You can yell at me all you want. I’ve got thick skin, but it’s really the feds who are pushing this.”

Maine Department of Marine Resources (DMR) Commissioner Patrick Keliher said this time and again during a series of meetings with the state’s seven lobster zone councils and area lobstermen held in June regarding proposed measures to cut the amount of vertical lines fished by Maine lobstermen in half.

DMR held the meetings with lobstermen to get input on crafting a state-wide plan to reduce vertical lines by 50% while balancing safety and economic concerns and maintaining the diversity of Maine’s fleet. The DMR presented lobstermen with 11 “strawman” proposals, which combine various trap limits -- from 800 to 300 traps -- with minimum traps per trawl requirements based on distance from shore. DMR will hold a second round of meetings with the Lobster Advisory Council (LAC) and Zone Councils in August to get final feedback from the industry on the state’s “preferred options” before submitting Maine’s plan to NMFS in September.

The meetings kicked off with the LAC in late May followed by meetings with Maine’s seven lobster zones in June. “We are holding these meetings outside of the federal regulatory process,” Keliher explained to the LAC. “We have a fair amount of time to develop Maine’s plan as long at the courts don’t get involved.” The National Marine Fisheries Service (NMFS) will hold its own scoping meetings to solicit feedback on the whale plan in July.

The goal of DMRF’s June meetings was informational to bring lobstermen up to speed on NMFS’ directive to reduce entanglement risk to right whales by at least 60%. Keliher reassured attende es that “No decisions will be made until the second round of meetings are complete to give zones and the LAC an opportunity to weigh in on all the options.” The new whale protection measures are not expected to be implemented until 2021 when the federal rulemaking process is complete.

A looming question on lobstermen’s minds was why Maine must make such deep cuts when there are so few confirmed entanglements by right whales in Maine lobster gear. The unpopular answer was simple: federal laws require it. Keliher explained that because

Continued on page 18

NEW SENSORS TRACK LOBSTERS FROM TRAP TO DEALER

By Melissa Waterman

How to keep a lobster healthy has been a riddle plaguing Maine’s lobster fishery forever. According to many lobster dealers, between 3% and 7% of all lobsters harvested in Maine waters die before they reach a dealer’s facility, a mortality rate called shrinkage. Shrinkage is taken into account in terms of price by both lobstermen and the lobster buyers they sell to. But losing that many lobsters before they make it to their final destination represents a large revenue loss for the industry.

“Just take the lower percentage,” said Andrew Goode, a Ph.D. student at the School of Marine Sciences at the University of Maine. “Three percent of the 2018 catch [$484,543,000 value] means $14 million is lost between the trap and the dealer. If we can track the lobsters, we can identify what factors influence shrinkage. We can make more money when we treat them better.”

Goode, who alsolobsters in the Damariscotta River area, is one of the participants in a new project, a collaboration among the University of Maine Lobster Institute, the Maine Lobster Dealers Association, Bates College, and the Maine Lobstermen’s Association. The project will use temperature and motion sensors designed by Matthew Jadud, Bates associate professor of digital and computational studies, and Phil Dostie, Environmental Geochemistry Lab manager, to monitor the conditions experienced by lobsters in the trap, on the boat, in the crate and on the truck.

Continued on page 17
When sailing off the coast of Maine in the summer, it’s wise to keep an eye out for fog. The mix of sultry summer air and the cold waters of the Gulf of Maine often produces a legendary “pea soup” fog late in summer along the coast. When heading back to harbor, the fog can become dense and blinding, making it hard to navigate even with the best GPS units. It’s critical to keep an eye out for fog. These conditions are particularly challenging in the thick fog of the Gulf of Maine, where visibility can drop to just a few feet.

lobstermen face a season full of anxiety. MLA photo.

Although the tranquility of summer is upon us, Maine's lobstermen face a season full of anxiety. MLA photo.
Maine’s aquaculture industry is growing. It was valued at nearly $72 million in 2018. If you receive email updates from the Department of Marine Resources (DMR), you’ve probably noticed that your inbox is regularly flooded with notices about aquaculture leases. Or perhaps you have received a letter in the mail or seen a notice in your local paper. So what’s this aquaculture application process all about?

First, there are three types of aquaculture leases in Maine and they all have separate review processes. Limited Purpose Aquaculture or LPAs are licenses for aquaculture leases that are 400 square feet or less to raise certain types of shellfish, green sea urchins or marine algae. These leases are renewable annual licenses that expire on Dec 31st of each year. The cost is just a low application fee of $50, and primary approval is by the local harbormaster or a municipal officer before DMR issues the license. An LPA license is often used to try out a new area, or is used by hobby farmers or by small commercial enterprises. They are not expandable nor is the renewal guaranteed. However, this type of application has increased dramatically from 200 to 600 over the past three years.

Experimental leases are granted for sites of up to 4 acres for suspended or bottom cultures. These leases run for three years and are non-renewable. The application cost is a little higher ($100), and lease holders pay a fee of $100 per acre per year. The sites are allowed to grow any species already present in Maine and are often used as a test site for a permanent or Standard Lease. The approval process goes through DMR and has the possibility of public feedback through a comment period or potentially a public hearing.

The third type is a Standard Lease issued for sites up to 100 acres for any species already present in Maine. The lease runs for up to 20 years. Sites smaller than 100 acres can be expanded by either 25% or 4 acres whichever is less, not to exceed 100 acres. These sites are renewable. The application fee runs from $1500 to $2000 and lease holders also pay $100/acre/year fee to the state. The sites are allowed to grow any species already present in the new area, or is used by hobby farmers or by small commercial enterprises. They are not expandable nor is the renewal guaranteed. However, this type of application has increased dramatically from 200 to 600 over the past three years.

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The application approval process for each of these varies. Once an Experimental Lease application has been submitted and deemed complete, DMR is required to send notices about the application to landowners within 1000 feet of the proposed site, and to the officials of the town, and are required to place notices of the application and hearing in a local newspaper. DMR also sends notices to the local Lobster Advisory Council representatives. Once the notices are sent, the public has thirty days to comment on the application. This is the time to request a public hearing on the application if desired. If no comments are received DMR science staff are required to visit the site to characterize it and evaluate existing uses within the proposed area (fishing, recreation, how close it is to shore, channels, mooring, and potential- ly conduct a SCUBA dive or drop camera video to characterize the flora and fauna in the area, etc.). This information is used to creates a “site review report”. If no hearing is conducted, the application and the report are sent back to DMR Hearings Officer and to the Assistant Attorney General who have 60 days to review the application and to make a draft decision. The draft the final decision is sent to the Assistant Attorney General for review and the final decision is made by the Commissioner of Marine Resources. The lease paperwork is submitted to the applicant and filed with the DMR office. Notices are sent of the approval or denial, with a 30 to 40 day appeal period to the Superior Court. If no appeals are made, the lease paperwork is submitted to the applicant and filed with the DMR office.

If five or more people who received the notices of the application file written comments a request for a public hearing, then a hearing is required to take place. DMR has the option of holding a public hearing even if one is not requested in order to solicit feedback from the public. So far that hasn’t happened. Typically when a site is controversial, DMR will get five or more public comments. If five or more people who received the notices of the application file written comments a request for a public hearing, then a hearing is required to take place. DMR has the option of holding a public hearing even if one is not requested in order to solicit feedback from the public. So far that hasn’t happened. Typically when a site is controversial, DMR will get five or more public comments. If five or more people who received the notices of the application file written comments a request for a public hearing, then a hearing is required to take place. DMR has the option of holding a public hearing even if one is not requested in order to solicit feedback from the public. So far that hasn’t happened. Typically when a site is controversial, DMR will get five or more public comments. If five or more people who received the notices of the application file written comments a request for a public hearing, then a hearing is required to take place. DMR has the option of holding a public hearing even if one is not requested in order to solicit feedback from the public. So far that hasn’t happened. Typically when a site is controversial, DMR will get five or more public comments. If five or more people who received the notices of the application file written comments a request for a public hearing, then a hearing is required to take place. DMR has the option of holding a public hearing even if one is not requested in order to solicit feedback from the public. So far that hasn’t happened. Typically when a site is controversial, DMR will get five or more public comments. If five or more people who received the notices of the application file written comments a request for a public hearing, then a hearing is required to take place. DMR has the option of holding a public hearing even if one is not requested in order to solicit feedback from the public. So far that hasn’t happened. Typically when a site is controversial, DMR will get five or more public comments. If five or more people who received the notices of the application file written comments a request for a public hearing, then a hearing is required to take place. DMR has the option of holding a public hearing even if one is not requested in order to solicit feedback from the public. So far that hasn’t happened. Typically when a site is controversial, DMR will get five or more public comments. If five or more people who received the notices of the application file written comments a request for a public hearing, then a hearing is required to take place. DMR has the option of holding a public hearing even if one is not requested in order to solicit feedback from the public. So far that hasn’t happened. Typically when a site is controversial, DMR will get five or more public comments. If five or more people who received the notices of the application file written comments a request for a public hearing, then a hearing is required to take place. DMR has the option of holding a public hearing even if one is not requested in order to solicit feedback from the public. So far that hasn’t happened. Typically when a site is controversial, DMR will get five or more public comments.
This past spring California’s Dungeness crab fishery, in recent years the state’s second-most valuable sector, was shut down three months early (it usually runs mid-November to July along the entire coast) as part of a lawsuit filed by the Center for Biological Diversity (CBD). CBD sued the State of California because of whale entanglements with Endangered Species Act (ESA)-listed whales. Our Dungeness crab fishery is state managed, therefore there is no Incidental Take Permit (ITP) or Take Reduction Team (TRT). The management agency is now facing a hair trigger for future closures because of a settlement in the case, and there may be additional lawsuits in the future.

American fisheries have been divided and conquered for decades. The most important thing Maine lobstermen can do right now is unite. I grew up in Maine and I studied lobsters and the lobster fishery at UM. Having now spent time in the trenches of whale litigation on the West Coast, I believe it’s important for Maine lobstermen to understand the legal and policy implications of the California crab situation. My organization’s members are dealing with what would be close to the worst-case scenario for Maine. The Maine lobster fishery should avoid this scenario, and I believe it can.

How did we get here?

On the West Coast, CBD’s legal engagement resulted in a federal court case filed in October, 2017, which focused on entanglements with ESA-listed species in the California Dungeness crab fishery. Our organization, the Pacific coast Federation of Fishermen’s Associations (PCFFA), was the sole entity to intervene in CBD v. Bonham to protect the interests of our industry. Th e case proceeded relatively of Fishermen’s Associations (PCFFA), was the sole entity to intervene in CBD v. Bonham to protect the interests of our industry. Th e case proceeded relatively

The implications are clear: fixed gear fisheries with documented/confirmed entanglements are dealing with extraordinary legal exposure. Responding to this exposure in an organized and strategic way is critically important because the alternative is chaos, which our opponents will gladly take advantage of. In the case of the California Dungeness crab fishery, responding intelligently means uniting in common purpose to achieve the most favorable ITP possible, to aggressively fight any future legal challenges, and to remind politicians and the public of the value commercial fisheries bring to them.

We’re also similarly faced with the challenge of reviewing scientific tools and the decisions that are based on them. Like the situation in the Maine lobster fishery, questionable triggers for management action based on unverifiable assumptions are being used in decision making in California. Such approaches should be challenged vigorously.

It’s likely going to take at least two years for the feds to issue an ITP for the Dungeness crab fishery and, in the meantime, the actions we take and the decisions we make under the auspices of the California settlement could mean the difference between a period of belt tightening, or the implosion of California’s coastal communities.

American fisheries have been divided and conquered for decades. The most important thing Maine lobstermen can do right now is unite. Challenge bad ideas, advance good ones. The alternative is far too damaging to allow.

The state asked the judge for a couple weeks to reach a settlement, and the parties began talks.

Those settlement talks were the most difficult and frustrating days of my career, but in the end we had an agreement that was better for the fleet than it would have been absent our participation. At the end of March our Board of Directors voted to agree to the settlement negotiated between the parties, which resulted in the closure of the California Dungeness crab fishery on April 15th and will almost certainly result in subsequent early closures in the spring.

The alternative to settlement was the very real risk that the judge in the case would shut down the fishery entirely for multiple seasons or, less damaging but still extremely troubling, manage the fishery from the bench.

In the end, the decision our Board made was a choice between the least damaging settlement that CBD would agree to (and it most definitely would have been a worse settlement if we weren’t at the table), or the risk of judicial intervention in our fishery. This was a lose-lose deal. Our organization made an extraordinarily difficult choice knowing the risks of both options. The fleet will lose millions of dollars, and our members have suffered and will continue to suffer hardship.

In order to contemplate the impact that this case will have to the crab industry, and the potential for similar scenarios to affect other fixed gear fisheries, you first have to understand the legal landscape we are operating in today. But you don’t have to be a lawyer to grasp the implications. Compliance with the ESA in the California Dungeness crab fishery means dealing with entanglement risk without a viable mitigation framework in place or face the very real potential of even more restrictive closures.

What can lobstermen learn from Cal. crab fishermen?

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What can be done about it?

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Maine is home to musicians of every level. Summer theaters and summer camps bring musicians both young and old to the coast. Outdoor concerts abound, but the Sweet Chariot Music and Arts Festival is an outdoor music experience of a different sort. This three-day festival takes place in early August on Swans Island, an island known mostly for its lobster fishing. Part of its character is that this festival is almost impossible to attend; there are limited accommodations on the island. Another is how the festival is entwined in this island community of lobstermen.

“Swans Island is right up there for attracting interesting characters,” said Doug Day, a Swans Island summer resident and Sweet Chariot’s program director. Located six miles off Mount Desert Island, the island has nearly 400 year-round residents, a number which swells to about 1,000 during the balmier months. With only one inn and a tiny general store, Swans Island is not a tourist destination and that’s fine with its resident lobstermen.

Yet every summer for nearly 30 years, Day has brought professional musicians and performers from all over the United States to the island for the three-day music festival. Using the 225-seat Oddfellows Hall, the Sweet Chariot Music and Arts Festival presents 24 musicians over three nights. A living mural painted by artist Buckley Smith emerges as a backdrop and testament to each season’s event. The music is Americana and folk performed by a Who’s Who of singer-songwriters. The audience consists of guests from local schooners, “yachties” and some local residents. The show runs too late for most lobstermen who are usually up before 4 a.m.

In the early years, in an effort to entice an audience for the evening’s shows, performers would row out to provide a boat to bring singers out onto the water. “I am astounded at how supportive the fishing community is [of the Sea Shanty event],” said Day. “For years Llewyn Joyce provided his boat Prince of Peace.”

The connection between lobsterman and visiting musician is forged in other ways. Jefferson Hamer is an award-winning folk musician from New York City. “He’s on the A-list,” explained Day. One summer Day came out of the theater one night and found Hamer sitting on the back step giving a private lesson to then 18-year-old islander Marshall Walker. Walker is a lobsterman. He hauls full-time on his 35’ Duffy the Josephine Wriggins, named for his sister. Music seems to be his passion; he’s been playing the guitar for seven or eight years, along with the tin whistle and the mandolin. He collaborates with his brother Shep, performing classic country and Celtic music at home, on the mainland and most summers for the Sweet Chariot Music Festival. “We’re the opening music. We play in the theater before the show starts,” he said. Walkerlikes the festival. He appreciates the opportunity to play with professional musicians from around the country and the fact that they put on a “really good show.”

While the Sweet Chariot Music Festival might be better described as a festival for musicians, there is no doubt that the people and environment of Swans Island nourish and support these musicians “from away.” And it seems that feeling can be mutual. “It’s a fantastic opportunity to listen to some truly great music,” said one local.

The Sweet Chariot Music and Arts Festival takes place this summer August 6 to 8. For more information contact Douglas Day, 156 Atlantic Loop Rd., Swan’s Island, ME 04685 or sweetchariotmusicevent@gmail.com.
STEAMING AHEAD

One question related to the whale rules weighs heavily on lobstermen's minds these days: "Who is fighting for Maine lobstermen?"

As the Maine Lobstermen's Association executive director, I can say emphatically that the MLA is. So why doesn’t it seem that way to many lobstermen?

In my opinion, it is because this issue is so complicated and the consequences potentially dire. In talking to Maine lobstermen, there is a strong sense that the process has been too transparent and has been aimed at pushing Maine harvesters to shoulder unnecessary burdens. Simply put, lobstermen are being asked to make significant changes without any demonstration that the sacrifices they make would truly help reverse the right whale decline. They want someone to stand up and fight and tell the feds that enough is enough.

Believe me, I get it. I agree that this needs to be done. But we also need to ensure that our industry is prepared for the worst. If the National Marine Fisheries Service (NMFS) determines that the lobster fishery could jeopardize the recovery of right whales in the pending Biological Opinion, the fishery could be shut down. We’ve been told to expect a Cary study finding against the fishery. We’ve been told that NMFS will implement draconian measures if the fishery itself does not put forward a plan. Those are not rumors, those are facts.

It is the MLA’s job to fight for lobstermen, and I take that role very seriously. But most importantly, it is the MLA’s job to make sure that lobstermen are able to fish, to provide for their families and keep their communities alive. It is MLA’s job to make sure that there is a fishery to pass on to the next generation. That is why we continue to participate in the process to identify whale conservation measures that can work for our fishers. We want to be sure that Maine lobstermen have input into those rules so that we maintain a viable fishery.

The situation is beyond frustrating and I hate knowing that many in the industry feel that the MLA has let them down while the MLA is fighting so hard for Maine lobstermen.

It doesn’t feel like a fair fight. The environmental community’s agenda is simple — save the right whales! They have the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA) on their side. Any permitted activity that has the potential to impact the species is subject to review. Th e Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA) on their side. Any permitted activity that has the potential to impact the species is subject to review.

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mortality data from NMFS to show that Maine gear has only been confirmed in two entanglements. It is the MLA that dug into the serious injury and mortality data to show that U.S. gear has only been identified in two cases since 2010, while the Canadian snow crab fishery has accounted for eight since 2016. It is the MLA that met with the delegation in September 2018 and April 2019 to raise our strong concerns and demand accountability from the government on the severity of regulations to be imposed on Maine lobstermen. It is the MLA that remains in close contact with the delegation, keeping them fully apprised of our situation.

The MLA has steadily challenged NMFS every step of the way on the current regulatory process. We have argued that the methodology NMFS used to set the risk reduction goal is faulty, and we continue to press that issue. The MLA is pushing for a peer review of the newly developed decision support tool (a computer model) to ensure it can credibly assess the risks of fishery and whale interactions before it is used to estimate the conservation benefit of proposed regulations. The MLA consistently has demanded that Canada be held responsible for its role in the right whale decline, given that so many right whale deaths have occurred in the Gulf of St. Lawrence. With six more deaths recorded in Canada so far this year, this issue remains more important than ever.

In 2018, the MLA intervened in the court case brought forward by five environmental groups seeking more stringent whale regulations such as ropeless fishing. The MLA has a lawyer on retainet advising us throughout this process and ensuring that the lobster industry has a voice in any management actions that could be contemplated by the court. The MLA continues to fight against ropeless fishing and mandatory closures and for lobstermen to have a voice in how our fishery is regulated. To that end, the MLA held seven industry meetings in 2018 to educate lobstermen and prepare for these emerging whale rules. We have participated in research efforts to test strength of escaped entanglement lines for our boats and collect data on ropes and gear configurations used in the fishery. The MLA developed materials to educate the public about the robust recovery right whales previously had been experiencing as a result of the whale conservation measures put in place by Maine lobstermen.

And the MLA continues to advocate for better information on where the whales actually are. The MLA has highlighted the need to develop a viable technology to successfully tag right whales and to land advertise so monitoring of right whales in U.S. waters through aerial and acoustic surveys.

It’s a long list, isn’t it? Yet I know that many who read these pages will think that it is not enough simply because NMFS is continuing its mandated process. It’s a long list, isn’t it? Yet I know that many who read these pages will think that it is not enough simply because NMFS is continuing its mandated process. Federal law is like the tide -- when it starts to roll, it is not enough simply because NMFS is continuing its mandated process. Federal law is like the tide -- when it starts to roll, it's not enough simply because NMFS is continuing its mandated process.

The MLA will have a booth at three lobster boat races this season — Stonington, Winter Harbor and Long Island — and has donated swag as prizes to all of the lobster boat races. Antonina is working on a promotion with Heiniken beer through which a portion of certain sales will be donated to the Maine Lobstermen’s Community Alliance (MLCA). She is also working to organize the annual MLCA Relief Fund event at Cook’s Lobster in September.

MLA Board members commented on the lobster season thus far, noting that it had been a slow spring for everyone. The water is cold and landings have been slow. Many lobstermen have left their boats ashore longer than usual and waited to set gear. Fewer traps have been set than at this time in previous years. Lobstermen are concerned because the lobster price dropped despite weak spring landings. There have not yet been any bait shortages reported. Last year’s supply of salted product is priced well but quality may be an issue; quotes for fresh product are coming in very high so lobstermen are seeking alternatives. There are reports of lobstermen buying bait in anticipation of a bait shortage later this season. Some have bought their own freezers to put up bait. Others have purchased hide bait to put in storage.

The MLA board continued its discussion on aquaculture. There is growing concern over the volume of aquaculture applications and leases moving through DMR, however lobstermen are most concerned about the siting of aquaculture leases greater than 10 acres in size. Given the new whale rules that lobstermen will be facing, there is concern about allowing the aquaculture industry to add more vertical lines in the water. The board expressed a need to control the growth of Maine’s aquaculture industry. The MLA has been in touch with DMR staff and the Maine Aquaculture Association about getting lobstermen involved in the development of the whale rules. The Maine Aquaculture Association has been in touch with DMR about the development of the whale rules. The MLA will reach out to DMR to start an educational series in Landings on how lobstermen can most effectively engage in the process. Some board members pointed out that many lobstermen are actually diversifying into aquaculture, which is a very good fit in many communities.

Patrice provided an update on bills before the Legislature. The session is scheduled to end on June 19. Bills that have passed include a bill to clarify how the temporary medical allowance works, a bill for a pilot program to allow Gray Zone lobstermen to fish 24 hours during September and October; a bill to allow Class III license holders to take up to four unlicensed crew members; a bill to prohibit offshore oil and natural gas drilling; a bill to allow Monhegan student license holders to fish during the closed season; the Governor’s Climate Change bill; and a bill directing the Public Utilities Commission to approve a long-term contract with Maine AquVentus for energy and capacity. The lobster waiting list bill was carried over to the next session so it will be discussed again in January 2020.

The MLA Board discussed the development of Maine’s whale plan at length. The MLA met with the delegation in April to raise concerns over the development of the whale rules. The delegation sent a letter to the Department of Commerce in May stating its concerns about the impact of the whale rules on Maine and seeking accountability from NMFS.

The MLA is attending all of the DMR meetings with the Lobster Advisory Council and in each zone council to listen to industry concerns and feedback on the proposals. The new strawman whale plan for Maine has crafted several alternatives, which include trap limits of 800, 600 and 400 combined with trawling up scenarios that set minimum traps per trap from 0 to 3 miles; 3 to 12 miles; and 12+ miles. The state’s proposals include a ¼ mile buffer zone in and around all land and islands in Maine state waters, which would be exempt from any trawling up minimums. DMR stressed that these proposals are a starting point and welcome feedback from the industry. Lobstermen can comment on a statewide plan or bring ideas forward to create a plan on a zone-by-zone basis. Lobstermen must get any proposals to DMR by July 15 so they can be analyzed before DMR’s next round of meetings in August.

The DMR has stated that Maine will move forward with unique gear marking in 2020 in order to build a stronger case that Maine lobster gear is not involved in right whale entanglements. The state also is moving forward with 100% har- vester reporting for all lobstermen and vessel tracking for federal lobster boats. The MLA board has strong concerns over the draft proposals put forward by DMR. The Board is concerned about smaller vessels going to quads in state wa- ters, offshore boats going to 30’s or 40’s, and many strongly opposed trap limits. There is also a strong concern about the potential for offshore boats to shift long bottoms closer to shore which would put many in the inshore fleet at risk. Additional alternatives must be developed. While a zone-by-zone approach may generate better ideas for local areas, there is concern about how this concept will work on a statewide basis.

The Maine Lobster Marketing Collaborative (MLMC) is developing a proactive campaign to deal with the media in regard to the Maine lobster fishery and pending whale rules. The MLMC will highlight Maine’s strong track record of environmental series in Landings on how lobstermen can most effectively engage in the process. Some board members pointed out that many lobstermen are actually diversifying into aquaculture, which is a very good fit in many communities.
voted to “temporarily prohibit carryovers” for 2020 and 2021 given the current condition of the resource.

The Council voted to set Overfishing Limit (OFL) and Acceptable Biological Catch (ABC) based on the ABC control rule proposed in Amendment 8 while using the original projections made by its Scientific and Statistical Committee. This was referred to as “Alternative 2 Original” in the draft framework.

The Council set the management uncertainty buffer, which is the between ABC and the Annual Catch Limit (ACL), and is factored into specifications to help ensure that the ABC is not exceeded due to Canadian catch in the New Brunswick weir fishery. Management uncertainty previously was set at 6,200 mt. This time, the Council supported using a 10-year average of Canadian catches, which resulted in an uncertainty buffer of 4,560 mt. If the New Brunswick weir catch through October 1 is less than the 4,000-mt trigger in 2019 or the 2,942-mt trigger in 2020 and 2021, then 1,000 mt will be subtracted from the buffer and added to Area 1A.

The Council set the border transfer figure, which applies to fish caught in Area 1A by U.S. fishermen then transferred to Canada via a Canadian carrier and which must be used for human consumption. Until 2019, the border transfer allocation was set at 4,000 mt annually. In 2019, however, it was zero. For 2020 and 2021, the Council voted to set it at 100 mt. The specification has not been utilized in recent years.

The Council set the specific management area sub-ACLs, keeping the same spatial percentage splits for the available quota: Area 1A-29.6%; Area 1B-5.7%; Area 2-24.5%; and Area 3-39%. The Council also kept the same Area 1 seasonal splits: Area 1A January through May-0%; Area 1A June through December-100%; Area 1B January through April-0%; Area 1B May through December-100%.

The Council’s changes to the herring management plan must be approved by the NMFS before it is implemented. The target implementation date is January 1, 2020, the start of the new fishing year for Atlantic herring.

The Council maintained the current 2019 river herring and shad catch caps for 2020 and 2021 in Framework 6, with the Gulf of Maine midwater trawl limit set at 129.6 mt, and the southern New England midwater trawl limit set at 76.7 mt, Cape Cod midwater trawl limit set at 32.4 mt, the southern New England and Mid-Atlantic midwater trawl limit set at 129.6 mt, and the south-ern New England and Mid-Atlantic bottom trawl set at 122.3 mt.

The Council set the border transfer figure, which applies to fish caught in Area 1B through May-0%; Area 1B June through December-100%.

Area Quota 2019 % 2019 Quota Landed YTD Cumulative Catch 2019 YTD Landings at this time last year

<table>
<thead>
<tr>
<th>Area</th>
<th>Quota 2019</th>
<th>% 2019 Quota Landed YTD</th>
<th>Cumulative Catch 2019 YTD</th>
<th>Landings at this time last year</th>
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<td>1A*</td>
<td>4,184</td>
<td>0%</td>
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<td>3,247</td>
</tr>
<tr>
<td>1B</td>
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<td>116%</td>
<td>3,721</td>
<td>6,674</td>
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<td>3</td>
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<td>1,178</td>
</tr>
<tr>
<td>Total</td>
<td>14,374</td>
<td>40%</td>
<td>5,844</td>
<td>11,099</td>
</tr>
</tbody>
</table>

Governor bills signed LD 994 on June 19, a resolve to require the Public Utilities Commissioner to approve a long-term contract for the Maine AquaVentus wind project proposed off Monhegan Island. The MLA opposed this bill due to its long-standing concerns that ocean energy development is not in the long-term interest of the state of Maine or our fishermen. In addition, the Governor signed on to participate with Massachusetts and New Hampshire in a Gulf of Maine Intergovernmental Regional Task Force on offshore wind. She also will create the Maine Offshore Wind Initiative. This will be a state-based program to identify opportunities for offshore wind development in the Gulf of Maine and to determine how Maine can position itself to benefit from future offshore wind projects.

GOVERNOR SIGNS OFFSHORE WIND, CLIMATE CHANGE BILLS

Gov. Mills also moved to establish the Maine Climate Change Council to develop a climate plan for Maine to mitigate, prepare and adapt to climate change. The bill establishes greenhouse gas emission reduction goals (45% by 2030 and 80% by 2050 below 1990 levels) and includes development of a clean energy economy transition plan. The MLA testified neither for nor against this bill, citing the wide range of views among lobstermen on climate change and the fear that poorly-planned climate change solutions could be very costly to small businesses, like lobstering, while offering little reward.

GEW LOBSTER MARKETING COLLABORATIVE

The MLCM Board met on June 11 in Rockland. MLA executive director Patrice McCarron attended the meeting. The MLCM is developing a strategy for a communications plan around the Maine lobster industry’s proactive approach to minimize negative interactions with right whales. Weber Shandwick, the MLCM’s public relations firm, is managing this work.

Weber Shandwick proposed a series of initiatives including the development of a centralized hub for information to allow the industry and reporters access to the most up-to-date information on the issue and pending management actions. They will produce new content, such as videos, that showcase lobstermen’s whale protection efforts to date, fact sheets and infographics to illustrate the Maine lobster industry’s long track record of whale protection actions. The MLCM board also discussed its presence at Seafood Expo Northeast (SENA, formerly Boston Seafood Show). MLCM engaged in a digital marketing campaign related to the show to drive people to its website through which they can engage with Maine lobster dealers. The MLCM focused on content creation which is now available through a creative content hub. Maine lobster dealers and industry members can register to take advantage of all of these materials.

The MLCM is promoting Maine new shell lobster through the creation of “new shell wait list.” Those who enter will find out when Maine new shell hits the market and be eligible for a Downeast vacation giveaway. This program is generating a lot of interest. They are also working to trademark “New Shell Lobster.”

DMR ZONE COUNCIL WHALE MEETINGS

During June, DMR Commissioner Pat Keliher led a series of whale meetings with each zone council and the Lobster Advisory Council to discuss options for Maine as new federal whale rules develop. Several to DMRs senior staff on both the science and policy side were in attendance at each meeting. MLA’s executive director, Patrice McCarron, attended all of these meetings to monitor the conversation and listen to feedback from lobstermen across the state. The meetings were well attended, ranging from 85 to over 300 people at each meeting.

At each meeting, the Commissioner presented an overview of federal laws (Endangered Species Act and Marine Mammal Protection Act) driving the need for additional whale rules. Maine has committed to removing 50% of its vertical lines from the water and adding weak rope to endlines in federal waters to meet the federal government’s mandate to reduce risk to whales by 60%. DMR outlined several “strawman” proposals for the industry to consider. These proposals considered a range of trap limits ranging from 800 to 400, combined with minimum trawling up limits by distance from shore (0 to 3 miles, 3 to 12 miles, and 12+ miles).

Maine will also implement a unique gear marking program to differentiate Maine gear from all other areas, and implement vessel tracking on federal vessels and 100% reporting for all harvesters. It is hoped that this will insulate Maine from future regulations by showing the magnitude and location of Maine’s lobstering effort throughout the year and ensuring that Maine gear is uniquely marked so we will know for sure if it is found to interact with a whale.

DMR has given each zone council the opportunity to generate its own alternatives to reach the risk reduction goal, and to meet with DMR scientists to develop additional proposals. This work must by complete by July 15 as DMR plans to hold a second round of zone council meetings in August to review these results and narrow down potential options.

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Many thanks to these fine businesses, the MLA’s Keeper members!

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Conary Cove Lobster Co.
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Journey’s End Marina
Kip’s Seafood
Lobster Trap Co.
Lonnie’s Hydraulic Inc.
Machias Savings Bank
Maine Center for Coastal Fisheries
Maine Financial Group
Maine Lobstermen’s Community Alliance
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Maine Sea Grant
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Damariscotta Bank & Trust Co.
Downeast Boat Co.
F.A. Peabody Insurance
Farrin’s Boatshop
Finestkind Scenic Cruises
First National Bank
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Georgetown Fishermen’s Co-op
Guy Cotten, Inc.
Infab Refractories Inc.
Inland Seafood
Interstate Lobster Co.
Island Fishing Gear & Auto Parts
Island Fishermen’s Wives
Island Seafood LLC
John’s Bay Boat Co.
Journey’s End Marina
Kip’s Seafood
Lobster Trap Co.
Lonnie’s Hydraulic Inc.
Machias Savings Bank
Maine Center for Coastal Fisheries
Maine Financial Group
Maine Lobstermen’s Community Alliance
Maine Port Authority
Maine Sea Grant
Marine Hydraulic Engineering Co. Inc.
McMillan Offshore
Survival Training
Midcoast Marine Supply
New England Marine & Industrial Inc.
Northeast Marine Survey Inc.
Novatec Braids LTD
Old School Pig Bait
Penobscot Bay & River Pilots Assn.
Pete’s Marine Electronics
Polyform US
Port Clyde Fishermen’s Co-operative
Port Lobster Co.
Purseline Bait
Riverdale Mills
South Bristol Fishermen’s Cooperative
Superior Bait & Salt
Superior Marine Products Inc.
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<table>
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Order 155161

SAVE $36

$32.82 ea

100 Watt

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$36.19 ea

120 Watt

Order 155161

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I have been lobstering for 66 years. Lobstering is the largest shellfish harvest in the state, worth $500 million. Aquaculture leases are rapidly increasing, and I don’t think the rules are in place for an equal playing field for lobstermen, fishermen or the Maine people. I don’t think we should allow selling Maine’s oceans. Now is the time to protect the working waterfront – that means for everyone. – Ernie Burgess

I am a sternman and I am interested in aquaculture. The time is now to get the rules right so both can survive. – Kelsey Fenwick

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One of Alison Bramhall’s strongest memories is growing up on the water. With an artistic father who loved to draw, the Maine shore was Bramhall’s summer oasis and a source of ideas and materials. Her brightly colored art is a testament to those days when she was small. “Growing up, it was fun to explore the coast and discover all the little treasures along the shore,” she says. “Fun” is just one word to describe her decorative art. Her company, Festive Fish, sells notecards, pillows, calendars and decorative items for the home. All her vibrant designs have their roots in Maine’s briny waters. “Fun” was Bramhall’s summer oasis and a source of ideas and materials. Her bright-colored art is a testament to those days when she was small.

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The elder Bramhall inherited his artistic leanings from his mother, Elinor. With an art degree from Simmons College, Elinor preferred to draw people, creating medical illustrations documenting her husband’s work as a doctor at Maine Medical Center. She also drew handbags and gloves for advertisements in the Portland Press Herald and was a celebrated painter. Her most striking piece is a two-tone chart of Casco Bay. Previously on loan to the Portland Yacht Club, it currently hangs in a boathouse in Boothbay, owned by granddaughter Betsy.

Each generation of the Bramhall family created art in his or her way, which one can see on Bramhall’s website. She creates charts of Maine waters herself, brightly colored posters and prints designed to serve as love letters to the Maine coast. All profits from the sale of her father’s notecards go toward The Bramhall Family Scholarship Fund. While Bramhall confesses that she’d never draw like her grandmother or even her father, her own art reflects the same passion for and appreciation of Maine’s remarkable coast.
MARINE APPROVED
• Any Species in NEFMC Groundfish Complex (Gulf of Maine or Georges Bank)
• Atlantic Cod (US East Coast & Canada East Coast)
• Atlantic Herring (US East Coast & Canada East Coast)
• Balao [Hemirhamphus balao]; must be frozen (Florida/FAO 31)
• Ballyhoo [Hemirhamphus brasiliensis]; must be frozen (Florida/FAO 31)
• Blackbelly Rosefish [Heliocellus dactylothorax]; must be frozen (Uruguay)
• Croaker (US East Coast)
• Halibut (Atlantic & Pacific Ocean)
• Gulf Menhaden [Brevoortia patronus]; must be frozen (Gulf of Mexico)
• Jamaican Weakfish [Cynoscion jamaicensis]; wild caught, frozen, racks only (Suriname)
• King Weakfish [Macrodon anslyodon]; wild caught, frozen, racks only (Suriname)
• Kinky, aka rockfish, long/short spinyhead, iodifish [Genus Sebastolobus]; must be frozen (US West Coast & Canada West Coast)
• Lingcod (Atlantic & Pacific Ocean)
• Mackeral [Scomber japonicus]; must be frozen if from China (US East Coast, Japan, Portugal and China)
• Mullet [Genus Mugilidae] (US & Canada)
• Orange Roughy (Australia & New Zealand)
• Menhaden, aka pogie, bunker (US East Coast)
• Patagonian toothfish, aka rockfish, long/short spinyhead [Genus Sebastes]; must be frozen (US West Coast & Canada West Coast)
• Plaice (European & Mediterranean)
• Pollock (Pacifi c Ocean)
• Red Gurnard [Chelidonichthys cuculus] (North Atlantic Ocean)
• Pollock (Atlantic Ocean only)
• Rockfish (Genus Sebastus); must be frozen (US West Coast & Canada West Coast)
• Sablefish (Alaska & Western Canada)
• Skate (US Northeast Coast)
• Shad (Maine)
• Sole (US West Coast)
• Southern Kingfish [Menticirrhus americanus]; wild caught, frozen, racks only (Suriname)
• Tuna (North Pacifi c Ocean)
• Any species that was legally caught in Maine coastal waters, except as otherwise prohibited in regulation

FRESHWATER APPROVED
• Carp (Maine)
• Pickerel (Central Canada)
• Suckerfish (Maine, Canadian provinces of Manitoba & Saskatchewan)
• Any freshwater species that was legally harvested in Maine

MARINE PROHIBITED
• Any salmonid fi sh species (prohibited pursuant to DMR Chapter 24.23)
• Alphonsonio (New Zealand) - Exotic pathogens
• Aka Mackeral [Pleuroncodes planifrons] (North Pacific Ocean, Alaska) - Exotic pathogens
• Bonito Panama (West Coast) - Exotic pathogens
• Cobia (South Atlantic Ocean, Caribbean Sea) - Unknown pathogen status
• Cod (US West Coast & Canada West Coast) - Possibility of exotic agent
• Eulachon [Thaleichthys pacificus] (Alaska) - Exotic pathogens
• Flatfish (Pacific Ocean) - Possibility of exotic agent
• Hake (US West Coast) - Exotic pathogens
• Horseshoe Crab (Asia) - Possibility of invasives
• Monkfish (FAO Major Fishing Area 27) - Exotic pathogens
• Pacific Herring [Clupea pallasi] (Pacific Ocean) - Exotic pathogens
• Pacific Sardine or South American Pilchard (US West Coast & Canada West Coast) - Exotic pathogens
• Plaice [Pleuroncodes platessa] (Netherlands, France, Germany) - Exotic pathogens
• Pollock (Pacifi c Ocean) - Exotic pathogens
• Red Gurnard [Chelidonichthys cuculus] (Netherlands, France, Germany) - Exotic pathogens
• Snapper (Panama West Coast) - Exotic pathogens
• Tilapia (Panama West Coast) - Exotic pathogens
• Yellow Goosefi sh [Lophius litulon] (FAO Major Fishing Area 61) - Exotic pathogens

FRESHWATER PROHIBITED
• All Carp, including Asian Carp, grass carp, common carp, Amur carp, silver carp, largescale silver carp, bighead carp, black carp, goldfi sh, crucian carp, mud carp (Asia, US caught outside of Maine & Canada) – exotic pathogens. NOTE: Carp caught in Maine ARE approved.
• Catfi sh (Asia) – Exotic pathogens
• Mudshad (Central US & Virginia) - Unknown pathogen status
• Sheepshead or Freshwater Drum (US & Canada) - Exotic pathogens
• Farmed or Wild Tilapia (Africa, Asia, Florida, Latin America and Vietnam) – Exotic pathogens

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**ST. GEORGE, MAINE**

**Herring is just one of a multitude of baits approved by the DMR for use in the lobster fishery. Photo courtesy of the Ellsworth American.**
By Marianne Lacroix

The Maine Lobster Marketing Collaborative (MLMC) has an important mission: to create awareness of and demand for Maine lobster. We do this through a variety of activities such as producing content and videos showcasing the industry’s history of conservation, working with media on lobster-related stories, and hosting food industry events like “Maine after Midnight,” which create publicity and inspire chefs.

We are also dedicated to protecting the reputation of the entire Maine lobster industry, in ways that are not always visible as the Collaborative’s marketing initiatives. Recently, we have been paying close attention to the new measures under development to protect endangered North Atlantic right whales. Our goal is to communicate to our key audiences that the Maine lobster brand is intrinsically linked to sustainability and conservation, values that are at the core of its identity.

As the new regulations are deliberated, MLMC will work to emphasize to the public that Maine lobstermen have long been stewards of the marine environment and support measures to protect right whales. The MLMC is committed to maintaining the health and sustainability of the fishery and our coastal communities while co-existing with all other marine life and supporting efforts that will genuinely protect the right whales.

Weber Shandwick, MLMC’s public relations firm, has deep experience in issues and crisis management. Their experts, along with our core marketing team, have been providing support on the right whale issue, helping to develop materials and educate key audiences so stories are balanced and include the Maine lobster fishery’s perspective. We will seek to highlight existing right whale protections and encourage the media and others to take a critical look at the issue.

In partnership with the Maine Lobstermen’s Association, Maine Department of Marine Resources and the Maine Lobster Dealers Association, we developed a comprehensive communications plan to maintain the reputation of the Maine lobster industry throughout the supply chain and with our end users. These industry groups met to share information and refine our communications strategy and will continue to work together.

As the process for devising new whale regulations moves forward, the MLMC will continue to focus on this issue with other industry leaders. We encourage anyone who receives questions about whale regulations and their potential impact on the fishery to consider all audiences that will read or hear their remarks. The MLMC is always available as a resource on communications issues. We will continue to work tirelessly to maintain the strong reputation of the Maine lobster industry.

“We want to identify the stress points in the supply chain and look at how wharves and lobstermen differ in how they handle lobsters,” explained Rick Wahle, executive director of the Lobster Institute. Funding for the first year of the project, which begins this month, comes from the University’s Research Reinvestment Fund; the second year will be supported by the Maine Lobster Dealers Association.

Three midcoast lobster buyers — Ready Seafood, Luke’s Lobster, and Rocky Coast — have agreed to take part in the project. "[The companies] will identify three wharves and fishermen to use these sensors," Goode said. "The sensors will be fixed monitors attached at the wharves themselves, said Wahle."

The new sensors will act as mock lobsters as they travel from the trap to the dealer, continuously recording what they experience. If a lobster is kept in an un-vented tank or on deck, the sensors will record the warm water temperature. If a crate is thrown roughly on the dock, the sensor will track that motion.

"Improving the shrink rate might be as simple as using a live well with a chiller in it or hoisting a crate by both sides, not one," Goode commented. "It’s a way to improve the industry. " It’s a way to improve the industry."

"Improving the shrink rate might be as simple as using a live well with a chiller in it or hoisting a crate by both sides, not one," Goode commented. "The project is not about pointing fingers at any one but is rather a way of saying to lobstermen ‘you are your own boss, you want to make as much money as you can. These are some steps you can take to do that.’ It’s a way to improve the industry."
lobster fishing is permitted by the government, the fishery is subject to addi-
tional federal regulations to protect endangered right whales under both the
Marine Mammal Protection Act (MMPA) and the Endangered Species Act
(ESA).

Under the MMPA less than one endangered right whale may be killed or seri-
ously injured each year due to human causes. The 2018 North Atlantic right
whale stock assessment determined that over the last five years an average of 0.5
right whales died annually from human causes; 93% of the incidents were due to
fishing gear entanglements and 7% due to ship strikes.

To make matters worse, the right whale population is in decline. The number of
right whales has dropped, from 483 in 2010 to 445 whales in 2018. Changing
ocean conditions have caused a shift in right whale food sources and distribution
patterns, right whale reproductive rates are extremely low, and the overall health
of right whales is in decline. The loss of 17 right whales in 2017 increased the urgen-
cy to expand whale protection measures to stop the population decline.

The ESA considers all of these factors when contemplating regulation of any
federally-permitted activity that has the potential to inhibit the species’ recovery. “NMFS is conducting a Biological
Opinion to determine if the lobster fishery could jeopardize the recovery of
right whales,” explained Keliher. “Given the dire situation facing these whales, we’ve been told by the agency to prepare for a jeopardy finding.” Five environ-
mental groups sued NMFS in 2017, arguing that the lobster fishery jeopardizes the
survival of the species. The court case is still pending.

NMFS held a Take Reduction Team (TRT) meeting in April to develop propos-
als to strengthen protections for right whales under the federal whale plan.
Shortly before that meeting, NMFS announced that fisheries managed under
the federal whale plan must reduce the risk of serious injury and mortality from entanglement by 60% to 80%. NMFS’ second in command, Sam Rauch,
told the TRT that if they failed to agree upon a plan, NMFS would do it for
them. This means that each state (Maine, New Hampshire and Massachusetts)
and each lobster management areas (including Area 1 and Area 3) must reduce
risk posed by lobster fishing by 60%.

To meet this goal, Maine agreed to remove 50% of vertical lines from the wa-
ters. “We need to keep our small, inshore boats safe under any new whale rules,” Wilson stated that to lower the minimum trawl confi gurations, trap
limits would have to come down.

At the LAC meeting in late May, David Cousens of Zone D asked DMR to de-
nounce vertical lines and implement vessel tracking in federal waters and 100% harvester reporting
limits and minimum trawling up numbers based on distance from shore to take
row out of the water. DMR did not present any zone by zone scenarios. “These
proposals were developed to give the industry an idea of what it will take to
meet the goal. We did not want to presume what might work for each zone. We are
here to get that feedback to help ensure that these whale rules are as fl exible
as possible,” Keliher emphasized.

Wilson noted that not all scenarios achieve a 50% reduction in vertical lines. To
get to that figure, the state can consider expanding the weak rope requirement
into state waters or using seasonal closures to gain the extra risk reduction per-
centage.

In order to calculate the reduction in vertical lines achieved by various pro-
posals, DMR estimated current gear configuration and the fishing effort of ac-
tive lobstermen using 2017 data from dealer and harvester reporting. The 100%
dealer reporting provides data on the number of active versus latent permits
and the 10% harvester reporting data is used to estimate the number of traps in
the water and trap configurations fished in each zone, by month and distance
from shore.

Johnny Smith, a Zone D lobsterman, was frustrated that the state is using esti-
mates of gear in the water. “We need better data to move forward. Come back
with real information because these changes are going to affect us for the rest
of our lives,” Smith challenged.

Wilson responded that while the data are not perfect, they provide a good rep-
resentation of the fishing effort. Keliher agreed that the state needs bet-
ter data. “Not going to 100% harvester reporting was a mistake. I wish we had
that data now to help us with these whale rules. But Maine’s 10% reporting still
produces more data than all other states (because of the number of Maine lob-
ermen),” noted Keliher. DMR plans to implement 100% harvester reporting by
2021, stating it will take that long to fund and develop the program.

Zone A lobsterman Dixon Smith was disappointed to see only one option that
maintained the state’s 800 trap limit. Wilson explained that to achieve a 50% reduction in vertical lines with 800 traps would require fishing a minimum of
quads in state waters, 20 trap trawls from 3 to 12 miles and 40 trap trawls in wa-
ters beyond 12 miles. “We recognize that these trawling up requirements would
be very diffi cult for our fisherman. This is to give you an idea of what it would
take to keep 800 traps,” Wilson told the crowd of more than 350 lobstermen at
the Zone A meeting. “We need to see more options that keep us at 800 traps if
our fi shing is going to survive. Managers must consider that vessels operating in
federal waters have higher operating costs than state waters vessels,” Smith said.

At the LAC meeting in late May, David Cousins of Zone D asked DMR to de-
velop scenarios that would allow lobstermen to continue to fish pairs in state
waters. Wilson stated that to lower the minimum trawl configurations, trap
limits would have to come down.

Chuck Plummer, Zone E Council chair, speaks at that council’s meeting in June. MLA photo.

Continued on next page
We need to stress safety and efficiency,” Cousins reiterated at the Zone D meeting in June. “Forty trap travels are not safe. Lobstering is already the second most dangerous profession. We don’t need to make it the first.” He continued, “And fishing quads on hard bottom is not an efficient use of traps.” Many lobstermen from across the state concurred that lobstering 40 trap travels are a big request to make for offshore boats. Several noted that such large travels are just too many traps for most boats to handle and that a lobsterman simply can’t see the second end.

Others shared Cousins’ concern about going to quads in state waters. “Zone G lobstermen need singles to fish in the holes and cracks. Is there any way to get the cost of bait, fuel and traps, every trap we fish needs to work.” Many lobstermen from across the state concurred that lobstering 40 trap travels are a big request to make for offshore boats. Several noted that such large travels are just too many traps for most boats to handle and that a lobsterman simply can’t see the second end.

Commissioner Keliher emphasized that if the state doesn’t make a plan to reduce vertical lines, NMFS would do it instead. MLA photo.

Lobstermen in Zone B had conflicting concerns. Carroll Staples asked, “Can we be more aggressive with trawling up to avoid fishing weak rope and trap limits?” David Horner, chair of the Zone B Council said, “Zone B could live with 600 traps as long as other zones don’t bring traps into the zone.”

At every meeting lobstermen agreed that if they are required to take rope out of the water, the state must ensure that it is not put back in by new entrants or those building into the fishery. Keliher noted that this issue will be taken up by Legislature again in January. “A tiered licensing system may need to be considered by the Legislature when it looks at waiting lists and new entrants,” he said.

Zone C lobsterman Brian Tripp expressed a sentiment shared by many along the coast. “These DMR proposals are a one-size-fits-all and won’t support fleet diversity. They won’t work.” Keliher stressed that maintaining the diversity of the Maine fleet is a paramount consideration in crafting Maine’s whale plan. “We had unambiguous feedback from thousands of lobstermen during our industry meetings in 2012 that maintaining diversity of the Maine lobster fleet was important to the future of this fishery,” he said. DMR wants feedback from each lobster council in Zone C on how the state can support regional differences in fishing practices in order to conserve Maine’s diversity of lobstermen and boats. “If you don’t agree on the statewide approach, we need the zones to come forward with a plan that will work for your area,” urged Keliher.

DMR’s goal is to develop a statewide plan that allows for variability within the plan from zone to zone. Zones already have the authority to regulate the number of traps on a travel and reduce trap limits. But to change zone regulations requires two-thirds approval of all those who vote and takes time.

The Zone E Council voiced support for staying at 600 traps and members said they thought that trawling up to 15’s from 3 to 12 miles and to 30’s outside of 12 miles would be doable for the zone. “If we go to 15’s and 30’s offshore, we would need to have standard-sized buoys and specify direction, maybe require a flap on one end,” said Eben Wilson. “Zone E, however, would not support quads inside state waters. ‘Using quads is like throwing a trap away,’ noted Arnie Gamage of Zone E. ‘It’s not going to fish.’

One Zone D lobsterman expressed his concern over asking so much of lobstermen fishing in state waters. “Where are the entanglements taking place?” he asked. “Taking rope out of state waters may not do shit to save the whales. How does putting regulations in place where there is no problem with the whales?” Carl Wilson explained, “There is a lot more gear set inshore than offshore, or orders of magnitude more. It would be impossible to remove half of Maine’s vertical lines by focusing only on the offshore fishery.” He asked a question of lobstermen: “Which is more dangerous, less rope and more whales or a lot of rope and fewer whales?”

Josh Conover of Islesboro was not convinced. “If entanglements don’t go down in five years, won’t they be back again for further reductions?”

In recognition of the different needs of the inshore and offshore portions of the fishery, the LAC asked the DMR to develop scenarios that would allow lower trap limits and smaller minimum travel configurations in state waters and higher trap limits with larger minimum trap configurations in federal waters.

There were many concerns over how the inshore and offshore portions of the fishery can safely coexist with such large minimum travel requirements. “We can’t allow 40 trap travels to shift back inside. We need to look at trawl minimums and maximums to prevent large travels being dumped on top of guys fishing singles and smaller travels,” said Zone G lobsterman Chris Welch.

Lobstermen raised a host of other issues for consideration as Maine develops its plan. “You seem to have it backwards,” remarked Rep. Billy Bob Faulkingham during the Zone B meeting. You need to reduce endlines, but you are talking about trap reductions. You should be thinking about limiting the number of endlines instead. Let people fish their number of endlines however they want.”

“We’ve discussed assigning endline tags in state waters. Guys would need to double tag traps fished in federal waters,” Kelher answered.

“Whatever happened to the 10 cents per trap tag that was supposed to go to study whales? Why hasn’t more been done?” asked Rocky Alley at the Zone C meeting. “We need to take the money from the Maine Lobster Marketing Collaborative (MLMC) to study where the whales are and prove that they are not here.” Kelher explained that the MLMC is required by statute to support marketing of Maine lobster; its funds cannot be reallocated without a change in the law.

Continued on next page 22

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DMR Strawman Proposals to Remove 50% of Vertical Lines - Options by Trap Limit and Maximum Trawl Limits by Distance from Shore

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DMR Strawman Proposals to Remove 50% of Vertical Lines, Hybrid Options with Different Trap Limit for State vs Federal Waters

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LOBSTERMEN JOIN MLA IN RESPONSE TO FUTURE UNCERTAINTY

By MLA staff

Maine lobstermen are known for looking toward the future by taking steps to preserve the fishery for future generations. As regulatory and economic pressures increase on Maine’s lobstermen, many are deciding to join the Maine Lobstermen’s Association (MLA) as members in order to have a voice in what shape that future may take.

Kyle Kennedy of Milbridge fishes his 42-foot H&H off shore and has a new 45-foot Calvin Beal heading to sea in August. Future whale regulations might not affect him as much as they may others because of the way he currently fishes. However, with two boys of his own, Kennedy is uneasy. “There are some people who will be severely affected,” he said, expressing concern for both the young and the older lobstermen who might be fishing smaller boats. With new regulations facing everyone, he decided to join the MLA this spring. “It’s not that I didn’t value the MLA before, I guess I was just busy,” Kennedy said. Now that he is a member, he reads the MLA’s Friday E-weekly regularly and feels more connected to what’s going on. Becoming a member wasn’t a hard decision, he admitted. “I knew the MLA would represent us best.”

Jeff Conant is a quiet guy who likes to do his own thing. He too fishes an H&H. This year he goes on his 38-footer with deck extensions, which is an upgrade from the 35’ H&H he owned last year. Conant has always paid attention to what was happening related to lobstering and read the MLA newspaper Landings, which is sent to all commercial lobstermen in the state regardless of their membership in the MLA, each month. But when he heard that changes to whale rules were coming, he decided it was time to join the MLA.

“I figure the only way to handle the situation is to band together. I figured the MLA could use help with what we are up against,” Conant said. He fishes seven- and eight-trap trawls off Harpswell. After the recent Lobster Zone E Council meeting with the Department of Marine Resources about possible trawling up to protect whales, Conant was in shock. “The whole thing is mind-boggling,” he said, referring to the proposed requirements. His older daughter Morgan has her lobster license and hauls 10 traps in a 16-foot flat-bottomed skiff. Conant is hoping to get her a bigger boat soon since her younger sister Allison will be eligible for her license next year. His daughters are likely to be lobstering under

MAINSTAY OF PORTLAND WATERFRONT RECOGNIZED

By Monique Coombs

On June 5, the Maine Coast Fishermen’s Association (MCFA) hosted its annual meeting at the newly renovated Maine Beer Company in Freeport. Members elected the 2019 board of directors and selected officers for the organization. MCFA staff gave overviews of the past year’s projects and accomplishments, which included working with fishermen in Portland and Boothbay Harbor to elevate the importance of the working waterfront in their communities; working with groundfishermen to ensure their voices are heard in policy-making regarding groundfish, scallops, and herring; and a review of the strategic plan approved in December 2018. This plan includes developing priorities in the organization for building sustainable fisheries, expanding fishing access, and promoting innovative fishing businesses in Maine. The highlight of the night was the presentation of the first annual Maine Coast Fishermen’s Association Community Leadership Award. The recipient of the 2019 award was Becky Rand, owner of Becky’s Diner, who was recognized for her support of Maine’s commercial fishermen and Portland’s working waterfront. Becky includes fishermen as part of her family and has continuously supported them by hosting meetings, organizing fundraisers, and being a vocal advocate for their businesses and way of life.

Ben Martens, MCFA’s Executive Director said, “Becky Rand is a shining example of an individual who, in all aspects of her life, gives back to Maine’s fishing community and Portland’s working waterfront. We are thrilled to award her the MCFA Community Leadership Award.”

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MURRY PROMOTED TO SERGEANT OF MARINE PATROL SECTION FIVE

Mark Murry, who has served as a Marine Patrol Officer for 20 years, the last 17 of which as a Specialist, has been promoted to Sergeant of Section Five, which runs from Hancock to Jonesboro.

As a Marine Patrol Specialist, Murry has operated large patrol vessels in the down east region. His responsibilities included operation and maintenance of vessels and transporting Marine Patrol Officers during patrol, enforcement, and search and rescue operations. He has also developed an excellent rapport with and the trust of the local fishing and coastal communities, which is a critical quality for a Marine Patrol Officer. During his career, Sergeant Murry has received several awards including the Marine Patrol Lifesaving Award, the Commissioners Letter of Appreciation, the Washington County Officer of the Year Award and numerous awards and medals from the U.S. Coast Guard.

SIX DEAD RIGHT WHALES IN CANADA

As of June 28, six right whales have been reported dead in the Gulf of St. Lawrence. On June 26, Transport Canada announced that it would be implementing precautionary speed restrictions. The preliminary necropsy results of the first deceased right whale were inconclusive but officials noted that the death did not appear to be caused by entanglement or ship strike. The second whale was a 38-year-old female, known as Punctuation. The necropsy showed signs of sharp trauma, consistent with vessel strike. The third right whale was a 38-year-old male known as Comet; a necropsy was planned for June 28. The fourth whale was #3815, an 11-year-old female. The carcass of #3815 is still floating west of the Magdalen Islands, and the carcass of the fifth right whale washed ashore on a remote stretch of Anticosti Island.

PORTLAND OK’S SMALLER NON-MARINE USE ZONE

Portland’s City Council voted unanimously in late June to support waterfront zoning changes that were recommended by the City’s Waterfront Working Group, and not a weakened version that had been recommended by the Planning Board. Fishermen supported City Councilor Belinda Ray’s proposal to reduce the non-marine use overlay zone on Commercial Street from 150 to 125 feet, saying that without it they would be forced off Portland’s waterfront. Pier owners opposed shrinking the overlay zone saying it would cripple their ability to generate revenue needed to maintain aging piers.

WORKING WATERFRONT ACCESS GRANTS AWARDED

The Land for Maine’s Future Board selected six projects for grants through the Working Waterfront Access Protection Program. The funds are used to purchase development rights which will ensure that the property remains available to support commercial fishing or aquaculture activities. The awards include $216,250 to the Stonington Co-op, $118,750 to the town of Jonesport; $68,750 to Wotton’s Lobster Wharf, LLC in New Harbor; $301,500 to the Boothbay Region Maritime Foundation for Carters Wharf; $155,000 to Interstate Lobster, Inc., a lobster coop in Harpswell; and $276,000 to the Spruce Head Fishermans Co-op.

The Working Waterfront Access Protection Program is part of the Land for Maine’s Future Program and was first capitalized by a bond originally passed in 2005 and has been renewed three times since by Maine voters. To date, 25 properties have received funds through the program.
are only 2,000 recreational lobster licenses limited to five tags each likely fish-of lobstermen and will look into it, "Keliher responded. "Keep in mind that there the federal rules do not impact them but we’ve heard that concern from a lot whether the new whale measures would impact recreational license holders. Another common theme raised by many lobstermen from across the state was ensure that the gear can be retrieved.

"Aquaculture in Maine," Gulf of Maine Research Institute, 5:30-7 p.m., Portland.

Mary E’s Birthday Gala, fundraising event at the Maine Maritime Museum for the 1906 schooner Mary E, 5-10 p.m., Bath. FMI and tickets: mainemaritimemuseum.org/event.


July 7
Join or renew your MLA Membership at the Stonington Boat Races, 8 a.m. - 4 p.m.

July 10
MLA Board of Directors meeting, 5 p.m., Darby’s restaurant, Belfast.

July 11
"Aquaculture in Maine," Gulf of Maine Research Institute, 5:30-7 p.m., Portland.

July 12
Mary E’s Birthday Gala, fundraising event at the Maine Maritime Museum for the 1906 schooner Mary E, 5-10 p.m., Bath. FMI and tickets: mainemaritimemuseum.org/event.


July 25-27
Camden Classics Cup, annual race of classic yachts. FMI: camdenclassicscup.com.

July 31-August 4

August 3
Hook, Line and Dinner, Maine Coast Fishermen’s Association party and fundraiser, Cook’s Lobster and Ale House, Bailey Island. FMI: mainecoastfishermen.org.

August 6-8
Atlantic States Marine Fisheries Commission summer meeting, Arlington, VA.

August 9-11
Maine Boat and Home Show, Harbor Park, Rockland.

August 10
Shellfish Field Day, Downeast Institute, Beals, www.downeastinstitute.org/education. Join or renew your MLA Membership at the Winter Harbor Boat Races, 8 a.m. - 4 p.m.

New members continued from page 20
the new regulations, which Conant feels are unsafe. ‘He’s trusting the MLA to be a strong advo cate for himself and those who come after him. Both men are aware that the final whale rules will have serious repercussions for the state’s lobster fishery and and they are both frustrat ed by the perception that Maine lobstermen are responsible for the right whale decline. In order to lend their voices to the battle against impractical and unsafe regulations, they joined the MLA, an organization that has the knowl edge and clout to preserve Maine’s lobstering heritage.

John Drouin from Zone A asked if the state has considered an exemption for Gray zone lobstermen. "How can we fish weak rope with Canadians fishing on top of us with strong endlines and float rope?" he asked. "It works for Canada in whale habitat it should work for us. Gray zone guys will set on top of us it should work for us. Gray zone guys will set on top of us to drive us out."

Gray zone lobstermen. "How can we fish weak rope with Canadians fishing on top of us with strong endlines and float rope?" he asked. "If it works for Canada in whale habitat it should work for us. Gray zone guys will set on top of us to drive us out."

Occasionally a lobsterman would voice an optimistic point of view. As the Zone A meeting wrapped up, Mike Sargent of Steuben noted, "We are looking to the Zone A council to find strategies that will work for Zone A. The important thing is that Maine lobstermen will still be able to fish under this plan. We will take a hit, but we will adjust and we will continue to fish."

Throughout the meetings, Keliher listened and responded to the concerns and fears raised by lobstermen in each zone. He acknowledged that crafting a fair plan that meets NMFS risk reduction goal will not be simple. "It would have been a lot easier for Maine to just put together a plan and hand it off to the feds," Keliher told Zone C lobstermen. "[Doing it in collaboration with lobstermen] makes it more difficult but I am here because I am willing to have this conversation with the industry."

The Commissioner closed out each meeting by challenging each zone council member to discuss the strawsman proposals within their districts and generate ideas that might work better for that particular zone. He invited each zone council to submit alternative proposals for their zone to DMR by July 15. Zone council members are also welcome to meet with DMR’s science staff to run various ideas through the risk reduction model. DMR will take this feedback into consideration and identify preferred alternatives to bring to the zone councils for discussion in August.

Zone G Chair Steve Taylor had his own homework assignment for his fellow zone council members at the close of that meeting. “Go home and kick your buddy in the ass for not showing up. This room should have been filled wall to wall. This is our livelihood."
Maine Lobstermen’s Association
Est. 1954

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Name: ____________________________________________
Address: ____________________________________________
City/State/Zip: _______________________________________
Phone: ____________ Cell: ____________ D.O.B: ____________
Email: ____________________________________________

*Family Members: _______________________________________

Boat Name: _______________________________________

Lobster License #: _______________ Zone & District: _______________

Payment info: Pay with: Visa MasterCard Check: # ____________
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