

**Fisheries Management Issue:** Trap Reduction and the Lobster Trap Certificate Program

**A report provided to the *ad hoc* Spiny Lobster Advisory Board by the Florida Fish and  
Wildlife Conservation Commission Staff**

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**Description and Rationale:** The Lobster Trap Certificate Program (LTC) was implemented in 1993 because the spiny lobster fishery was experiencing increased congestion and conflict on the water, excessive mortality of undersized lobsters, a declining yield per trap, and there was increasing concern over petroleum and debris pollution. The rationale for the LTC was that the fishery was saturated by excess fishing effort and that fewer traps could maintain lobster harvest at historic catch levels. The LTC was expected to stabilize the fishery by reducing the total number of traps while maintaining or increasing overall landings, which would result in increased the yield per trap.

The main component of the LTC was the reduction of traps in the fishery. The LTC set an overall reduction goal based on maintaining or maximizing a sustained harvest in the fishery. The number of traps required to meet this goal was not specified, however, historic catch and effort information suggested that the number was approximately 250,000 traps. Annual 10% reductions in the total number of trap permits were implemented to achieve this goal (referred to as active reductions). Intense resistance to the trap reduction policy caused periodic suspension of the annual reduction and ultimately the trap reduction policy was revised to a passive/active reduction policy. This policy dictated that 25% of those trap permits transferred between fishermen were removed from the fishery and a supplemental active reduction would be used to maintain a 4% total annual reduction until a total of 400,000 traps remained in the fishery. Today, there are approximately 480,000 trap certificates.

Beyond the general resistance to the trap reduction policy, there were several overt reasons why the LTC has not met the expectations of the commercial trap fishermen.

- 1) The professional trap fishermen have not increased their catch per trap.
- 2) As a group, trap fishermen's share of the annual landings was reduced.
- 3) Fishermen have experienced increased costs associated with replacing gear lost to reductions and trap certificate fees, but there were no savings in the operational costs for individual businesses, and windfall profits were only realized by fishermen exiting the fishery.

Many trap fishermen have not increased their catch-per-trap despite a reduction of approximately 250,000 traps since the inception of the LTC. As traps were removed from the fishery, less productive fishermen and fishermen who did not use the traps at all sold their trap certificates to more productive fishermen. These underutilized and unused traps are referred to as latent fishing effort. In 1993, as much as 2/3 of the potential fishing effort available to trap fishermen was unused (latent). Even at the present number of traps, considerable latent effort remains. Because the reductions to this point have only reduced latent effort, the remaining trap fishermen have not experienced a wholesale increase in their yield-per-trap.

The three primary fishing groups for lobsters, commercial trappers, recreational fishermen, and commercial divers, have traditionally captured a relatively constant fraction of the total catch each year. Commercial trappers harvest approximately 70% (range 61% to 76%) of the annual lobster harvest. Recreational divers harvest an average of 23% (range 19% and 28%) of the annual lobster harvest; although, this percentage tends to increase in years with low landings.

Commercial divers' share of the total harvest increased from 2.3% in 1993 to 10.4% in 2001, principally because of the illegal use of artificial habitats. While commercial trap fishermen's effort was being reduced, the generally unregulated effort of commercial divers increased, and the divers harvested progressively more lobsters. This shift in the traditional allocation between groups signaled a problem with the fact that spiny lobster fishery management had primarily been enacted on the commercial trap sector of the fishery, and the management policy was disproportionately affecting commercial trap fishermen. Subsequent restrictions on the commercial divers – a specialized license, daily harvest limits, and a prohibition on diving near artificial habitats – may have reduced their harvest to near their original level. A reduction in daily catch limits for recreational fishermen was implemented when state regulations were aligned with federal rules.

The trap certificate program has improved the overall cost structure of the trap fishery according to several economic analyses of the fishery, but many individual fishermen have experienced increased costs. The initial allocation and subsequent reduction of the number of traps has reduced trap-construction expenditures by millions of dollars. A reduction in business expenses was anticipated as the overall number of traps in the fishery declined. However, these industry-wide savings were achieved because many fishermen left the industry. Those remaining in the fishery have often purchased trap permits to maintain the size of their fishing business, and have thus their operating costs have remained constant.

**Current Regulations:** Reductions in the number of traps in the fishery have been suspended pending a reevaluation of all lobster fishing regulations. The current rule states: “Except as otherwise provided in this rule, beginning with the 2001-2002 license year, the maximum number of lobster trap certificates issued each season by the Commission pursuant to Section 370.142, Florida Statutes, shall be reduced each season by 4 percent from the total issued for the immediately previous season” (Chapter 68B-24.009, Florida Administrative Code).

**Discussion Points:** The commercial trap fishery faces many challenges ranging from increased overhead costs associated with dockage and trap storage, increased operating costs associated with fuel and labor, and increased risk of catastrophic loss associated with more active hurricane seasons. Preservation of the trap fishery will require management of the fishery which increases the catch-per-trap and prevents other fishing groups from increasing their share of the total landings.

The economic problems associated with high overhead costs and low catch rates will not be resolved until latent effort is removed. The solution for a long-term sustainable trap fishery remains to find a way to further reduce fishing effort.

Further reduction of effort in the trap fishery is untenable without assurances that there is a reasonable chance of meeting the expectations of trap fishermen to maintain a sustainable fishery and to maintain their share of landings.