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RECREATIONAL SALTWATER FISHING LICENSE TASK FORCE

REPORT TO THE
JOINT STANDING COMMITTEE ON MARINE RESOURCES
116TH MAINE LEGISLATURE

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EXECUTIVE SUMMARY:

A Saltwater Fishing License Task Force, consisting of nine members representing various marine fisheries interests and the tourism industry, were convened to study the economic and resource management issues concerning licensing of saltwater (tidewater) anglers. The Task Force meetings, chaired by the Commissioner of Marine Resources, were also attended by the Commissioner of Inland Fisheries and Wildlife who served as an ex-officio member.

The Task Force unanimously recommended that a saltwater license be enacted, provided that the license is based on the ten guiding principles enumerated in this report. In summary, the principles require that funds derived from licensing and fines for sport fish violations be dedicated to programs which benefit marine anglers; that licensing requirements/exemptions be consistent with Maine freshwater license requirements; that fees for residents and nonresidents be the same initially; that boats for hire (charter and party boats) be licensed to cover all passengers aboard; that licenses be easily obtainable, simple and affordable; that funds be used for broad categories of programs; and that a sport fishery advisory council with a liaison representative from the commercial fishing industry advise the DMR on marine sport fish program priorities.

Benefits which would accrue from a saltwater sport fish license include habitat protection and fish stocking, improved public access to the coast for shore and boat fishermen, improved and expanded enforcement of marine sport fishing laws, improved biological data for better management of fish stocks, and promotion of the marine sport fishery to improve tourism and Maine's economy.

The estimate of anticipated license revenue is based on the State of Maryland's experiences with saltwater licensing. The U.S. Fish & Wildlife Service conducts periodic national surveys to estimate the number of freshwater and saltwater anglers by state. A comparative analysis of the difference between estimated numbers of saltwater fishermen and actual licensed saltwater fishermen in Maryland was used to derive estimates of the number of saltwater anglers in Maine who would buy a license. Based on a fee structure of \$10 for an individual license, \$5 for a short term license, \$200 for large passenger fishing boats, and \$100 for small passenger fishing boats, the estimated saltwater license revenue for Maine is \$500,000 annually.

During the 1993 session of the 116th Maine Legislature, the Joint Standing Committee on Marine Resources voted "ought-not-to-pass" on L.D. 1029, An Act to Require Possession of a Maine Fishing License to Fish in Coastal Waters. The Committee requested that the Commissioner of Marine Resources convene a Task Force to study the economic and resource management issues that would be implicated by the enactment of a recreational saltwater fishing license. The Task Force should include persons who represent commercial, recreational, and sport fishing interests, private sector representatives of the tourism industry, the Maine Publicity Bureau, tour boat operators, and any other group or person deemed to have a substantive interest in this policy issue. The Committee further recommended that the Commissioner report the recommendations of the Task Force by February 1, 1994. If the Task Force recommends a recreational saltwater fishing license be instituted, the report should describe the fisheries management benefits that will be derived from licensing recreational saltwater fishing, a recommended license fee, an estimate of annual revenues from license sales, and estimated costs of administering and enforcing that licensing requirement.

Pursuant to the Committee on Marine Resources' request, a nine-member Task Force was formed to address the recreational saltwater license issue. The Committee membership is listed in Appendix I and was composed of representatives from the party/charter boat fishery, recreational saltwater fishermen, retail sporting goods businesses, UMO resource economics staff, Maine Publicity Bureau, commercial fishing industry, saltwater sport fishing writers and publishers, and inland fisheries representatives. The Commissioner of Inland Fisheries and Wildlife also participated as an ex-officio member of the Task Force.

The Recreational Saltwater Fishing License Task Force held three meetings to discuss the implications of a saltwater recreational fishing license. A review of the status of saltwater fishing licenses nationwide revealed that there are currently 11 states which require a license to fish in tidal waters (Table 1). Resident annual license fees range from \$5.00 - \$16.00, while nonresident fees range from \$5.50 - \$50.00. Of the 11 states, there are four on the Atlantic seaboard requiring a license to fish in tidal waters: Maryland, Virginia, South Carolina, and Florida. In addition, the Potomac River Fisheries Commission requires a license for persons fishing in the tidal waters of the Potomac River. Annual license fees for these Atlantic coast jurisdictions range from \$5.50 - \$12.00 for residents and \$5.50 - \$30.00 for nonresidents. License fees and exemptions varied substantially from state to state. In some states, resident and nonresident fees were identical, while some states had nonresident fees five times higher than the resident fee. Almost all states exempted residents under 16 years or over 65 years of age and some exempted residents fishing from public piers or shore areas. Almost all states had some mechanism for addressing charter and party boat operators, usually by

licensing the vessel which covered all fishermen on board. In all states with saltwater licenses, funds derived from licensing are dedicated to programs to benefit licensed fishermen. Some states specify various percentages to be dedicated to fish stocking, hatcheries, enforcement, habitat protection, research, management, and public access, while others have adopted sport fish advisory councils which work with the marine agency in deciding on fund expenditures. The Recreational Saltwater License Task Force recommends that the Maine Legislature adopt a marine sport fishing license if based on the following principles:

- All funds received from the marine sport fishing license shall be deposited in a nonlapsing fund and dedicated to programs that directly benefit marine sport fish license holders. These funds shall be used to provide new or expanded programs to benefit marine recreational fishermen.

- All fines and property seized for violations of marine sport fishing laws shall be credited to a nonlapsing fund dedicated to marine sport fish programs.

- Saltwater sport fishing license requirements and exemptions should be consistent with current Maine freshwater fishing license requirements.

- License fees for resident and nonresident saltwater sport fishermen should initially be the same. It is recommended that the initial license fee be set at \$10.00. At some future time a differential license fee may need to be considered.

- A short term license with a small fee should be offered to accommodate fishermen who make only one trip per year to the coast. The recommended fee for this license is \$5.00.

- A separate boat category license for charter and party boats should be established. The fee for boats with a passenger capacity of six or less should be licensed at ten times the individual license fee. Boats with a passenger capacity in excess of six, should be licensed at twenty times the individual license fee. All passengers on these boats for hire would be exempt from the individual license fee.

- The Committee should adopt a conservative expectation on the level of funds to be generated by a marine sport fish license. It is estimated that approximately \$500,000 could be generated annually from the license fees proposed by the Task Force.

- A license should be easily obtainable, simple, and affordable. Licenses should be issued using the same administrative arrangements as are employed by the Department of Inland Fisheries and Wildlife.



- License funds should be used for enforcement, habitat protection, public access, promotion of the marine sport fishery, research, management, fish propagation and stocking, and other programs to benefit marine sport fishermen.

- A marine sport fish advisory council should be established to advise the Department of Marine Resources on marine sport fish program priorities. A representative of the commercial fishing industry should be included on the sport fish advisory council to serve as a liaison between the commercial and recreational fishing industries.

The costs of license administration and enforcement were not addressed in depth by the Task Force. A review of administrative costs in other states which have recently implemented a saltwater sport fishing license revealed that administrative costs ranged from 5% to 11% of total revenue received. Summaries of three Atlantic coast states' experiences are as follows:

South Carolina: 1993 revenues approximated \$477,600 of which 5% by law was earmarked for administration of the licensing program.

Virginia: 1993 license revenues were \$1,800,000 of which \$200,000 was necessary to administer the license program; Virginia initiated its licensing program in 1993.

Maryland: 1992 license revenues were \$1,500,000 of which 7% was used to administer the license program. Maryland has been issuing tidewater licenses since 1985.

Fisheries management benefits that would be derived from licensing recreational saltwater fishing are as follows:

- Habitat Protection/Stocking Programs** - Increased research into the life history and habitat requirements of marine sport fish is necessary if we are to be able to identify essential habitat and assure its protection. Knowledge of the habitat needs of recreational species during all life stages (egg, fry, larvae, juvenile, adult) is critical to our ability to maintain fish stocks through habitat protection programs. Recent improvement in water quality in Maine's largest estuaries have restored significant spawning habitat for striped bass, alewife, American shad, and rainbow smelt. DMR stocking programs involving striped bass, American shad, and alewife have produced new spawning runs of these species in reclaimed state waters. Expanded striped bass stocking programs could be used to enhance the quality of the existing fishery and provide extended fishing opportunities (early spring and late fall) in a number of Maine estuaries. American shad fry and fall fingerlings are being stocked in the Kennebec and Medomak Rivers; this program should be expanded. Sea-run brook trout support important sport fisheries in eastern maritime Canada. Small populations of sea-run trout also occur in selected Maine estuaries. Opportunities to provide for expanded sport fisheries for this resource are possible through a hatchery stocking program.

•**Public Access** - Identification of the numbers of resident/non-resident sport fishing participants, frequency of fishing, and locations of fishing activity is essential to the development of public access programs to benefit marine sport fishermen. These data would be used to identify public access needs and promote the acquisition of shore-based fishing sites as well as installation of boat launch facilities to benefit marine anglers.

•**Enforcement** - The Bureau of Marine Patrol within the DMR is responsible for the enforcement of laws relating to the state's marine fisheries, boating registration and safety, and environmental laws in cooperation with the Department of Environmental Protection. In addition, the Bureau conducts search and rescue operations on coastal waters, enforces all marine related criminal laws, and is a general service agency to coastal residents and visitors. At the present time, the Bureau does not have sufficient staff to provide for adequate enforcement of marine sport fishing laws and regulations in addition to its other responsibilities. Revenue from a marine sport fish license could assist the Department in improving its capabilities, especially in meeting federal mandates for increased state enforcement efforts directed toward interstate fisheries such as striped bass, bluefish, and American shad.

•**Marine Sport Fish Harvest Data** - Accurate estimates of the number of fish harvested by species are needed. Funds would be made available to survey licensed anglers for harvest, effort, and information to determine the size, age, and sex composition of the catch. The location and seasonal distribution of the catch, gear types used, and total effort expended by recreational anglers should also be determined. Rationale: Increased knowledge of species specific fisheries will allow for greater options for management. Since the DMR is statutorily authorized to regulate harvest by Time, Length, Location, Number, and Method (gear type), increased knowledge of the recreational fisheries will afford the DMR and marine sport fishing community greater options for achieving management goals. As management measures are implemented, there is a critical need to monitor the effects of the measures to assure the desired result is attained (e.g. liberalize harvest if stocks are abundant or reduce harvest if stocks are declining below spawning stock needs). Accurate estimates of annual sport fish catch by species are essential to assure that Maine sport fishermen will continue to receive an equitable share of the Atlantic coast sport fish harvest. Interstate fisheries management programs often use historical harvest data to establish a state's claim to a certain proportion of the coastal harvest. It is critical that accurate harvest data be developed to assure that an equitable share of these resources is allocated to Maine.

•**Public Awareness and Promotion Programs** - The DMR should expand existing efforts and initiate new programs to inform the marine sport fishing public of current laws and regulations relating to

Maine's marine sport fishery. Periodic news releases and literature on the marine sport fishery should be disseminated to the tourism industry, local saltwater bait/tackle shops, and through regional and national sport fishing publications. Information should include timely forecasts of species availability by season and location, how to release undersized fish to improve survival, how to prevent spoilage of harvested fish, and methods of cooking.

APPENDIX I.

RECREATIONAL SALTWATER LICENSE TASK FORCE

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TABLE 1.

SALTWATER RECREATIONAL FISHING LICENSE FEES

<u>STATE</u>	<u>ANNUAL RESIDENT</u>	<u>ANNUAL NONRESIDENT</u>	<u>SHORT TERM</u>	<u>CHARTER BOAT ≤6 PASSENGERS</u>	<u>PARTY BOAT >6 PASSENGERS</u>	<u>PRIVATE BOAT LICENSE</u>	<u>EXEMPTIONS</u>
Maryland ¹	\$7.00	\$12.00	\$4.00/5 days	\$240.00	\$290.00	\$30.00	Under 16(ALL)
Virginia ¹	7.50	7.50	5.00/10 days	150.00	150.00 + \$4.00 for each person over the 6	30.00 ² 60.00 ³	Under 16(ALL) Over 65(ALL)
So. Carolina	5.50	5.50	-----	150.00	250.00(6-49 pass.) 350.00(49+)	-----	Under 16(ALL) Over 65(RESIDENTS)
Florida	12.00	30.00	10.00/Resident for 10 days 15.00/Nonresident for 7 days	400.00	800.00	200.00	Under 16(RESIDENTS) Over 65(RESIDENTS)
Alabama	16.00	31.00	6.00/Resident for 7 days 11.00/Nonresident for 7 days	201.00	301.00(7-25 pass.) 501.00(25+)	-----	Under 16(ALL) Over 65(RESIDENTS)
Louisiana	5.50	25.50	15.50	-----	-----	-----	Under 16(ALL) Over 65(RESIDENTS)

¹Fishing Guide's License: \$35.00 resident, \$100.00 nonresident. No license required in ocean waters of Maryland. Reciprocity between Maryland & Virginia in Chesapeake Bay waters; no license required in ocean waters of Virginia.

²Boats 27' and under

³Boats over 27'

Texas	13.00	20.00	5.00/Resident for 14 days 10.00/Nonresident for 5 days	-----	-----	-----	Under 17 (RESIDENTS) Over 65 (RESIDENTS)
Alaska	15.00	50.00	15.00/Nonresident for 3 days 30.00/Nonresident for 14 days	-----	-----	-----	Under 16 (ALL) Over 65 (RESIDENTS)
Washington	17.00	48.00	3.00/All for 2 days-salmon	-----	-----	-----	Under 15 (ALL) Over 70 (RESIDENTS)
Oregon	14.75	35.75	5.25/All 1 day 21.25/Nonresident for 10 days	-----	-----	-----	Under 14 (ALL) Over 70 (RESIDENTS)
California	13.90	64.30	5.25/All 1 day	200.00	200.00	-----	Under 16 (ALL)

