID LIBBY –BIOLOGIST FOR THE STATE OF MAINE

- Holes in Maine’s licensing: the legislature has the authority to create licenses, they have created “more licenses than there are species”. Approximately 90 license types, fishermen and dealers, have been created and a total of 17,000 licenses are issued. Harvesters are allowed to sell directly to restaurants etc. without reporting the catch or landing to the Department of Marine Resources. The Department feels that this is a serious miscounted number that is effecting appropriate management plans.
- Maine does not have a hierarchy in their license system. A license is required for any species in which a fishermen wants to fish, except for the Commercial Fishing License that allows for different species of finfish.
- Persons have a License ID Number that only follows a person through the licenses their acquire. **These ID Numbers are not used to track effort.** Maine is behind in collecting this type of information.
- Data Management:
Presently – the State of Maine is contracting out for a commercial fishing database. Primarily, the database is being used to obtain biological data but will secondarily be used to track effort as well. Maine is in the process of contacting their dealers to establish which dealers are the first points of landing. Presently their dealer license is too broad and they are attempting to break down the dealers into separate categories. The database systems will then be installed at these points. The data from Maine’s custom database will be downloaded for ACCSP purposes.
Approximately 3 full time people are working on data collection and management. There are also 2-3 people working on managing the issuance of licenses.
- The Department of Marine Resources is not obtaining socio-economic data information in their fisheries. He mentioned checking out Drew Kitts, Woodshole, socio-economic data research on fisheries along the Eastern Atlantic.

- Quota Species: Mentioned the Maine plays close attention to the Herring Fishery. Other than the Herring fishery he was unaware of special considerations given to quota species and non-residents landing these species in Maine.

MARYLAND COMMERCIAL FISHERY LICENSE STRUCTURE

Information obtained from Howard King

GENERAL:

The limited entry-licensing program implemented in Maryland was meant to cap the level or participation in their fisheries. The program was not designed to reduce effort or rid latent effort in each of the fisheries. Presently, fishermen need to complete an apprenticeship program before they can enter a fishery and there are no requirements other than being of age to enter an apprenticeship program.

In Maryland, the only fishery where Residents are given preference is the shellfish/oyster and clam fishery.

TRANSFERABILITY OF LICENSE:

There are three license transfers categories in Maryland and with each transfer the license has no extended value.

1. Temporary transfer: a license is transferred for a minimum of 30 days and a maximum of 90 days but the transfer can be renewed indefinitely.
2. Permanent family transfer: is considered to be the easiest transfer.
3. Permanent business transfer: where the transferee must have three license holders certify that he/she has been a crew member for at least 2 years. The license has no value in the eyes of policy however within the advertisement or during the business sale the license could acquire an extended price.

There are approximately 40 permanent transfers a year.

LATENT EFFORT:

Maryland Crab Fishery: there are 300, 600, and 900 pot levels. In order to fish the 600 or 900 pot level fishermen need to prove historical presence in the fishery, the number of pots fished historically were in the same level, and need to show there are crew members aboard the vessel to fish these pots. The only problem with this fishery is that pot tags are not issued providing difficulties for enforcers.

QUOTA SPECIES:

Stripes Bass – Restricted:

- ☞☞ Limited to 1231 endorsements
- ☞☞ Striped Bass endorsements are in addition to a primary fishery license.
- ☞☞ There is a fee associated with the endorsement but the total cost of a license and an endorsement is not to exceed \$300.
- ☞☞ The number of licenses issued is based on historical presence. While Maryland was under a four-year moratorium they had time to access the number of fishermen fishing for Striped Bass. After the number of fishermen was determined, monthly catch reports and landings were used to determine effort in the Striped Bass fishery, the capped number of license was established.
- ☞☞ Fishermen need to declare their gear type used. If a fisherman does not declare his/her gear type two years in a row then he/she can lose their license.

✍✍ There are 547 persons on the Striped Bass waiting list however the entry into this fishery from the waiting list is extremely minimal due to the ability of endorsement holders to transfer their business.

Flounder – Unrestricted:

✍✍ Number of fishermen participating is not limited.

✍✍ Fishermen need to have a federal permit, a general commercial finfish license, and a landing license.

✍✍ Although an individual share does not exist, a daily landing limit or restrictions have been established. As more participants enter the fishery the legal landing limits are lowered.

MARYLAND LICENSE STRUCTURE

The information on this report was taken directly from <http://www.dnr.state.md.us/fisheries/commercial/index.html>. Eric Schwaab, Fisheries Director of the Maryland Department of Natural Resources and I unfortunately couldn't touch base. However, Howard King from the department and I have scheduled to talk this week after he has returned from his extended Veterans holiday.

LICENSE CATEGORIES:

| Commercial License Categories | Annual Fees | Number of Licensees Issued in 2000* |
|--|--------------------|-------------------------------------|
| FINFISH-Hook and Line (HLI) | \$37.50 | 308 |
| FINFISH HARVESTER-All Gears (FIN) | \$100.00 | 288 |
| LIMITED CRAB CATCHER (LCC) | \$50.00 | 3,938 |
| CRAB HARVESTER-300 POTS (CB3) | \$150.00 | 247 |
| SINGLE ADDITIONAL POT AUTHORIZATION-UP TO 600 POTS (CB6) | \$20.00 | 229 |
| DOUBLE ADDITIONAL POT AUTHORIZATION-UP TO 900 POTS (CB9) | \$40.00 | 404 |
| CLAM HARVESTER (CLM) | \$100.00 | 25 |
| OYSTER HARVESTER (OYH) | \$50.00 | 819 |
| OYSTER DREDGE BOAT (ODB) | \$250.00 | 1 |
| CONCH, TERRAPIN and LOBSTER (CTL) | \$50.00 | 11 |
| UNLIMITED TIDAL FISH LICENSE (TFL) | \$300.00 | 1,960 |
| RESIDENT FISHING GUIDE (FGR) | \$50.00 | 470 |
| NONRESIDENT FISHING GUIDE (FGN) | \$100.00 | 54 |
| MASTER FISHING GUIDE (FGV) | \$50.00 per vessel | 14 |

LIMITED ENTRY PROGRAM:

In 1988, Maryland limited entry into the commercial fishery began through a delayed entry program. At that time a new entrant had to register with the Department two years before receiving a license to catch finfish, crabs, oysters, or clams. Anyone who held a license as of September 1, 1988 was exempt. Because the law did not place a cap on the number of licenses that could be issued, the law did little more than slow the entry of new fisherman into Maryland waters.

Legislation enacted in 1994 (Natural Resources Article, 701, Annotated Code of Maryland) established a moratorium on the issuance of new commercial licenses after all the then (4/1/94) existing applicants on the two year wait list were issued licenses (4/1/96). An individual had to apply with the Department for a new authorization to participate in a commercial fishing activity. The Department maintained separate waiting

lists of primary and secondary candidates for each fishing activity in order of the date and time the applications were received. Under Natural Resources Article 701, Annotated Code of Maryland; subsection (d) (2) (ii), a primary candidate was an applicant that:

- ?? Held a current license and wished to upgrade or change licenses, or
- ?? Had been a crew member for 2 years certified by 3 current licensees, or
- ?? Held a valid license from another state, or
- ?? A family member of a current licensee.

All other applicants who did not qualify for the primary wait list were placed on the secondary wait list. Law and regulation stipulated that the Department may not issue a harvest license (after 4/1/96 unless the total number issued for that type of activity is less than the number of authorizations which the Department determines is appropriate for the resources and consistent with fishery management plans." No new commercial licenses were issued in Maryland after 4/1/96, pending the setting of the number of appropriate authorizations.

CURRENT LIMITED ENTRY:

Effective June 1, 1998, the moratorium on the issuance of commercial fishing licenses was lifted, with a target cap for the number of licenses of each type. The key elements are summarized below:

- ?? Candidates on the primary waiting list through 1997 were issued licenses
- ?? Remaining candidates were required to complete an apprenticeship prior to being issued a license
- ?? Most remaining candidates were immediately eligible to start the apprenticeship program or receive a refund
- ?? Remaining candidates that were not immediately eligible to start the apprenticeship are maintained on a waitlist until additional apprenticeship permits are available under the cap
- ?? Nonresidents are charged \$350, or higher, depending on the difference between the total fees charged to a Maryland resident engaged in like fishing activities in the state of residence of the nonresident applicant and the total of normal license fees for fishing activities in Maryland

The general apprenticeship requirements are:

- ?? Individuals applying for a license other than the Unlimited Tidal Fish License (TFL) need to work with a current commercial tidal fish license holder of the same license for which application was made for 150 days (1200 hours). One day is the equivalent of 8 hours.
- ?? Individuals applying for the TFL license need to work 180 days (1440 hours) in at least two separate commercial activities with a minimum of 480 hours in the second activity.

- ?? Individuals will also need to complete a boater safety course and attend an eight (8) hour commercial fishing program approved by the DNR.

Applicants with a valid license type other than fishing guide or unlimited tidal fish license are required to:

- ?? Provide documentation that 20% of their gross income was from commercial fishing for the past two (2) years to be eligible for a permit
- ?? Document commercial fishing activity under their current license type for at least two (2) years after the permit is issued

Term of the permit:

- ?? Three (3) years from the date of issuance.
- ?? Eight (8) hours spent in a particular fishing activity (crabbing, oystering, fishing, clamming) is equivalent to one (1) day

| | |
|--|-----------|
| Fyke Net (deployed location required) | \$12/net |
| Miniature Fykes and Pots | \$100 |
| Parallel Net | \$10/net |
| Pound Net (deployed location required) | \$100/net |
| Wire Pound Net | \$25/net |
| Haul Seine | \$25/net |
| Shrimp Trawl | \$12/net |
| Lobster or Fish Pots | \$100 |

If a person is applying for a license at the rate of a New Jersey resident, one must provide a clear reproduction of the law of his/her state indicating that non-residents are not charged a higher fee than residents for a *net license* of a similar type for which one is applying.

| | |
|----------------------------------|--------------------------------------|
| Commercial Crab Pot (Individual) | \$100 Resident \$500 Non-Resident |
|----------------------------------|--------------------------------------|

| | |
|--------------------------|--------------------------------------|
| Crab Dredge (Individual) | \$100 Resident \$500 Non-Resident |
|--------------------------|--------------------------------------|

| | |
|--|----------------|
| Food Fish (Otter Trawl or Purse Seine) Fish other than Menhaden | \$100 (Vessel) |
|--|----------------|

| | |
|--|-----|
| <u>SPECIAL PERMIT FEES:</u> | \$2 |
| Horseshoe Crab Permits | |
| Summer Flounder Filet Permit | |
| Delaware Bay Gill Net Exemption Permit | |

Menhaden (Subject to Vessel Tonnage)

License Fees/Purse or Shirred Net (License fee for vessels)

| | RESIDENT | NON-RESIDENT |
|---|----------|--------------|
| Not less than 30 nor more than 200 tons, gross tonnage | \$125 | \$450 |
| Not less than 100 nor more than 150 tons, gross tonnage | \$250 | \$700 |
| Not less than 150 nor more than 175 tons, gross tonnage | \$400 | \$1,000 |
| Not less than 175 nor more than 200 tons, gross tonnage | \$550 | \$1,150 |
| Over 200 tons, gross tonnage | \$900 | \$1,500 |
| Not over 20 tons, gross tonnage, Bait Purposed Only | \$20 | ----- |
| 25-29 tons, gross tonnage, Bait Purposes Only | \$125 | ----- |

The fees for vessels from out of State, leased by residents of New Jersey, shall be the same as the non-resident license fees.

3. LIMITED ENTRY SCHEMES:

The Commercial Crab Pot is a limited entry system that is currently under a moratorium. There are over 400 names on the waiting list but no new entrance is being allowed at this time.

The Crab Dredge Permit is also on a limited entry system. Every year names are taken and placed in a lottery. Once a year there is a draw. Usually persons included

in the lottery get chosen for permits. However, if an individual's name is not chosen he/she must reapply to the lottery for the follow year.

For the Gillnet Fishery there is a "Delayed Entry System" currently in place in New Jersey for Residents and Non-Residents who over the last two years have not possessed a Fish Net License. Applicants are subject to a two-year waiting period before being eligible. The individual must visit the office in person once a year for two years and fill out the appropriate forms revealing their interest to enter the fishery.

(Flounder Fishery Seen Below Under Quota Species)

4. **TRANSFERABILITY:**

Transferability is allowed to family members.

5. **QUOTA SPECIES:**

In order to participate in a New Jersey Fishery under Quota, such as Fluke, which is limited entry, persons must show past participation in a New Jersey fishery. They must be able to document their license and sale history. One other requirement is the quantity of fish landed. For instance, in the Fluke fishery one must show that they landed 1,000 lbs of Fluke in 2 of the last 10 years. The landing quantity could alter between species but this is how New Jersey has determined the entrance.

Basis for quota allocation: Whether that person is a Resident or Non-Resident, New Jersey believes that those persons who generated New Jersey's quota should share in that quota. If the person participated in the fishery prior to the quota allocation they should be allowed to continue to participate. Also constitutionally can't deny out of state residents.

6. **LATENT EFFORT:**

New Jersey's only form of altering licensing programs to deal with latent effort is seen in their flounder program. In this program, if one can prove that they have landed a specific quantity of fish over the past ten years then they qualify for that Quota Permit. If they have been latent in the fishery, then they don't get a Permit. The two Crab limited entry programs were designed due to user conflicts (recreational vs. commercial) not to rid the fishery of latent effort.

DATA COLLECTION:

New Jersey is behind the times on a Fishery Data Collection System. They have historically used simple paper and excel programs for record keeping. Only certain species have historically been tracked. NMFS and ACCSP have recently given New Jersey grants to assist them with their data collection systems. NMFS gave New Jersey computers that were used during the population census and NMFS installed their computer program, NERS, on those computers. All species will be added to this computer system and New Jersey will begin to track the landings in a more efficient manner. New Jersey will be adding ACCSP information onto these computer programs.

Notes:

In my conversation with Bruce Halgren, Division of Marine Fisheries, Bruce, mentioned that the Crab Dredge/Pot Fisheries were placed under limited entry due to complaints from the recreational fishermen that there were too many commercial fishermen and too much gear in the water. After a series of complaints the Division decided to limit the Permits in those fisheries. The Permit number chosen was the number that was allocated the year prior to when the complaints began. (not a biological assessment) In the Crab Pot Fishery no new Permits are being issued until the number of Permits comes down to a reasonable level.

New Jersey chose the Non-Resident Fee of 10x that of a Resident because of the restriction on their neighboring state Delaware and also because they hoped to have other States move into the direction of reciprocity. Unfortunately, this did not work. However New Jersey feels this is an appropriate increase for Non-Residents.

New Jersey is one of the few States that does not presently have a Landing-License for out of state fish to be landed in New Jersey. The Division of Marine Fisheries is currently working on a Landing-License for their State.

LICENSE STRUCTURE IN NORTH CAROLINA

7. **License Entity:**[tracking of effort – individual, vessel, gear]
8. **License Categories:**[general licenses and endorsements]
9. **Limited Entry Schemes:** [exit/entrance ratios – how they calculate them; buy into program e.g. lobster trap certificate program in Florida]
10. **Transferability of Licenses:** [free market – value of licenses; revert to state for reallocation]
11. **Quota Species:**[how states use licensing for quota managed species; allocation issue – examples of qualifying criteria]
12. **Latent effort:** [how states use licensing to diminish latent effort – phase out unused licenses or unused gear permits]

DATA COLLECTION

2. What resources are invested in data collection and management? I.e. number of people working on data collection/management and money spent on the program.
-

LICENSE STRUCTURE

After a five-year moratorium on new commercial fishing licenses that began on 1994, on July 1, 1999, the Division of Marine Fisheries completed and implemented a new North Carolina commercial fishing licensing system.

Information in this report was obtained from conversations with Red Munden, Don Hesselmen of North Carolina's Division of Marine Fisheries and North Carolina published licensing information.

1. LICENSE ENTITY:

Individuals are licensed. If fishermen fish from a vessel then a commercial fishing vessel registration is required in addition to the general license. Trip tickets and fishermen reporting is an essential part of evaluating effort in North Carolina's fisheries.

2. LICENSE CATEGORIES:

- A. Standard Commercial Fishing License: (limited number of licenses: endorsements can be added) Permit for fishermen who harvest and sell fish, shrimp, or any marine species except crabs, menhaden, and shellfish. To harvest crabs a fishermen must have a crab license. A commercial fishing vessel registration is also required for fishermen who harvest seafood with this permit.

Fee \$200 Resident \$800 Non-Resident or the amount charged to a North Carolina Resident in the nonresident's state, whichever is less. In no event may the fee be less than \$200.

Required if harvesting shellfish or menhaden under this license:

Shellfish Endorsement

No Cost: NC Resident Only

Menhaden Endorsement

\$2 per gross ton of mother ship

B. Retired Standard Commercial Fishing License: For fishermen age 65 or older, who harvests and sells fish, shrimp and marine species other than shellfish or menhaden. A fisherman must possess a crab license to harvest crabs, or obtain a shellfish or menhaden endorsement, or purchase a shellfish license to harvest shellfish or menhaden. A commercial fishing vessel registration is required for fishermen who used boats to harvest seafood.

Fee \$100 Resident \$800 Non-Residents or the amount charged to a North Carolina resident in the nonresident's state, whichever is less. In no event may the fee be less than \$100.

Required if harvesting shellfish or menhaden under this license:

Shellfish Endorsement
Menhaden Endorsement

No Cost: NC Resident Only
\$2 per gross ton of mother ship

C. Commercial Fishing Vessel Registration: Required annually for commercial fishermen that use vessels to harvest seafood. The registration can be purchased independent of an individual's fishing license. A decal is issued and must be affixed to the vessel.

Fee Up to 18 ft \$1 per ft.
Over 18 ft. to 38 ft. \$1.50 per ft.
Over 38 ft. to 50ft. \$3 per ft.
Over 50 ft. \$6 per ft.

In addition to the Commercial Fishing Vessel Registration, fishermen must also obtain a Wildlife Resources Commission's boat registration or a U.S. Coast Guard documentation for the vessel to participate in commercial fishing operations in NC.

D. Shellfish License: Available only for NC Residents. No previous license requirements are necessary. If boats are used to harvest shellfish than a commercial fishing vessel registration is required.

Fee \$25

E. Land or Sell License: Allows Non-Resident vessel owner to land catch what was caught beyond the 3 miles state limit.

Fee \$200

F. Recreational Commercial Gear License: Allows recreational fishermen to use limited amounts of commercial gear to harvest seafood for personal consumption.

Fee \$35 Residents \$250 Non-Residents

G. License to Land Flounder from the Atlantic Ocean: Allows fishermen to land more than 100 lb. of ocean caught flounder.

Fee No Cost

Additional Licenses: Fish Dealer's License, Recreational Fishing Tournament License to Sell Fish, Ocean Fishing Pier License, Spotter Plane License, Menhaden License for Non-Residents Not Eligible for a Standard Commercial Fishing License

3. **LIMITED ENTRY SCHEME:**

Standard Commercial Fishing License & Retired Standard Commercial Fishing License: The licensed were first capped. To be eligible for these licenses, an individual must have had a current/valid Endorsement –to-sell-license on June 30, 1999. Now an eligibility pool exists. Licensees have one year to renew. If the licensed is not renewed then the license goes to the eligibility pool.

License to Land Flounder from the Atlantic Ocean: Vessels used in fishing operations must have been licensed by the Division of Marine Fisheries during two of the years between 1993-1995. Also must have documented landings from a single vessel of at least 1,000 lbs. of ocean-caught flounder in two years between 1993 – 1995.

Eligibility Pool Process: To allow new fishermen to enter the industry after July 1, 1999, 500 licenses have been placed in an eligibility pool and randomly distributed to fishermen meeting established criteria, including past involvement in the commercial fishing, degree of reliance on fishing and other factors. Between April 1 – June 30 1999 applications were received, an eligibility board decided who qualified for the pool, and the Marine Fisheries Commission held a draw.

4. **TRANSFERABILITY/ASSIGNMENT:**

A license transfer is a permanent *transfer* to another person of license privileges.

A license *assignment* is a temporary transfer of license privileges to another person.

Transferability parameters:

1. Only licenses that are tied to a vessel can be transferred, shellfish licenses cannot be transferred if the license is not tied to a vessel. (Standard and Retired Commercial Fishing Licenses can be transferred as seen below)
2. There is a \$10 transfer fee.
3. The license needs to be a current license.
4. The person cannot have any violations.
5. The transferee could be a Resident or a Non-Resident.

Standard Commercial Fishing License: Can be transferred and assigned. Menhaden and Shellfish Endorsements with the License can also be assigned.

Retired Standard Commercial Fishing License: Can be transferred but is not assignable.

Commercial Fishing Vessel Registration: Can be transferred.

License to Land Flounder from the Atlantic Ocean: Can be transferred but not assigned.

5. QUOTA SPECIES:

Two key quota species in North Carolina are Flounder and Bluefish. Control dates were used in order to determine who could obtain a permit to fish on the quota species. Residents and Non-Residents have Permits to fish for quota species. The State has strict reporting requirements on these species. For Flounder weekly reports are required from dealers and fishermen. *Trip tickets* are used to track the effort of fishermen as well. Blue Fish trip tickets need to be in by the 15th of every month.

6. LATENT EFFORT:

The main fishing pressures that North Carolina faced that placed the fishery into a moratorium stemmed from part-time and recreational fishermen. Many recreational fishermen in North Carolina use commercial gear. The recreational catches would be larger than anticipated due to the efficiency of the gear and the additional fish would be sold illegally. The new licensing system places the commercial gear into the hands of the commercial fishermen while allowing recreation fishermen to continue to fish with stricter regulations on and limiting the quantity of used commercial gear.

Prior to licensing individuals, North Carolina licensed vessels. However, many fishermen would have multiple vessels and only one commercial fishing license. The true amount of fishermen and vessels being used in the fishery was a mystery. There were 20,000 licensed fishing vessels and only 8,000 to 9,000 licensed fishermen.

DATA COLLECTION:

A trip ticket is North Carolina's primary tool for evaluating effort in each fishery. The program began in 1994. Approximately 250,000 trip tickets are processed a year. North Carolina developed their own computer system called FIN (Fisheries Information Network) which has approximately \$700,000 - \$750,000 records and processes fishermen's' licenses, permits, endorsements, trip ticket reports and record of violations. Presently, there are 6,500 licensed fishermen in the State. North Carolina received grant money to assist them in the development of the FIN system.

In 1999, North Carolina began to include ACCSP guidelines into their software to enable them to include effort data in their database system. They are currently finishing the uploading process of this new system.

North Carolina has approximately 35 professional staff working on data collection. This includes their licensing agents, statisticians, and trip ticket personnel combined. Professional responsibilities range from data base entry and temporary work, processing license applications, technical support, statistical experts, biologists, port agents, and department managers.

Notes:

Positive Aspect of Licensing Individuals with Vessel Registrations:

From 1994-1999, prior to the new licensing system, commercial fishermen had to hold a license for a boat and a license for sale for that boat. In other words, the fisherman and the vessel were the same entity. A fisherman would have five different types of boats and would need five different licenses for those boats. Under the new licensing system, a fisherman can have one license with many boat registrations but the licensed fisherman needs to be on that boat while it is fishing. In North Carolina persons have many boats for different types of fishing. The reorganization of the licensed entity allowed fishermen to keep those vessels but assisted the Division of Marine Fisheries in understanding the effort in the fishery.

Recreational Hook and Line Salt Water Fishing in North Carolina: The General Assembly has yet to pass a Recreational License requirement in North Carolina. The hotel and restaurant businesses have lobbied against such a license and have such a strong presence in the state that the politicians continue to side with the tourism industry. North Carolina has an exorbitant number of hook and line fishermen and the Division of Marine Fisheries feels this is a critical component that is missing in their program.

COMMERCIAL FISHING LICENSES NEW YORK

LICENSES STRUCTURE

13. **License Entity:**[tracking of effort – individual, vessel, gear]
14. **License Categories:**[general licenses and endorsements]
15. **Limited Entry Schemes:** [exit/entrance ratios – how they calculate them; buy into program e.g. lobster trap certificate program in Florida]
16. **Transferability of Licenses:** [free market – value of licenses; revert to state for reallocation]
17. **Quota Species:**[how states use licensing for quota managed species; allocation issue – examples of qualifying criteria]
18. **Latent effort:** [how states use licensing to diminish latent effort – phase out unused licenses or unused gear permits]

DATA COLLECTION

3. What resources are invested in data collection and management? I.e. number of people working on data collection/management and money spent on the program.

LICENSE STRUCTURE

1. LICENSE ENTITY:

Individuals or companies/corporations are licensed.

New York Department of Environmental Conservation defines an “individual” as a single, identifiable person not to include co-partnership, corporation, or any legal entity other than the human being. Fishermen working on the same vessel identify themselves as a companies/corporations to cover all of those fishing on the vessel. For species under special permits, gear regulations apply but do not need to be licensed separately.

2. LICENSE CATEGORIES:

Shellfish Digger’s Permits (all fishermen need to have their own license)

| | |
|-------------|----------|
| Resident | \$50.00 |
| Nonresident | \$100.00 |

Lobster Permits

| | |
|-----------------------------|----------|
| Resident | \$150.00 |
| Nonresident Commercial | \$225.00 |
| Nonresident Lobster Landing | \$300.00 |
| Resident Non-Commercial | \$10.00 |

Menhaden Purse Seine Licenses

| | |
|---|------------|
| 30 Gross Tons or Less | \$25.00 |
| More than 30 Gross Tons and Less and 200 Gross Tons | \$500.00 |
| More than 200 Gross Tons | \$2,000.00 |

| | |
|---|------------|
| Crab Permit | |
| Resident | \$30.00 |
| Nonresident | \$50.00 |
| Whelk Permits | |
| Resident | \$30.00 |
| Nonresident | \$50.00 |
| Fishing Licenses | |
| Nonresident Marine Commercial Fishing License | \$1,250.00 |
| (May only be obtained in the month of January. To fish in NY waters and land in NY) | |
| Resident Marine Commercial Food and Fishing License | \$250.00 |
| Food Fish Landing License | \$500.00 |

(A limited number of new commercial food fish licenses and commercial crab permits were issued at the beginning of 2001. New regulations require that the entity licensed is an individual who is at least 16 years old and able to prove that they averaged at least \$15,000 or over 50% of income, using federal income tax forms, from fishing over three years in a row. Approx. 200 commercial food fish licenses and 350 commercial crab permits were issued on a first come first serve basis.)

SPECIAL PERMITS:

Striped Bass: (Under a moratorium. Need to be a NY Resident and have a Food Fish License, 1,000 on waiting list. Holders of the permit are required to keep trip records.) Permits to take full and partial quota shares. For full time shares, issued at no extra costs, persons must currently possess a valid New York State commercial food fish license and previously held a New York State license to sell striped bass during 1984, 1985, 1990, 1991, 1992, 1993, 1994, or 1995 and who can demonstrate through Federal or New York State income tax records that 50% or more of his or her earned income resulted from his or her direct participation in the harvest of marine fish, shellfish, crustaceans or other marine biota in any one year during 1994, 1995, or 1996. (See Attached Sheet for more details)

Striped Bass Commercial Tags: Are issued to full share and partial quota share holders. Individual tag allocations are achieved by first dividing New York's commercial striped bass quota by all eligible permit holders. A fee of not more than \$.25 is required for each tag. Once the allocation has been achieved, the holder may not fish striped bass for commercial purposes.

Weekly Striped Bass Reports: Due within 5 days following Sunday of each week of open season.

Summer Flounder (fluke) Commercial Permit: (Trip records are required.) Permits are issued at no extra cost for persons who currently possess a valid New York State commercial food fish license and previously held a New York State food fish license during 1992 or any subsequent year, previously held a summer flounder permit, has on file with the department an application prior to close of business day on April 15, 1994, or can demonstrate through federal or New York State tax records that 50% or more of his or her earned income during any one year in the period of January

1988 to December 1992 or any subsequent year resulted from his or her direct participation in the harvest of marine fish, shellfish, crustaceans or other marine

biota. (SEE ATTACHED SHEET FOR ADDITIONAL INFORMATION)

Bluefish Commercial Fishing: Persons must possess a valid New York State commercial food fish license. Before landing the fish each license holder is required to attach a tag to each bluefish container indicating the holder's name, license number, and the date landed.

Winter Flounder Commercial Fishing: No one can operate fyke fishing gear without first registering with the Department. Failure to provide the Department with an annual report may disqualify such a person from participating in the fishery.

Tautog Commercial Fishing
American Fish Commercial Fishing
Weakfish Commercial Fishing

Scup Commercial Fishing: NY follows regulations set forth by NMFS. Any person taking scup for commercial purposes in NY waters must possess a valid NY State commercial food fish license. When landed, each container must be properly tagged with the holder's name, license number, and the date landed.

Black Sea Bass Commercial Fishing: Again, when landed each container holding the fish must be properly tagged with the holder's name, license number and date landed. Any holder of a NY commercial food fish license who is the owner or operator of a fishing vessel not holding a Federal Fisheries Permit for black sea bass must complete a daily fishing vessel trip report on forms prescribed by the Department. Reports should be sent to NMFS in Gloucester, MA every 15 days. Failure to complete a log may result in denial of a future license application.

Spiny Dogfish: Persons taking dogfish for commercial purposes must possess a valid New York State commercial food fish license. During landing the fish containers must be properly tagged with the license holder's number, name, and date landed.

4. LICENSE ENTRY SCHEMES:

As seen above, there were a limited number of new commercial food fish licenses and commercial crab permits issued in 2001. New regulations required:

1. An individual be at least 16 years old.
2. Proof that an average of at least \$15,000 or over 50% of income, using federal income tax forms, came from fishing over three years in a row.

The Summer Flounder and Striped Bass Fisheries were also established as limited entry fisheries in NY. At the time of issuance, Summer Flounder Permit requirements were:

1. Persons must have currently possessed a valid New York State commercial food fish license and previously held a New York State food fish license during 1992 or any subsequent year,
2. Previously held a summer flounder permit,
3. Has on file with the department an application prior to close of business day on April 15, 1994,

4. Or could demonstrate through federal or New York State tax records that 50% or more of his or her earned income during any one year in the period of January 1988 to December 1992 or any subsequent year resulted from his or her direct participation in the harvest of marine fish, shellfish, crustaceans or other marine biota.

At the time of issuance, Striped Bass Permits for full time quota shares were:

1. Persons must have currently possessed a valid New York State commercial food fish license,
2. Previously held a New York State license to sell striped bass during 1984, 1985, 1990, 1991, 1992, 1993, 1994, or 1995
3. Persons who could demonstrate through Federal or New York State income tax records that 50% or more of his or her earned income resulted from his or her direct participation in the harvest of marine fish, shellfish, crustaceans or other marine biota in any one year during 1994,1995, or 1996.

4. **TRANSFERABILITY:**

Licenses can only be transferred to immediate family members.

5. **QUOTA SPECIES:**

New York has placed the Summer Flounder and Striped Bass Fisheries under a limited entry program. The limited entry system was developed using control dates and historical presence in the fishery. The Striped Bass Fishery is currently under a moratorium. For this fishery, a person needs to be a NY Resident and have a Food Fish License to get into the fishery. There are 1,000 persons on the waiting list.

6. **LATENT EFFORT:**

Creation of the limited entry programs was New York's primary way of diminishing latent effort in their fisheries. The \$50 fishing income percentage was key in this effort. Other than the establishment of these past programs, New York is not presently active in diminishing latent effort in their fisheries.

DATA COLLECTION:

New York recently implemented a new permit issuance system. Fishermen now receive a card that includes their photo identification with basic personal information on the front and their permits on the back. The new permit was designed to improve enforcement. Also, seafood dealers are required to request the ID Card as fish is being landed. Development of this permit system took longer to implement than was expected and the cost totaled \$500,000.

New York fisheries landing data is being converted to ACCSP. A consultant has been contracted to develop the program. The federal logbook documenting the fisheries data is being sent to the consultant to be entered into the ACCSP system.

Presently, New York has 2 full-time professionals designated to data management. Once the ACCSP program is completed the staff will be increased to 8. The cost of this program is a concern.

MASSACHUSETTS COMMERCIAL FISHING PERMITS

(3) Fishing Permits Offered

1. Commercial Fishing License
2. Seafood Dealer License
3. Special License

(9) Categories of Commercial Fishing Licenses

(A) GENERAL: All persons who land and sell finfish, shellfish, lobsters, edible crabs or other marine resources must have a DMF commercial fisherman permit and must sell only to licensed Massachusetts dealers. All commercial permits, except rod & reel and seasonal lobster, may be endorsed for shellfish at no additional cost.

COMMERCIAL FISHERMEN PERMIT: required for all persons who take fish for commercial purposes in the coastal waters, or land raw fish, whether frozen or unfrozen, in the commonwealth, for the purpose of sale. The permit can be issued to an individual or it may be issued in the name or number of a vessel to be valid for all persons on the vessel. *There is also an owner operator requirement for licenses.* Endorsements required for species seen below:

| <u>Regular Endorsements</u> | <u>Resident</u> | <u>Non-resident</u> |
|--|----------------------|----------------------|
| American Eel | \$30 (for all below) | \$60 (for all below) |
| Black Sea Bass | | |
| Dogfish* | | |
| Horseshoe Crab | | |
| Northern Shrimp | | |
| Scup | | |
| Sea Herring | | |
| Sea Urchin* | | |
| Striped Bass | | |
| Surf Clam* (contaminated) | | |
| Inshore Net* | | |
| Shellfish (seen below and no additional cost to permit holders 1, 3, 4, 5) | | |
| Sea Scallop shucking (no additional cost to permit holders 1, 3, 4, 5) | | |
| Bay Scallop shucking (no additional cost to permit holders 1, 3, 4, 5) | | |

LIMITED ENTRY ENDORSEMENTS (available only by transfers)

Gillnet, Bluefish Gillnet, Mobile Gear Coastal Access, Bluefin Tuna Purse Seine, Fishpot including Fishpot for Scup, Seabass, and/or Conch Fluke, Surf Clam, Ocean Quahog

* Additional information is required for those endorsements. Dogfish and Sea Urchin listing gear, catch method, used is required and Surf Clam the port of landing is required. Bait fish harvested from inshore waters with a net greater than 200 square feet requires an endorsement.

COASTAL LOBSTER PERMIT: [Limited Entry (1,500), available only by transfer, and most popular license. There is a waiting list but the waiting list has recently been closed] allows the taking, landing and sale of lobsters and finfish from within the coastal waters of the Commonwealth. There is a *maximum of 800 lobster pots* per vessel that

may be set in state waters. The permit may be endorsed to take and sell shellfish at no additional cost. In the case of skin or scuba divers, only the licensee is covered.

| | | |
|-----------------------------------|----------------|--------------------|
| Renewal Fee | \$260 Resident | \$520 Non-resident |
| Fine (for illegal fishing) | \$200 - \$600 | |

Documentation of catch is required and submissions of these reports are due at time of permit renewal. Failure to produce the reports may result in revocation of the permit and falsification of the reports could result in a \$500 - \$1,000 fine.

Permits may be transferred, with the Directors approval, to members in the immediate family. Permits may also be transferred to other qualified applicants subject to regulations promulgated by the marine fisheries advisory commission. (But the waiting list has been closed) (Dependent upon: health and stability of the lobster population, economic viability of lobstering as a vocation and way of life, needs of retiring lobster to sell their business) The Director may maintain a list of potential transfer applicants. The Executive office of administration and finance will set fees.

With an endorsement on a permit, a lobster permit may have the privilege afforded the holder of any type of commercial fishermen permit. A lobster permit can be issued to an individual or it may be issued in the name or number of a vessel to be valid for all persons on the vessel.

1. OFFSHORE LOBSTER PERMIT: allows the landing and sale of taken outside of the coastal waters of the commonwealth only; pursuant to a federal lobster permit. The permit may be endorsed to take and sell shellfish and finfish at no additional cost.

| | | |
|------------|----------------|--------------------|
| Fee | \$260 Resident | \$520 Non-resident |
|------------|----------------|--------------------|

2. SEASONAL LOBSTER PERMIT: allows the licensee only to take and sell lobsters from June 15 – September 15. Maximum of 25 pots may be used. Diving is not permitted, sale of fish or shellfish is not permitted.

| | | |
|------------|---------------|--------------------|
| Fee | \$65 Resident | \$130 Non-resident |
|------------|---------------|--------------------|

3. /4. /5. BOAT PERMIT: allows the taking of, landing and sale of fish and may be endorsed for shellfish. The permit covers everyone on the vessel. No lobster may be taken.

| | | |
|----------------------------|----------------|--------------------|
| Fee (0-59ft. boat) | \$130 Resident | \$260 Non-resident |
| Fee (60-99ft. boat) | \$195 Resident | \$390 Non-resident |
| Fee (99+) | \$260 Resident | \$520 Non-resident |

6. INDIVIDUAL PERMIT: allows the holder only to take, land and sell fish and may be endorsed for shellfish. No lobster may be taken.

| | | |
|------------|---------------|--------------------|
| Fee | \$65 Resident | \$130 Non-resident |
|------------|---------------|--------------------|

7. SHELLFISH AND SEAWORMS PERMIT: allows an individual to take, land and sell shellfish and seaworms. A shellfish ID card, from the Division, and town permit are also required.

Fee \$40 Resident \$80 Non-resident

SHELLFISH ENDORSEMENT for Commercial Fisherman Permits is available for no extra cost.

There is an established cooperation between the coastal cities and towns and the Director for biological protection, from contaminants, and human protection, from illegal activities, to enhance the supply of shellfish. Funds have been set aside for this program.

8. ROD AND REEL PERMIT: allows the holder only, individual license only, to catch and sell finfish caught by Rod & Reel only. No other gear types may be used.

Fee \$35 Resident \$100 Non-resident

9. SHELLFISH & ROD AND REEL:

Fee \$55 Resident \$130 Non-resident

(B) SPECIAL PERMITS

1. NON-COMMERCIAL LOBSTER PERMIT: is required to fish for or take lobsters and crabs for personal use, 10 pots only for the holder or holders' immediate family.

{Non-residents of Massachusetts, who own in excess of \$5,000 on Massachusetts real-estate and who will seasonally reside in Massachusetts coastal town, may obtain a non-commercial lobster permit to take lobsters and edible crabs from June – September for consumption only by licensee and family.}

Fee \$40 Resident \$60 Non-resident (special restrictions apply above)

2. REGULATED FISHERY PERMIT: required for commercial fishing in certain areas under certain conditions. Regulated permits are required for dragging, gillnetting, netting in inshore areas, and for setting fish pots in water under the jurisdiction of the Commonwealth. Regulated Permits required for Northern Shrimp, Surf Clams, Ocean Quahogs, Sea Herring, Striped Bass, Fluke, Scup, Black Sea Bass, Horseshoe Crabs, American Eels and Sea Urchins. A commercial permit is required in addition to a regulated permit.

Fee \$30 Resident \$60 Non-resident
Fee (Striped Bass) \$30 Resident \$60 Non-resident

(C) REQUIREMENT FOR EACH FISHERY

A. Finfish: A boat permit, or individual permit, or offshore lobster permit, and a regulated fishery permit. **Endorsements for certain species is required and some are under limited entry.**

B. Lobster: A lobster/crab permit is required of all persons to fish for and sell lobster and edible crabs however the most popular Coastal Lobster License is currently under a limited entry system. Offshore Lobster License is available.

C. Shellfish: An individual must possess a town/city commercial shellfish permit, a state commercial fisherman permit endorsed for shellfish, and a shellfish ID card issued by the Division of Marine Fisheries.

Completion of an annual report or catch report is required of some licenses in order for these licenses to be renewed.

(D) APPLICATION REQUIREMENTS

- Applicants for Offshore and Seasonal Lobster Permits are required to identify the area or areas in which they fish.
- All applicants are required to identify the type of gear they use, both primary and secondary.

LIMITED ENTRY NOTE:

Due to commercial fishing license moratoriums established in 1987, Massachusetts implemented a limited entry program on both the Coastal Lobster License and over time Endorsed species became limited entry as well. In 1991, transfer statues were established but the waiting list for transfers has recently been closed. Historical presence in the fishery and control dates have been used to design the limited entry programs.

RESIDENCY NOTE:

Person must reside in Massachusetts for *12 months* to achieve the residency standard.

LICENSE STRUCTURE IN MASSACHUSETTS

LICENSE INFORMATION

19. **License Entity:**[tracking of effort – individual, vessel, gear]
20. **License Categories:**[general licenses and endorsements]
21. **Limited Entry Schemes:** [exit/entrance ratios – how they calculate them; buy into program e.g. lobster trap certificate program in Florida]
22. **Transferability of Licenses:** [free market – value of licenses; revert to state for reallocation]
23. **Quota Species:**[how states use licensing for quota managed species; allocation issue – examples of qualifying criteria]
24. **Latent effort:** [how states use licensing to diminish latent effort – phase out unused licenses or unused gear permits]

DATA COLLECTION

5. What types of Economic and Social Data are collected within their State?
 6. What resources are invested in data collection and management? I.e. number of people working on data collection/management and money spent on the program.
-

LICENSE INFORMATION

1. LICENSE ENTITY:

The permit can be issued to an individual or it may be issued in the name or number of a vessel to be valid for all persons on the vessel. *There is also an owner operator requirement for licenses.* Currently there is a limited entry on specific types of gear including Gillnet, Bluefish Gillnet, Mobile Gear Coastal Access, Bluefin Tuna Purse Seine and Fishpot including Fishpot for Scup. Also there is a lobster trap tag requirement. Under Dogfish and Sea Urchin Endorsements the gear used must be listed as well as the catch method.

2. GENERAL LICENSES AND ENDORSEMENTS: (SEE ATTACHED LICENSE FOR DETAILS)

GENERAL LICENSES:

Coastal Lobster Permit [Limited Entry (1,500), available only by transfer, and most popular license. There is a waiting list but the waiting list has recently been closed]

Offshore Lobster Permit
Seasonal Lobster Permit
Boat Permit (0-59ft.)
Boat Permit (60-99ft.)
Boat Permit (99+)

Individual Permit
Shellfish and Seaworms Permit
Rod and Reel Permit
Shellfish & Rod and Reel

SPECIAL PERMITS:
Non-Commercial Lobster Permit
Regulated Fishery Permit

ENDORSEMENTS:

| | | |
|-----------------|--------------------------|----------|
| Black Sea Bass | Striped Bass | |
| Dogfish | Surf Clam (contaminated) | |
| Horseshoe Crab | Inshore Net | |
| Northern Shrimp | Shellfish | |
| Scup | Sea Scallop shucking | |
| Sea Herring | Bay Scallop | shucking |
| Sea Urchin | | |

LIMITED ENTRY ENDORSEMENTS (only available by transfers):

| | |
|------------------------------------|----------------------|
| Gillnet | Seabass and/or Conch |
| Bluefish Gillnet | Fluke |
| Mobile Gear Coastal Access | Surf Clam |
| Bluefin Tuna Purse Seine | Ocean Quahog |
| Fishpot including Fishpot for Scup | |

3. LIMITED ENTRY SCHEME:

Coastal Lobster Permit: A waiting list exists for new entrants however the waiting list has been recently closed.

Regulated Fisheries: Fishermen need to show historical presence in the fishery. Control dates were used to develop limited entry programs. If a fisherman does not renew a license by the deadline then the license is held for those on the waiting list.

Limited Entry Note: (as seen on attached sheet)

Due to commercial fishing license moratoriums established in 1987, Massachusetts implemented a limited entry program on both the Coastal Lobster License and over time Endorsed species became limited entry as well. In 1991, transfer statues were established but the waiting list for transfers has recently been closed. Historical presence in the fishery and control dates have been used to design the limited entry programs.

Exit/Entrance Ratio: Quota Species/Endorsements =
Coastal Lobster License =

4. TRANSFERABILITY: (within Massachusetts legislation there is room for DMF to alter the transferability requirements as they see fit)

The Director of the Department of Marine Fisheries controls license transfers. If one has a permit to fish than that permit must be renewed each year or the license is retired to the state. (as seen above)

Persons notified on the waiting list have 30 days to respond to the notification that they have been selected as a transfer recipient and must send in the appropriate fee. If the person does not respond within thirty days then the next person in the list is contacted.

(*Family transfers of licenses, such as commercial lobster license are described on the attached sheet)

5. QUOTA SPECIES:

Quota Species have been placed under limited entry endorsements. Qualified applicants who can acquire a limited entry endorsement must show historical presence in the fishery. Quota species endorsements are not closed to non-residents, only to persons who have not had prior history in the fishery.

6. LATENT EFFORT:

Although latent effort has been discussed, as a problem in Massachusetts's fisheries, DMF has not established a program to deal with latent effort in their fisheries.

DATA COLLECTION

The DMF has contracted a consultant to design a fisheries database that is geared toward ACCSP Specs, the coding is the same. The database is being created to meet Massachusetts fisheries data needs and will be ACCSP compliant. Based on future ACCSP requirements, Massachusetts program will be able to be downloaded to complete the requirements.

Reporting: Massachusetts' fisheries statistical program is reviewing catch data from dealer reports and license holder annual reports. Dealers are required to report frequently, often daily or weekly dependent on the species, on the quota-regulated species. Fishermen holding a commercial lobster license are required to submit annual catch reports that are subject to audit.

DMF has approximately four professionals assisting with the fisheries data management.

FLORIDA'S DIVISION OF MARINE FISHERIES: ENDORSEMENTS

Information was obtained through a conversation with Roy Williams, Division of Marine Fisheries, and through the Florida Statutes.

LICENSE STRUCTURE AND ENDORSED SPECIES:

SALTWATER PRODUCTS LICENSE: Required of every person, firm, or corporation that sells, offers for sale, barter, or exchanges for merchandise and any saltwater products, or which harvests saltwater products with certain gear or equipment as specified by law.

A **RESTRICTED SPECIES ENDORSEMENT** on a saltwater products license is required to sell to a licensed wholesale dealer those species, which the state, by law or rule, has designated as a restricted species.

- ? This endorsement is used to a person who is at least 16 years old, or to a firm certifying that that over 25 % of its income or \$5,000 if its income whichever is less is attributable to the sale of saltwater products.
- ? Endorsements can be issued to a for-profit corporation if it certifies that at least \$5,000 of its income is attributable to the sale of saltwater products pursuant to a license issued under this paragraph or a similar license from another state. However, if at least 50 percent of the annual income of a person, firm, or for-profit corporation is derived from charter fishing, the person, firm, or for-profit corporation must certify that at least \$2,500 of the income of the person, firm, or corporation is attributable to the sale of saltwater products pursuant to a license issued under this paragraph or a similar license from another state, in order to be issued the endorsement.
- ? Income attribution must apply to at least 1 year out of the last 3 years. For the purpose of this section "income" means that income which is attributable to work, employment, entrepreneurship, pensions, retirement benefits, and social security benefits.
- ? To renew an existing restricted species endorsement, a marine aquaculture producer possessing a valid saltwater products license with a restricted species endorsement may apply income from the sale of marine aquaculture products to licensed wholesale dealers.

Acceptable proof of income earned from the sale of saltwater products shall be:

- ? Copies of trip ticket records documenting qualifying sale of saltwater products.
- ? Copies of sales records from locales other than Florida documenting qualifying sale of saltwater products.
- ? A copy of the applicable federal income tax return, including Form 1099 attachments, verifying income earned from the sale of saltwater products.
- ? Crew share statements verifying income earned from the sale of saltwater products.
- ? A certified public accountant's notarized statement attesting to qualifying source and amount of income.

No waiting lists exist for licenses or endorsements.

* Roy Williams mentioned the importance of charging a fee for endorsements. When

Florida created the Stone Crab endorsement they did not place a fee on the endorsement, which resulted in a rush for the endorsement. The fishermen feared that the fishery would become limited entry one day so they wanted to get into the fishery. Approximately 6,000 Endorsements are submitted of which only 1,600 have recorded landings with 1,200 showing frequent landings.

LICENSE STRUCTURE: (ENDORSEMENTS ARE ON SALTWATER PRODUCTS LICENSE)

| | | |
|------------------------------------|------------------------|---------------------------|
| INDIVIDUAL | | |
| SALTWATER PRODUCTS LICENSE: | RESIDENT: \$50 | NON-RESIDENT \$200 |
| | ALIEN: \$300 | |
| VESSEL | RESIDENT: \$100 | NON-RESIDENT \$400 |
| | ALIEN: \$600 | |

ENDORSEMENTS (6)

Restricted Species

(Includes multiple species: finfish such as grouper, king mackerel, spanish mackerel snapper, dolphin, blue crab, stone crab, crawfish/lobster etc.)

| | |
|----------------------------------|---------------------------------------|
| <u>Purse Seine</u> | Fee \$25 |
| <u>Crawfish (Lobster)</u> | Fee \$100 |
| <u>Blue Crab</u> | No Fee (under moratorium) |
| <u>Stone Crab</u> | Fee \$125 (under a moratorium) |
| <u>Marine Life</u> | Fee \$75 (under a moratorium) |

LATENT EFFORT:

In 1987, Florida moved toward a restricted species endorsement due to an issue they had in the King Mackerel fishery. The problem stemmed from part-time and recreational fishermen fishing for species that were targeted by full time commercial fishermen. Part-time fishermen would only jump into fisheries when the market price was high or when a fish stock was in abundance. The endorsements were meant to create social equity. Restrictions made part-timers chose between becoming full time fishermen or recreational fishermen. Endorsements have also been used as a fisheries management tool to allow fish stocks to be rebuilt. Over time, each fishery has slowly moved towards endorsements in order to deal with this problem.

The Mullet fishery is another example where part-time fishermen were only fishing on weekends and having a devastating effect on the fish stock.