By Melissa Waterman

The Maine lobster industry has faced more than its share of challenges over the past few years. The industry has weathered unfavorable trade regulations which have made Maine lobster less competitive in the European and China markets, gotten through massive reductions in herring supply, braced for new whale regulations and have been taking it one day at a time as the economic realities of the pandemic have unfolded during 2020.

The lobster industry welcomed news from Congress this spring that sole-proprietors and the self-employed were included in the COVID-relief packages for small businesses. For the first time, the self-employed were eligible for pandemic unemployment benefits, as well as loan programs from the SBA to cover payroll and other costs.

During the past few months lobstermen have seen additional actions favorable to the Maine lobster industry. In August, U.S. Trade Representative Robert Lighthizer and European Union (EU) Trade Commissioner Phil Hogan announced that the EU would remove an 8% tariff on live lobster and an up-to-20% tariff on processed lobster, retroactive to August 1. In exchange, the U.S. will reduce tariffs by 50% on selected goods imported from Europe.

In September, the U.S. Department of Agriculture (USDA) announced creation of a $227 million seafood trade relief program to offset economic harm caused by retaliatory Chinese tariffs on sea-

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October brings about a clear close to the months of summer warmth and outdoor living. For lobstermen, however, the season is in full gear. Hundreds of thousands of pounds of lobster will pass over wharves throughout the coast of Maine and leave the state bound for processors and consumers throughout the country and the world.

The market for these lobsters will see changes this fall due to the removal of tariffs placed by the European Union (EU) on U.S. lobsters. In August U.S. and EU trade representatives announced that the EU would remove an 8% tariff on live lobster and an up-to-20% tariff on processed lobster, retroactive to August 1 once it is approved. In exchange, the U.S. will reduce tariffs by 50% on selected goods imported from Europe. The agreement places U.S. lobsters on equal footing with those exported from Canada. Canada had completed a free trade agreement with the EU in 2017 which removed all tariffs on their lobster exports, placing the U.S. at a disadvantage.

The lobster industry saw exports to China nosedive in 2020, as a result of an intensifying trade war between China and the U.S. Tariffs of up to 35% on U.S. lobsters caused sales to China to disappear abruptly.

In September, however, the U.S. Department of Agriculture (USDA) announced a $527 million Seafood Trade Relief Program to offset that economic damage. Maine lobstermen are eligible to receive 50 cents for every pound of lobster landed in 2019, up to a limit of $250,000. Maine landed nearly 101 million pounds of lobster in 2019, valued at $485.4 million. Fishermen targeting other commercial species will receive between one and 76 cents per pound.

This fall will also see the publication by NOAA of draft rule and biological opinion addressing interactions between fishermen and endangered North Atlantic right whales. The draft rule was submitted on July 8 to the Office of Management and Budget which has 90 days to review it. Lobstermen and members of the public will have 75 days to submit feedback on the agency’s management alternatives. NMFS plans to hold a series of online webinars to explain the management alternatives put forward in the Proposed Rule and will take public comment. The agency will also schedule office hours for fishermen to call with questions or comments, and NMFS will accept written comments. The courts set a May 31, 2021 deadline for public comment.

Maine lobster zone councils have also been active this summer. Kiléher notes, “Maine lobstermen have remained engaged in the process leading up to the proposed federal whale rule. Despite restrictions from COVID-19 on in-person meetings, there has been excellent participation in zone council sub-committee meetings over video conference technology.” The plans put forth will be voted on by the zone councils and will form part of NMFS’s comments on NOAA’s proposed whale rules.

Any small business needs to do what it can to keep as much of its profits as possible. A University of Maine initiative aims to help the Maine lobster industry do just that. Researchers have created a “FitBug” for lobsters and a fake lobster made up of monitoring devices, known as “Mock Lobster,” to understand how to keep more lobsters alive as they move from trap to dealer. These small devices are packed with monitors to track environmental factors from the boat to the dealer, and assess the effects of environmental stress on the animals during their journeys. Ultimately, these devices what help the industry understand causes of lobster mortality as they pass through the supply chain.

Before the project ends [in two years] we will be able to identify where the stressors are in the supply chain and work with industry to find cost-effective ways to correct those problems,” Cassie Leeman, program coordinator, said.

Meanwhile, the Atlantic States Marine Fisheries Commission (ASMFC) has made a momentous shift in how it will manage menhaden, a fish species that has become popular with lobstermen as bait but herring stocks have diminished. The ASMFC voted this summer to use Ecological Reference Points (ERPs) for the management of menhaden.

ERPs consider the role played by a fish species within the larger ecosystem, i.e. what importance it has as a predator or prey. Management decisions for menhaden now will be based on how it interacts with other species, in particular striped bass, a species whose population remains low and is particularly sensitive to menhaden stock fluctuations. The 2021-2022 quota for menhaden, which will be set by the ASMFC this month, will be based on ERPs, a fact that has lobstermen worried.

Landings continues its series on wind energy developments in the Gulf of Maine with a look at Governor Mills’ Wind Energy Initiative. In addition, a joint venture was created this year between Mitsubishi and RWE Renewables to construct and operate New England Aqua Ventus, the demonstration wind energy project south of Monhegan Island. The cost to create the single turbine tower, which will float on concrete hulls designed and created by the University, is estimated to be $100 million.

Finally, it’s been a summer like no other, with restaurants closed and summer festivals cancelled. Even the ubiquitous cruise ships have been absent from Maine’s harbors due to COVID-19 restrictions. But that didn’t keep some other big boats from visiting the state. Several of those private yachts, such as the 453-foot Rising Sun, raised eyebrows simply because of their size. Others made life more difficult for local lobstermen when they sought anchorage in areas set with lobster gear. Overall, however, the big boats behaved well. “They work with us,” Laurin Brooks, a Kennebunkport lobsterman said. “But they need a place where no one fishes.”

We hope you enjoy this issue of Landings and welcome your feedback.
2020 has been one for the books. The bad news has been relentless. But, fortunately, there’s been some good news along the way.

Good News in the Courts

In August we learned that United States District Judge Lance E. Walker issued an order denying a motion for interim injunctive relief from litigant Max Strahan. Strahan had requested, in part, that the Court issue a preliminary injunction to prevent DMR and NOAA from licensing any fishing gear utilizing vertical buoy ropes in both state and federal waters.

In August we also learned that District Judge James Boasberg ruled that NMFS, not the court, should manage this fishery by giving the agency more time to render a new Biological Opinion. This ruling will provide the time necessary to ensure protections for right whales and the continued viability of Maine’s critically important lobster industry. Both decisions recognize that these critically important management decisions should be in the hands of NMFS and fishermen, not the courts.

An Engaged Industry

I’m proud to see how Maine lobstermen have remained engaged in the process leading up to the proposed federal whale rule. Despite restrictions from COVID-19 on in-person meetings, there has been excellent participation in the discussions and in the resulting process. Soon, we will be reaching out by mail and email to let you know if our records indicate that you have experienced the required revenue loss, or if our records show that you haven’t. If our landings data shows you haven’t experienced the required loss of revenue and you are therefore ineligible, you’ll be able to appeal that finding as part of the application process.

We’re also using a small portion of the CARES Act money to help Maine’s seafood industry deal with the market loss and consumer trends resulting from COVID-19 by developing a branding and promotion program. By highlighting the attributes that make Maine seafood exceptional, by helping consumers find it, and by helping them understand how to prepare it at home, the promotion and branding effort will help address both the challenge and opportunity presented by COVID-19.

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Letter to industry on CARES funds

DMR anticipates that letters to fishermen will be mailed by about October 9, arriving during the week of October 12. The application period will begin on October 19. The letter and an FAQ will explain what information each fisherman will need, allowing time to get organized before the application period begins. Also, it’s important to note that the letters will only give a determination of whether the individual is eligible to apply or not; it will not include the percentage of loss found for each individual.
The Maine Offshore Wind Initiative was charged with promoting compatibility to benefit from future offshore wind projects.

In June 2019, Governor Janet Mills created the Maine Offshore Wind Initiative to enable the state of Maine to identify opportunities for offshore wind development in the Gulf of Maine and to determine how Maine can best position itself to benefit from future offshore wind projects. The Maine Offshore Wind Initiative was charged with promoting compatibility between potential future and existing uses in the Gulf of Maine, specifically addressing any impact on Maine's commercial fishing and maritime industries when considering offshore wind sites. In addition, the Offshore Wind Initiative was given responsibility for Maine's participation in the Bureau of Ocean Energy Management (BOEM) Gulf of Maine Task Force, which was created last year to identify opportunities for renewable energy leasing and development on the Outer Continental Shelf in the Gulf of Maine.

In March, Governor Mills identified the port of Searsport as a leading site in Maine to support the transportation, assembly and fabrication of offshore wind turbines and called for a study to further analyze the possibilities. That study is now underway by Moffat and Nichol of Portland. It includes an evaluation of the port's assets and its future needs to support offshore wind. The study also will include an assessment of the infrastructure specifically needed for floating offshore wind turbines and a market analysis of the East Coast offshore wind industry to understand the level of investment needed. The report is expected by the end of 2020.

We asked Anthony Ronzio, deputy director of the Governor's Office of Policy Innovation & the Future, a few questions about the Initiative. The responses have been edited for clarity and length.

Who is involved in the Maine Offshore Wind Initiative, i.e. which state agencies and people?

The Maine Offshore Wind Initiative is led by the Governor's Energy Office (GEO), in collaboration with several other state agencies, including the Governor's Office of Policy Innovation and the Future, Department of Marine Resources, Department of Economic and Community Development, Department of Transportation (DOT), Department of Environment, Department of Inland Fisheries and Wildlife, and Department of Agriculture, Conservation, and Forestry.

The GEO engages with relevant state and private entities as necessary for specific components of the Initiative. For instance, Governor Mills identified the port of Searsport as a leading site in Maine to support the transportation, assembly and fabrication of offshore wind turbines this past March and called for a study to further analyze this opportunity. The study is currently under way, with the GEO coordinating with the DOT, which is managing the study contract. DOT and the contractor are working with various public and private entities, including the town of Searsport and Sprague Energy (the owner of the terminal), to analyze the potential for Mack Point to support the offshore wind industry.

Dan Burgess, director of the GEO, and Hannah Pingree, Director of the Governor's Office of Policy Innovation and Future, are overseeing this Initiative. The lead staffer at GEO for the Initiative is deputy director Celina Cunningham. Cunningham's duties include responsibly advancing renewable energy in Maine while prioritizing Maine's existing natural resources and values. Prior to joining the GEO in March, Cunningham spent more than a decade working in the public sector, including in the Bureau of Ocean Energy BOEM in the U.S. Department of the Interior as well as in the US. House of Representatives, handling energy and natural resources issues including fisheries management. Under the Initiative, the GEO engages with policy and technical staff in relevant agencies as needed to ensure that any actions coming out of the Initiative are appropriately informed by the expertise and priorities of other agencies.

What other actions is the Maine Offshore Wind Initiative taking?

In addition to the Searsport study, the GEO, through the Initiative, is monitoring the New England Aqua Ventus project as well as representing Maine in BOEM's Task Force on developing wind energy in the Gulf of Maine. Further, the GEO has contracted Laura Singer to informally engage with members of the fishing industry and to work on developing an organizational framework for the Initiative. COVID-19 has impacted the timing of her efforts but a structure for engagement is developing that will include a fisheries working group. The fisheries working group will be a forum in which to share information and advance ideas or address concerns the fishing industry may have.

The GEO is also awaiting a decision from the Economic Development Administration (EDA), a federal agency within the Department of Commerce, on a grant application to advance offshore wind planning. The grant would be used to take a broad perspective on port and infrastructure assets, manufacturing and supply chain needs, and workforce development, in addition to environmental and fisheries issues. Since the grant has not been awarded yet, we can’t delve into detail, but can say the funds would be used to build a comprehensive plan to advance offshore wind for Maine that is collaborative and has a substantial focus on stakeholder engagement, including fisheries.

How does or will the Initiative address its goal in “promoting compatibility between potential future uses and existing uses in the Gulf of Maine to inform offshore wind siting considerations and minimize any impact on Maine's commercial fishing and maritime industries”?

Maine's fishing industry is critical to our state's economy and to our cultural heritage. The state is committed to work collaboratively with the industry to develop offshore wind while minimizing conflict with fishing interests. This will include open dialogue to identify the areas of greatest concern to members of the industry and to seek ways to address those concerns throughout the process. Identifying and addressing data gaps and research needs is an important part of the Initiative. While there is a great deal of information available about marine uses and activities in the Gulf of Maine, it is widely acknowledged that there is a large gap in reliable data about the spatial footprint of the Maine lobster fishery. The state also recognizes the need for further collaborative research, which could help us fill important data gaps and develop technology.
The long and winding path of the University of Maine’s planned floating wind power demonstration project off Monhegan Island, known as Maine Aqua Ventus, took another turn this year when Diamond Offshore Wind, a subsidiary of the Mitsubishi Corporation, and RWE Renewables announced they would be partners with the University on the project. The two companies have formed a joint venture corporation called New England Aqua Ventus LLC, which will acquire, develop and eventually operate the floating wind project, according to a press release. The cost for the demonstration project is estimated to be $100 million.

The University of Maine, whose Advanced Structures and Composites Center has been the driver of the project since its inception, designed a floating wind turbine, called VolturnUS, and tested it as a 1:8 model in Castine in 2013 with plans to deploy a full-scale floating turbine off Monhegan. Under the new agreement, the University will own the intellectual property behind the Center’s floating hull concept and will license the technology to New England Aqua Ventus. The Advanced Structures and Composites Center will continue working on design and engineering, research and development and post-construction monitoring. New England Aqua Ventus hopes to finalize design work in 2021 and begin construction in 2023.

“It’s a big endeavor,” says Chris Wisseman, CEO of Diamond Offshore Wind, in a Maine Public interview earlier this summer. “It will take a couple years really, to get this off the ground right. To prove that we can build it with Mainers, deploy it safely and really use it as a laboratory for everybody to learn from.” New England Aqua Ventus hired Genevieve McDonald, a Stonington lobsterman and member of the Maine Legislature, to be its liaison with fishing communities.

Currently the New England Aqua Ventus design is for a single 10- to 12-megawatt turbine. The largest floating offshore wind turbines operating today are 6-megawatt turbines, part of Equinor’s (formerly Statoil) Hywind Scotland site. The Aqua Ventus single turbine will float on hulls made of concrete, which will be created in small sections and then assembled on site. The hulls will float semi-submerged and be held in position by three mooring lines anchored to the seabed; a subsea cable will convey electricity from the turbine to the Maine power grid. The estimated $100 million price tag is due to the lack of economies of scale for a one-turbine project and the fact that building and deploying a floating wind project has never been done before in this country.

The goals of the project, located south of Monhegan Island, are to demonstrate that the floating turbine can operate successfully at full scale, to work with local contractors and manufacturers to generate local economic benefit, and to provide renewable energy for the state. “So we come in as developer, we are essentially restarting development, selecting the final turbines, we are working on all the engineering details, and so the collaboration with the University is to finish that development, and now get it ready for construction,” Wisseman said.

New England Aqua Ventus is not the only entity in the race to deploy larger floating wind turbines. Hywind Scotland Equinor has been generating 30-megawatts of power since 2017 through deployment of 6-megawatt floating turbines. The company is now developing an 88-megawatt Hywind Tampen project to power two offshore drilling operations in the North Sea.

In September, the oil company BP and Equinor announced their own joint partnership related to U.S. offshore wind development. BP paid $1.1 billion for a 50% stake in Equinor’s Empire Wind project off New York and its planned Beacon Wind project off southern New England.

The Empire Wind project, located in the New York Bight south of Long Island, has an 816-megawatt contract with New York state; the wind farm is scheduled for completion in 2024. The Beacon Wind project, located south of Massachusetts, is still in the development and permitting phase. Equinor and BP “will consider future joint opportunities in the U.S. for both bottom-fixed and floating offshore wind,” according to an Equinor statement.

The New Players

Diamond Offshore Wind is a subsidiary of the Mitsubishi Corporation, and German-based RWE Renewables.

Mitsubishi Corporation has been involved in wind turbine construction and installation since the 1980s, supplying nearly 4.4 gigawatts of wind power generators throughout the world.

Mitsubishi recently joined with Vesta Wind Systems A/S, a Danish manufacturer of wind power turbines, to establish MHI Vestas Offshore Wind A/S, a joint-venture company specializing in offshore wind power systems.

RWE Renewables is a global company involved in producing electricity from renewable sources, specifically photovoltaics and land- and sea-based wind farms. The company’s website reports that its RWE Renewables Americas division ranks among the top 10 land-based wind companies in the U.S., operating 24 wind farms across the country.

design, and operational innovations that will help minimize potential impacts.

Through the Initiative, we hope to gather input from the fishing industry so that it can inform the state's participation in the federal leasing process and ensure that the input from Maine's fishing industry is considered by BOEM. We will carry this forward in any future activities the state undertakes, including in presentations, meetings, or official comments GEO provides to BOEM.

How does the Initiative contribute to the BOEM task force on wind power development in the Gulf of Maine?

BOEM’s planning and leasing process begins by establishing an Intergovernmental Renewable Energy Task Force in states and regions that have expressed an interest in development of offshore renewable energy. BOEM invited Maine, New Hampshire, and Massachusetts to participate in a Gulf of Maine Task Force to identify potential opportunities for renewable energy leasing and development on the Outer Continental Shelf in the Gulf of Maine. Although the BOEM Task Force membership comprises only government representatives, its meetings are open to the public and stakeholders are encouraged to participate, either in-person or through written comments throughout the process. The GEO is the lead agency for Maine on the Task Force. We participated in the first Task Force meeting, which was held on December 12, 2019.

Going forward, the GEO will provide information to BOEM to be certain that decisions are made in consideration of Maine’s interests, including input from the fishing industry. Throughout the BOEM process, the GEO will work with Maine’s fishing industry and other stakeholders to gather feedback on ideas and concerns and share opportunities for stakeholders to provide input to BOEM. BOEM will gather information through the Task Force that is critical to its decision-making for any offshore wind activities in federal waters.

What form will “solicit the participation of interested stakeholders and the public” take and when?

The Initiative will include a working-group structure, including a fisheries working group. These meetings will be open to public participation. In addition, if the EDA grant is awarded, the state will have resources to conduct broader engagement with the industry and the public to discuss offshore wind and any associated planning efforts.

MAINE AQUA VENTUS GAINS CORPORATE SUPPORT

By Melissa Waterman

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model also found that female right whales had a lower survival rate than males, resulting in fewer females and thus a lower reproductive potential. In 2015, there were 1.46 males per females (272 males, 186 females), compared to 1.15 males per female in 1990 (142 males, 123 females).

In October 2017, NMFS released the North Atlantic Right Whale 5-Year Review, as required under the Endangered Species Act (ESA). The 5-Year Review affirmed the listing of the right whale as a threatened species. Among the species facing right whales including threats to habitat, disease, inadequacy of regulatory protections to address ship strikes and entanglements in the U.S. and Canada, declining right whale health, and stress due to climate change. As a result, NMFS reinitiated a Section 7 consultation under the ESA of the American lobster fishery to replace the 2014 Biological Opinion and renewed its commitment to modify the Atlantic Large Whale Take Reduction Plan with new management approaches with lobstermen to share data on the right whale decline and to begin brainstorming additional whale protection measures lobstermen could consider. The MLA also became an intervener in the court case. That spring, NMFS organized several Take Reduction Team subgroup meetings to consider the potential for new gear marking, weak rope and ropeless fishing as management options in the next whale plan.

In September of 2018, NMFS published a Technical Memo, North Atlantic Right Whale—Evaluating Their Recovery Challenges in 2018, which highlighted many of the challenges facing right whales, such as entanglement, vessel strikes and climate change. The report, however, focused predominantly on the potential risk of the lobster fishery to right whales, based in large part on the scale of the fishery. The Take Reduction Team convened in October 2018 to discuss potential modifications to the whale plan – such as closures, trap limits, weak rope, ropeless fishing and gear marking – to reduce the risk of serious injury and death from fixed gear fisheries to right whales.

2018 was a far less lethal year for right whales than 2017, yet there were three reported deaths: one in Canadian snow crab gear and two from entanglements with no gear present found in the U.S. Unfortunately, there were no right whale calves born in 2018.

2019

NMFS scheduled a Take Reduction Team meeting in April 2019 to finalize management options for inclusion in the new whale plan. To prepare for the meeting, in March 2019, a series of meetings with lobstermen to discuss potential management approaches with lobstermen. In the days leading up to the Take Reduction Team meeting, NMFS announced via email that modifications to the whale plan must achieve a 60% risk reduction target. NMFS followed the email with release, just days before the meeting, of a preliminary computer model run by the North Atlantic Right Whale Center that predicted there would be a 90% reduction in entanglements known to place. The results showed a striking 90% reduction in entanglements known to have occurred in U.S. lobster gear.

Known entanglements in Maine lobster gear were rare, with only one confirmed in 2002 and an additional case in 2004 in which Maine lobster gear was not the primary source of entanglement. Both interactions in Maine lobster gear resulted in non-serious injuries. As a result of its analysis, in August the MLA withdrew its support for the Take Reduction Team agreement and challenged NMFS on its approach to mandate new whale protection measures solely for the lobster fishery.

DMR released its draft whale plan in August but cancelled its scheduled outreach meetings due to a lack of guidance from NMFS on how the plan would be reviewed. DMR ultimately held three industry meetings in November to discuss the draft plan, which eliminated proposed trap reductions in favor of other measures. A public meeting in December allowed lobstermen to comment from distance in combination with required weak points in endlines.

The proposal received mixed reviews from lobstermen. While most agreed that it was a vast improvement over the ‘strawman’ proposals discussed in June, many were concerned that the trawl lengths were too long for many of Maine’s vessels, and were worried about the danger of fishing longer trawls with weakened endlines.

2020

DMR submitted its draft whale plan to NMFS in January 2020. DMR plan proposed a minimum of triplets from the exemption line to the 3 mile line, minimum distances of 15 (for one endline) from 6 to 12 miles, and 25’s outside of 12 miles. The plan also required the use of weak points in vertical lines with one weak point half way down the line from the shore to 3 miles, two weak points located a quarter and half way down the line from 3 to 12 miles, and one weak point a third of the way down the line from 12 to 25 miles. DMR also finalized requirements for ropeless fishing and gear marking – including ‘best effort’ requirements for lobstermen to begin in September 2020.

In 2020, the federal court case filed against NMFS by the environmental groups moved forward in Washington, D.C. district court. In April, the judge ruled that NMFS had violated the ESA when in 2014 it continued to permit the lobster fishery without including an Incidental Take Permit for right whales in the Biological Opinion. The court determined that the Biological Opinion was invalid. In August, the judge considered arguments on how to remedy the ESA violation since the lobster fishery cannot legally operate without a valid Biological Opinion. Ultimately, the judge ruled in favor of NMFS, giving the agency until May 31, 2021 to complete the final whale rule and Biological Opinion for right whales.

NMFS’s Proposed Rule for the lobster fishery is expected by October 8. NMFS’s Greater Atlantic Regional Office (GARFO) submitted the draft rule to the federal Office of Management and Budget (OMB) on July 8 for a 90-day review. OMB can extend its review an additional 30 days, which could delay the Proposed Rule until early November. The deadline set by the court for adoption of the Final Rule is May 31, 2021.

Meanwhile, DMR has been conducting a three-year study of vertical lines used in the New England lobster fishery. This work has included determining the breaking strength of varying line diameters, and working closely with lobstermen this summer to test ideas for weak point options, such as various knots and splices (sheet bends, lazy splices and dogbones).

An important component of Maine’s proposed whale plan is an option for conservation equivalencies, a provision which would allow individual lobster management zone councils to alter the state’s plan to better fit the zone’s needs without increasing risk to whales. This enables lobstermen in different zones to finetune the state’s measures to better suit their local fishing practices, oceanographic conditions, and safety concerns. Earlier this summer each zone council formed a sub-committee to consider conservation equivalency measures to better serve the needs of local fishermen. These measures were voted on by the full zone councils in late September and early October. DMR will include any conservation equivalencies adopted by zone councils in its recommendations to NMFS for inclusion in the Final Rule.

What’s next

When the OMB review is completed and the Proposed Rule is released by NMFS, lobstermen and the public will have 75 days to submit feedback on the management alternatives set forth within it. NMFS plans to hold a series of online webinars to explain those management alternatives and will take public comments at that time. The agency will also schedule office hours for fisher­men to call with questions or comments and will accept written comments. NMFS will also release a Draft Environmental Impact Statement (DEIS) with the Proposed Rule and provide a 45-day public comment period.

The draft Biological Opinion is expected to be released on a parallel track with the Proposed Rule. The Biological Opinion will be released to the Atlantic States Marine Fisheries Commission, the New England Fishery Management Council, and the Mid-Atlantic Fishery Management Council for review. Public comment on it will be received through the Councils and Commission.
Like most of you, I await the release of the draft whale rules with a mixture of dread and anxiety. While no one knows for sure what alternative NMFS will propose in the new rules, they are sure to generate much angst and controversy.

These rules have been under development for about three years, kicking off in earnest in 2017 when 17 right whales died. That year NMFS declared an Unusual Mortality Event for right whales, released its 5-Year Right Whale Recovery Plan, and requested a Section 7 Consultation under the Endangered Species Act for a new Biological Opinion on the risk that the lobster fishery poses to endangered right whales. It was also the year we learned that the right whale population had been in decline since 2010.

It is important for lobstermen to understand that we are now three years into the development of new whale rules. That means that many of the key decisions about what is and is not possible under these rules have already been made. And in his August ruling, Judge Boasberg of the Washington, D.C. district court made it clear that if the new whale plan and Biological Opinion are not finalized by May 31, 2021, the fishery could be shut down.

NMFS drew some firm lines early on to guide development of these rules. Most importantly, NMFS established a risk reduction goal of 60% and will require new whale conservation measures to achieve this level of risk reduction. Since it was abruptly announced in April 2019, the MLA has strongly opposed the 60% risk reduction target. The MLA remains concerned that this risk reduction goal overstates the share of risk attributed to the lobster fishery and downplays the role of and other commercial fisheries as well as Canadian practices. The risk reduction target was reviewed by a panel of independent reviewers in November 2019 but they did not reach consensus on the best approach.

Nevertheless, NMFS has been unwavering that new whale conservation measures must achieve a 60% risk reduction. When DMR submitted Maine's draft whale plan to NMFS in January, the agency responded that the state's plan may fall short of achieving a 60% risk reduction and therefore would require additional measures, such as an offshore closure. While it is impossible to predict what will be in the draft whale rules, there are a few things that one would expect to see. First, the Proposed Rule will put forward more than one option. Federal rulemaking typically includes an analysis of a 'status quo' option, in addition to several new management options based on feedback received during development of the rule. In this case, that feedback would come from the Take Reduction Team, NMFS scoping meetings held during the summer of 2019 and the draft plans submitted to NMFS by the states.

In the federal court case this summer, NMFS gave a strong indication that the plans submitted by the states have been included as part of the management alternatives in the Proposed Rule. Jennifer Anderson of NMFS wrote in a June court declaration, "Once all the states' proposed measures were known, NMFS was able to analyze the expected conservation benefits from them, and was able to determine the measures to include in the federal rulemaking to accomplish the necessary conservation benefits for North Atlantic right whales. The agency was then able to draft proposed regulations, draft a DEIS, and conduct analysis pursuant to Section 7 of the Endangered Species Act on the operation of the federal fisheries with the new management measures.

Based on this, Maine lobstermen should expect to see at least one alternative that includes the DMR plan or is at least based in large part on the DMR plan. DMR's plan proposes significant increases in the minimum traps per trawl along the coast based on distance from shore, and the inclusion of one or two weak points incorporated into the vertical lines. DMR has been working with the zone councils this summer to explore conservation equivalents to tweak this approach to better fit the needs of each zone.

DMR conducted significant outreach with the industry to draft its proposal, including three meetings in March to brainstorm potential options, seven meetings in June to get industry feedback on ‘strawman’ proposals that included trap reductions and new trawling up, and three meetings in November to get input on the revised draft proposal for submission to NMFS that included trawling up and weak points. Well over 1,000 lobstermen attended these meetings.

While DMR's plan is based on a great deal of industry input, it has been met with mixed reviews. The MLA voted not to support the plan because it seeks reductions that exceed the documented risk posed by the Maine lobster fishery as demonstrated in MLA's analysis, which shows a low incidence of right whale entanglement in Maine lobster gear. But beware … If you don't like any given proposal, it is likely that you will like the alternatives even less! The environmental groups have pushed for more extensive use of weak rope, seasonal closures, and ropeless fishing, so it is certainly possible that any of these management strategies could be included in alternatives in the draft rule.

Ultimately NMFS will select one of the alternatives as its ‘preferred alternative’ for the whale plan. The selection will be based on an assessment of risk reduction, as well as a thorough analysis of the economic, safety, operational impacts of each proposal.

I am certain that there will be many objections raised over the alternatives presented in the whale plan. The MLA remains very concerned that NMFS’s 60% risk reduction target overstates the risk the Maine lobster fishery poses to right whales; we will continue to highlight that issue. The industry, however, must work together to review the alternatives in the Proposed Rule with an eye toward minimizing operational, safety and economic issues. Remember, if new rules are not finalized by May, the lobster fishery can be shut down.

There will be a 75-day comment period for the Maine lobster industry to provide NMFS feedback on the Proposed Rule. It is crucial that we work collectively to ensure that the Final Rule supports all Maine lobstermen – the small boats and the big boats, the inshore fleet and the offshore fleet, the kids, the young guys and the old guys, and those who fish Downeast, in the midcoast and in southern Maine. The future of the Maine lobster fishery depends on all sectors of our fishery being able to continue to fish safely, efficiently, and profitably.

As always, stay safe on the water.
DRAFT WHALE RULES

The Proposed Rule is expected from NMFS at any time, The Greater Atlantic Regional Office (GARFO) submitted the draft rule to the federal Office of Management and Budget (OMB) on July 6. OMB has 90 days to review the rule but can extend its review an additional 30 days, which could delay the Proposed Rule until early November.

Once the proposed rule is published, the public will have 75 days to provide comment. NMFS has stated that it will schedule a series of online webinars to explain the management alternatives put forward in the Proposed Rule and will take public comment. NMFS plans to schedule office hours for fishermen to call with questions or comments, and NMFS will accept written comments. NMFS will also release a Draft Environmental Impact Statement (DEIS) with the Proposed Rule and provide a 45-day public comment period. The draft Biological Opinion is expected to be released on a parallel track with the Proposed Rule. The Biological Opinion will be released to the ASMFC, NEFMC and MAFMC for review. Public comment on it will be received through the Councils and Commission.

BAIT UPDATE

ASMF to Consider Menhaden Quota Reduction

Atlantic menhaden are managed by the ASMFC under Amendment 3. The ASMFC’s Atlantic Menhaden Board set the total allowable catch for the 2020 fishing seasons at 216,000 metric tons. Maine’s allocation of Atlantic menhaden quota is 6.52%.

ASMF is scheduled to set the 2020-2021 menhaden quota during its October meeting. At its August meeting, ASMFC’s Menhaden Management Board approved the use of ecological reference points (ERPs) in the management of Atlantic menhaden in order to account for the species’ role as an important forage fish. Atlantic striped bass was the focal species for the ERP definitions because it was the most sensitive predator fish species to Atlantic menhaden harvest in the model. An ERP target and threshold in the menhaden plan would be one that sustained striped bass.

The Board tasked the Atlantic Menhaden Technical Committee to run a projection analysis to provide a variety of Total Allowable Catch (TAC) scenarios and the risk of exceeding the ERP target to compare in setting specifications for 2021-2022. The Board will review the projection analysis at its October meeting, which could result in a significant reduction in quota. If a TAC is not set at the Annual Meeting, the TAC from the previous year will be maintained.

Herring Management Area 1A

The ASMFC manages fishing effort associated with harvesting the Area 1A herring quota. The Area 1A sub-annual catch limit (ACL) is 2,957 metric tons (mt) after adjusting for the research set-aside, the 30 mt fixed gear set-aside, and the fact that Area 1A closes at 92% of the sub-ACL. The Board allocated 72.8% of the sub-ACL for Area 1A to Season 1 (2,152 mt).

On September 18, ASMFC set the Season 2 (October 1 - December 31) days out measures and spawning closure dates. The Season 2 quota is 914 metric tons (mt), which is 27.2% of the Area 1A sub-annual catch limit (ACL). The Season 2 fishery will start on October 12/13 with three (3) consecutive landings days per week. The fishery will move to two (2) consecutive landings days per week starting October 18/18. Landings days in Maine begin on Sunday of each week at 6:00 a.m.; landing days in New Hampshire and Massachusetts begin on Monday of each week at 12:01 a.m.

Harvesters are prohibited from landing more than 2,000 pounds of Atlantic herring per trip from Area 1A until October 11 or 12, depending on the state. Landings will be closely monitored; the fishery will close when 92% of Area 1A sub-ACL is projected to be reached. The Atlantic Herring Management Board will reconvene via conference call to review fishing effort on October 16.

Spawning Area Closures

The Atlantic herring Area 1A fishery regulations include seasonal spawning closures for portions of state and federal waters in Eastern Maine, Western Maine, and Massachusetts/New Hampshire. Vessels in the directed Atlantic herring fishery cannot take, land, or possess Atlantic herring caught in a spawning area during a closure and must have all fishing gear stowed when transiting through the area. An incidental bycatch allowance of up to 2,000 pounds of Atlantic herring per trip/calendar day applies to vessels in non-directed fisheries that are fishing within the Western Maine or Massachusetts/New Hampshire spawning areas.

Western Maine and Massachusetts/New Hampshire Spawning Closure

September 23 through November 3, 2020 (default closure dates). Eastern Maine Spawning Area August 28 through October 8, 2020. (default closure dates)

USDA RELIEF FOR LOBSTER INDUSTRY

In September the Department of Agriculture (USDA) announced the Seafood Trade Relief Program (STRP) for Maine lobstermen and other U.S. commercial fishermen who have been "impacted by trade actions of foreign governments resulting in the loss of exports." The USDA determined that commercial lobstermen are eligible to apply for funding based on the impacts of retaliatory tariffs by China on lobster exports. The department determined that lobstermen experienced "trade damage" estimated at a loss of 50 cents per pound.

Commercial lobstermen are eligible to apply for funds based on this formula: (2019 pounds landed) x (50 cents). The benefit is not a grant or a loan so it does not need to be paid back, however, it is taxable income. No person, business or legal entity can receive more than $250,000 in payments through this program. To apply, average adjusted gross income (AGI) for tax years 2016-2018 cannot be greater than $900,000 unless at least 75% of the AGI is derived from farming, ranching, forestry, seafood production, or related activities.

The application period is open for three months, from September 14 through December 14. The program is fully funded so all applications made will receive full consideration. Lobstermen should call their local Farm Service Agency (FSA) office to request an application. Completed applications must be submitted to a FSA office by mail, email, fax, or in person by appointment only. The State FSA office phone number is 990-9140 or visit www.fsa.usda.gov/me.

Many other commercial seafood species are eligible for funding through this program: Atka mackerel, Dungeness crab, flounder, geoduck, goosefish, herring, king crab, monkfish, Pacific cod, Pacific ocean perch, pollock, sablefish, salmon, snow crab, southern Tanner crab, sole, squid, tuna, turbot.

CARES ACT FISHERIES DISASTER RELIEF

In May, Congress allocated $300 million in fisheries assistance funding under the CARES Act to be shared among states. Maine was allocated $20,146,310.

The funding was awarded to NOAA to disburse to affected fishermen through its Fisheries Disaster Relief Fund. This program requires an applicant to qualify by showing a greater than 35% revenue loss for a period in 2020 as compared to the average for the same period of the past five years. Applicants who have not been in business for five years can use the years in which they were in business.
DMR’s plan allocates the vast majority of these funds ($19.1 million) to direct payments to eligible recipients in each of four sectors (commercial fishing, aquaculture, for-hire and dealer/processor). The remainder of the funds ($1 million) will be used for a targeted marketing campaign to promote Maine seafood from the fall of 2020 through the fall of 2021, with the goal of improving domestic markets. An additional $39,250 will be reserved for costs associated with the administration of the eligibility, application, and appeals process.

DMR allocated $15,648,682 of the $19.1 million to the commercial fishing, aquaculture and for-hire sectors. Each eligible applicant will receive the same payment, based on the number that qualify.

DMR estimates that in 2019 there were 8,900 commercial fishing licenses, 260 aquaculturists, and 130 for-hire vessels. At total of $3,458,377 was allocated to the dealer/processors, of which there were an estimated 550 active licenses in 2019.

DMR’s landings program determined which license holders qualify for this benefit, and will offer an appeals process for any license holder who disagrees with DMR’s determination. DMR is sending letters to all harvesters informing them whether or not they qualify.

EPA DESIGNATES ISLES OF SHOALS AS DREDGE DISPOSAL SITE

The Environmental Protection Agency (EPA) has finalized the designation of the Isles of Shoals North Disposal Site (IOSN) for dredged material off the coast of southern Maine and New Hampshire to serve the southern Maine, New Hampshire, and northern Massachusetts coastal region. This site replaces the Cape Arundel site scheduled to close next year, and will provide a new, long-term disposal site for federal, state and commercial marine dredging projects in this region.

The Isles of Shoals North Disposal Site (IOSN) is located in the Gulf of Maine, approximately 10.8 nm east of Portsmouth, New Hampshire, 9.55 nm southeast of Kittery, Maine, and 6.04 nm northeast of Eastern Island, the closest of the Isles of Shoals. The site is delineated as an 8,530 ft diameter circle on the seafloor with its center located at 70° 26.995’ W and 43° 1.142’ N. Water depths at the IOSN range from 295 ft on the western edge of the site to 328 ft on the eastern edge as the seafloor gradually slopes from west to east. The surficial sediments at the site are predominately soft, fine-grained silts and clays. The seafloor within the site is generally a smooth, soft-textured surface with topographic highs present outside the western, northern, and southeastern boundaries of the site.

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

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Thank you to all who renewed your membership!
food. Maine lobstermen are eligible to receive 50 cents for every pound of lobster landed in 2019, up to a limit of $250,000. Maine landed nearly 101 million pounds of lobster in 2019, valued at $485.4 million. Fishermen targeting other species that qualified for relief under this program will receive between one and 20 cents per pound. The application process for the USDA program (www.farmers.gov/Seafood) began on September 14 and will close on December 14. The program is fully funded and all applicants who meet the eligibility criteria will receive a relief payment.

Also in September, the United States International Trade Commission (USITC) announced it will investigate the impacts of the Canada-E.U. Trade Agreement (CETA) on the U.S. lobster industry. CETA entered into force in 2017. The investigation is the result of a letter sent from Trade Representative Lighthizer requesting the USITC provide a complete overview of the U.S. and Canadian lobster industries, including the trends in exports between both countries and the U.K. and E.U.

The investigation will provide an overview on the lobster industries of the two countries, including “information on production and catch levels, employment, processing capacity, supply chains, prices, domestic consumption, and key factors that affect industry competitiveness.” Using that information as a base, the investigation will examine export trends between the U.S. and Canada and Europe, in addition to other major destination markets.

Meanwhile, financial relief for Maine fishermen through the CARES Act, passed in March, ran into a snag late in the summer. Twenty million dollars was allocated for Maine’s commercial fishermen, dealers, processors, aquaculturists and party-boat and charter fleet.

The law requires that recipients must certify that they have experienced a greater than 35% loss of revenue due to the COVID-19 pandemic as compared to their previous 5-year average.

The Department of Marine Resources (DMR) had understood that it could do this certification at the level of the fishery, thus making every active license holder eligible to receive funds. However, DMR was later told by NOAA that the 35% impact must be demonstrated for each individual license holder, according to an announcement from DMR in early September.

The Department then began an analysis to determine if landings information for the commercial fishing industry could be used to certify loss at the level of the individual. When the analysis is completed the Department will send a letter to each commercial fisherman stating whether the individual’s landings information shows a greater than 35% revenue reduction.

While Maine lobstermen continue to face a variety of regulatory and economic challenges, the recent shift in government trade policy and availability of financial relief programs will go a long way in keeping Maine’s lobster industry afloat during these uncertain times.
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Every 17 seconds, someone in the United States is diagnosed with type 2 diabetes, a chronic condition burdening 34 million adults in the U.S. alone. Every day 230 Americans diagnosed with diabetes will suffer an amputated limb, according to an article published in the American Journal of Managed Care. Diabetes is the seventh leading cause of death in the United States, and, according to the Centers for Disease Control and Prevention (CDC), having type 2 diabetes doubles your chances of heart disease or stroke; the #1 cause of death today.

Fortunately, type 2 diabetes is preventable with early risk detection and lifestyle changes. However, many Americans don’t know they are at risk. More than 88 million U.S. adults have prediabetes, but 84% of them don’t know they have it, according to the CDC. Factors, including age, gender, race, family history, and weight, can be used to determine your likelihood of developing type 2 diabetes.

There is a 1 in 3 chance you have prediabetes.

If you are at risk, changes to your diet and physical activity can drastically lower your chances of developing type 2 diabetes. Studies show losing just 5% to 7% of your bodyweight can reduce your risk of diabetes by as much as 58%.1

By incorporating small behavior changes into your day-to-day routine, you can substantially reduce your risk over time. To help make these lifestyle changes possible, the Maine Lobsterman Association has partnered with the State of Maine, the CDC, and U.S. Preventive Medicine, Inc. (USPM) to offer The Preventive Plan™ to qualified members and their families. The Preventive Plan™ is a year-long, HIPAA-secure lifestyle change program that combines mobile app technology, a connected smart scale, and highly trained, professional health coaches to help participants lose weight and keep it off. Participants who completed USPM’s diabetes prevention program lost an average of 7% of their starting body weight.

Beginning January 1st, members of the Maine Lobstermen’s Association, and qualified family members, will have access to The Preventive Plan™ — a CDC-recognized diabetes prevention program — at no cost to participants.

If you are interested in participating in The Preventive Plan™, visit www.uspm.com/dpp to reserve your spot today. Participation will be limited to the first 150 qualified participants.


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MARKETING UPDATES
The MLMC is hosting a series of webinars in partnership with SeafoodSource that are designed to educate supply chain buyers about key issues for the Maine Lobster industry. The final webinar of the series will take place on October 16 when Patrice McCarron and Curt Brown present information about the fishery’s history of right whale conservation efforts. In addition to educating key audiences, the MLMC also gets access to supply chain customers who join and can be contacted as potential sales leads that are then shared with dealers and processors.

The Maine Lobster public relations efforts shifted gears this year to focus on generating stories about Maine Lobster that drive demand among consumers. To date, we have secured over 80 unique stories that resulted in over 1.2 billion media impressions. Coverage appeared in influential consumer publications such as TODAY.com, Thrillist, Food & Wine, Real Simple and Huffington Post. Our central message was enjoying lobster at home while also hitting traditional focuses of Maine origin, sweet flavor, and sustainability.
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Antonina Pelletier
Jay Perrotta – for Travis Otis’s sham curity locks
Edward Perry
Clayton Philbrook
Penobscot Bay & River Pilots
Alton Pinkham
Port Clyde Fresh Catch
Michael Porter
Alan A Post
Gilbert Post
Richard Post
Lawrence Pye
Kelly Ralph
Chester A Rice
Edward & Linda Robbins

$100 - $299 cont’d
Peter K Roberts
Charles Rogers
Charles Rogers Jr.
John Rober
Steve Rosen
Daniel Sai
Susan Salmon
Patience Sampson
Saunders Fishing Inc.
Terry Savage
Christopher H Sawyer
Francis Sanders
Sandra Shepard
Coralie Sherman
Michael Sherman
Heather Sirocki
Ralph Staven Jr.
Karen Smallwood
James Smith
Lange Solberg
Tucker Soule
Hamilton D South II
Philip Spalding
Ted Spurting Jr
Jenni & Gary Steele
Craig Stewart
Cody Stewart
Lisa Stojowski
Crawford Taisy Jr.
Elliott Thomas
David Thrulot
Courtland Tolman
Dana Tracy
Lawrence Tracy
Annie Tselikis
Richard M Turner Sr.
Cleota Uhart
Alexander Varner
Allan Vitkus
Peter Vogell
Richard Waldron
Brandon Wallace
Soony warren
Kachina Watt
Le Watkinson
Derek Webber
Ron Weeks
Jean A Welch
Christopher Weller
Jeanne L Whittier
Walter R Willey IV
Weston Wilkey
Jeret Winchenbach
Eugene C Wilham
Jason Wilham
Barry L Wood Sr
Cheryl Worthington
Donald Wright
Jason York
Aii Young
Chris Young
Luke Zable
Mark Zable

Gifts $300 - $499
Patrick Anns
Bob Barnes
Jude Berry
Mary Blackmore & Sally Haskell

$300 - $499 cont’d
Laurin Brooks
David Bulwinkle
E. Vance Bunker
Mark Cheney
Tyler Cheney
Cranberry Isles Fisherman’s Co-op
Roger Chipman
Martha T Dudman
Timothy Dyer
John Fenwick
Adam Gamage
Frank J Gotwals
John C Griffin
Edward Hutchins II
John’s Bay Boat
Keag Store
William D McLain
Jim McMillan
Steve N Miller
David Neubig
Adam Scott
Sherman Stanley
Charles H Tarbox
Welch Engineering
Blaine C White
Jason Zanke

Gifts $500 - $999
Adventure Advertising of Maine (tee-shirt sales)
Brian Alley
Joshua Ames
David Barker
Rex Benner
Mark Bennett
Randall Bettis
Joel Billings
Brian Billings
David F Black
Gordon Bok
Steve Budrow
Dwight Carver
China Hill Restaurant & Bar
Jason Chipman
Hermon Coombs
David Cousins
Laura Crane
CSM, Inc.
John Daggett
Delano Seafood Shack
George Dow
Travis Doughty
John Drouin
Robert L Donnell
Bruce W Fernald
Green Flash Fisheries
Edward D Grant
Chris Guilford
Earl Hamilton
Joshua Hatch
Andrew Hawke
Nicholas Hawke
Shawn Howard
Richard Howald
Bobby Ingalls
Charles Ingalls
Alan Inzeltio
Island Fishermen’s Wife
Michael Jennings
Stuart Jones

$500 - $999 cont’d
Mark Jones
Clayton Joyce
Kennedy Marine, Inc
J Edward Knight Insurance Agy
Michael Kramp
Keith Lane
Craig Lazaro
Joseph C Locicurto
Travis Lunt
Douglas McLennan
Joshua Miller
Midcoast Diesel Performance
Midcoast Marine Supply
Moody’s Gifts (tee-shirts)
New Harbor Lobster Co-op
Northeast Marine Survey
Cody Nunan
Christopher Nunan
Ladd Olsen
Tara Perez
Luke Philbrook
Micah Philbrook
Mike Philbrook
Woodbury A Post
Prien Fish & Lobster
Michael S Prior
Jeffrey Putnam
William Putnam
RDR Lobster & Shellfish, LLC
Sam Rosen
Rugged Seas, Inc.
Matt Samuels
Ryan & Laurie Schoppee
John Sieders
Joseph Staples
Spruce Head Marine
David A Sullivan
David Tarr
Tranzen Auction House
Brian Trip
John J Trip
Michael Trip
Jim Trip
True North Fisheries
Vinalhaven Fishermens Co-op
Richard Wall
Harlan Warren
Weis Motors Sales, Inc.
Chris Welch
W.A. Fasteners
William Whittam
Peter Wildes
Eben Wilson
Winter Harbor Fisherman’s Coop
Berm Wolfd
Donald Young
Jack Leonard
Linda Zuke

Gifts $1,000 - $4,999
Jeremy S Alley
Jeremy Alley
Atwood Lobster Co
Bangor Savings Bank
Beals-Jonesport Co-op Inc
Rachel Bishop
Billings Marine Service
Brigham’s Lobster Wharf

$1,000 - $4,999 cont’d
Jarod Bray
Brin’ R Inc
Carter’s Lobsters
Larry Coombs
Bruce Crowley
Dustin Delano
Wayne Delano
Jeffrey A Donnell
Zachary R Donnell
Phillip Doucette
Dysarts
Eric Emmors
Elizabeth Fenwick
First National Bank
Fisherman’s Heritage Lobster Co-op
Michael Flanagan
Edward N Foye
Stephen Gatcomb
Gillespie Marine LLC
Benjamin Hanissar
Michael Hardt
Sam Hylter
Journey’s End Marina
Stephen Last
Lee Marine
Nicholas Lemieux
Ian Lussier
Maine Coast Fisherman’s Assoc.
Jack Merrill III
Jim Merlino
Midcoast Marine Supply
Navroc Marine Electronics
New England Marine & Industrial
Inc
NH Commercial Fisherman’s Assoc.
Peter & Susan Nitze
Matthew Nowell
Alfred Osgood
Jay & Lynn Perrotta (haircut)
Peter Philbrook
Josh Polk
Harold Poole
Kristan L Porter
Royal River Boat Repair, Inc
Tristan Salmon
Mark Sewall
Jeremy Simmons
Jay Smith Jr
Smithwick & Mariners Inc.
So Bristol Fishermens’s Co-op
Sorrento Seafood
John Stanley
Starlink Inc.
Stonington Lobster Co-op
Town of Stonington
David A Thomas
Alex Todd
Vessel Services Inc.
Southern Maine Lobsterman’s Association
Richard Wall
Keith Wallace
Ronald T Watkinson
Ted Weber
Thomas Wernher
Jeff White

Jay Smith $1000 challenge • Alec Shippen Offshore Challenge • Brooks Trap Mill Challenge

MLA Legal/Defense Fund: 2 Storer St, Suite 203, Kennebunk, ME 04043 • www.mainelobster.org • 207-867-4555

Continued on the next page
Dear LDF Supporters:

I want to personally thank all of you who have donated to the MLA Legal Defense Fund. Without you, the lobster fishery’s point of view would not have been heard by the federal court and we could have had a very different outcome. I am amazed at the generosity of so many fishermen, businesses, and non-fishing individuals who have given money because they know how much the cost of Maine stands to lose both financially and traditionally if the lobster industry is forever changed.

As most of you know, the way Maine’s fishermen are being targeted by outside interests has changed. Environmental organizations and individuals now use the court system to get what they want. With huge war chests these environmental groups are determined to influence policy with lawsuits after lawsuits.

In any legal attack on Maine’s lobster fishery, no single individual can effectively represent his or her interests; it’s just too expensive. The environmentalists have been driving this issue for way too long. It’s time for the lobster industry to invest so that we can do more than just respond to their agenda.

If anyone thinks that these immediate court cases are ruled on, it is all over… think again! We still have a long way to go to ensure that the Maine lobster fishery can continue to operate and that our kids and grandkids can have the same chances to fish as we had. The reality is that this situation is more likely the new normal. A new lawsuit to protect endangered ‘right whales could and probably will be filed at any time. Regardless, as we have during the past 66 years, the MLA, with your help, will continue stand ready to defend our way of life.

I am truly grateful for your tremendous generosity.

Kristan Porter, President, Maine Lobstermen’s Association
Show your support for these businesses!
**MLA Member Discount Directory**

**October 2020**

**Atlantic Edge Lobster**
Boothbay Harbor, ME -- Fuel discount for MLA members. 207-633-2300

**Fuel**

**Atlantic Bug Bait**
Machias, ME -- $1 off bucket of hog hide. $40 off a pallet. 207-255-5955

**Old School Pig Hide Bait**
Cutler, ME -- $1 off per bucket (must show current MLA card). 207-812-5211

**Back River Tax Accounting**
Brunswick, ME -- Free initial consultation and review of previous tax returns. 207-607-7118

**Back River Financial Group**
Farmingdale, ME -- Free initial consultation and review of previous years tax returns. 207-622-3772

**Navtronics, LLC**
York, ME -- 5% off of purchases. 207-363-1150

**Newcastle Chrysler-Dodge-Jeep**
Newcastle, ME -- 10% discount on all parts and service. 250 additional discount on any new vehicle after you make your best price. 207-563-5959

**SW Boatworks**
Lamonic, ME -- $1000 discount for hull or top. on a 38 CB or 44 CB. 207-667-7427

**Boat Builders/Repairs**

**Commercial Fisheries News**
Deer Isle, ME -- Discounted annual subscription rate for $18.75 with MLA membership noted on check. 800-989-5253

**National Fishermen, North Hollywood, CA** -- Special annual subscription rate for $12 for 12 issues. 800-959-5073

**Old School Pig Hide Bait**
Cutler, ME -- $1 off per bucket (must show current MLA card). 207-812-5211

**Weirs Buick - GMC**
Arundel ME -- Purchase a new GMC and get a free Bullet Liner. Must show MLA card 877-861-0070

**Widewaters**
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Bath, ME -- Free admission to MLA members.

**Mount Desert Oceanarium**
Bar Harbor, ME -- Free admission to commercial fishermen and their families.

**Cross Insurance Arena**
Special discounts to shows at the Cross Arena in Portland! Use promo code GFRIEND at checkout, Order by phone, online, or in person at the box office. Info at www.mainelobstermen.org

**Museums & Entertainment**

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**Winter Harbor Fishermen's Coop**
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**Newsletters**

**Museums & Entertainment**

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Belfast, ME -- 25% discount on USCG Drill Conductor training. 207-338-1603

**Newcastle Chrysler-Dodge-Jeep**
Newcastle, ME -- 10% discount on all parts and service. $250 additional discount on any new vehicle after you make your best price. 207-563-5959

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Arundel ME -- Purchase a new GMC and get a free Bullet Liner. Must show MLA card 877-861-0070

**Smithwick & Mariners Insurance**
Falmouth, ME -- Discounted vessel insurance plus 5% discount with proof of CG approved Drill Conductor course w/in the last 5 years. Wooden boat, Builders coverage, no lay up period, discounted electronics deductible, and automatic coverage of researchers and more! Call Scott Smithwick 207-370-1883

**Discounted vessel insurance plus 5% discount with proof of CG approved Drill Conductor course w/in the last 5 years. Wooden boat, Builders coverage, no lay up period, discounted electronics deductible, and automatic coverage of researchers and more! Call Scott Smithwick 207-370-1883**

**Liferaft Services, LLC**
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Belfast, ME -- 25% discount on USCG Drill Conductor training. 207-338-1603

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A project undertaken in 2019 at the University of Maine hopes to maximize the value of Maine’s lobster harvest. Researchers have created a FitBit for lobsters, dubbed the “FitBug,” and a fake lobster made up of monitoring devices, known as “MockLobster,” to understand how to keep more lobsters alive as they move from trap to dealer.

A collaboration among the Maine Lobster Dealers’ Association, Maine Lobstermen’s Association, and University of Maine faculty Damian Brady, Rick Wahle, and Deborah Bouchard, Steve Jury of Saint Joseph’s College and Ben Gutzler of Wells National Estuarine Research Reserve, the project began with support through the University of Maine’s Research Reinvestment Fund. This summer it received two additional years of funding through NOAA’s Saltonstall-Kennedy grant program.

The University has developed FitBugs and MockLobsters to measure various stressors experienced by lobsters to address shrink. “Shrink” is the term used in the lobster industry to describe the mortality rate of lobsters after they are hauled from the sea. From the moment they come over the gunnel, lobsters are subjected to variations in temperature, potential rough handling by lobstermen and dock workers, and numerous other stresses that affect their overall health.

Cassandra Leeman, an M.S. student at the University of Maine working with Brady, is the project’s coordinator. Several lobster processors, including Luke’s Lobster and Ready Seafood, are taking part in the study as industry members.

“We started making contacts with docks this winter but then the pandemic hit,” Leeman said. The study’s goal is to track the wellbeing of lobsters from the moment they are caught in a trap to the moment they arrive at a dealer’s facility, a project intern examined each lobster in the crate to determine its degree of health. Then the intern would take blood samples from the lobsters to detect bacterial infection and specific markers of stress, explained Leeman. “During the summer we had two interns who would examine one, maybe two crates per week,” she said.

The mortality rate of lobsters landed in Maine varies from 3% to 7%, according to lobster dealers. Maine lobstermen landed 100,725,000 pounds in 2019. A 3% to 7% shrink rate means between 3,021,000 and 7,050,750 pounds of lobster died. That, in turn, translates into a lot of money lost.

A small company in Nova Scotia also has been devising ways to monitor a lobster’s journey from trap to dealer. Sedna Technologies, based in Dartmouth, uses a mobile app and sensors to monitor and track temperature and dissolved oxygen in the lobsters’ environment, starting with a detailed breakdown of the water quality in the live tanks on the boats. The monitors ring an alarm on a lobsterman or dealer’s cell phone so that the issue, for example, low dissolved oxygen levels, can be addressed. If the lobster should die, both the lobsterman and the dealer can pinpoint exactly where the death occurred. “They have approached us about perhaps using their equipment next year,” Leeman said.

With an additional two years of funding, the study will expand its geographic range to southern Maine, midcoast and Downeast lobster wharves next summer. “We will have much more data, which will allow us to look at variability in shrink by region, season, by dock and even by lobsterman,” Leeman said. The research will provide detailed data on specific places where stress has a detrimental effect on a lobster’s health. “Before the project ends we will be able to identify where the stressors are in the supply chain and work with industry to find cost effective ways to correct those problems,” she said.

A lobsterman was given a MockLobster to put in one of his or her traps. The heart monitor was attached to a live lobster once the trap was hauled and before the lobster went into the live tank. When the crate with the MockLobster and lobster wearing a FitBug arrived at a buyer’s facility, a project intern examined each lobster in the crate to determine its degree of health. Then the intern would take blood samples from the lobsters to detect bacterial infection and specific markers of stress, explained Leeman. “During the summer we had two interns who would examine one, maybe two crates per week,” she said.

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### Experimental Lease Applications

<table>
<thead>
<tr>
<th>Name of Applicant/Company</th>
<th>Site</th>
<th>Town</th>
<th>Size</th>
<th>Product</th>
<th>Duration</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mussel Bound Inc.</td>
<td>N of Thomas Isl, Frenchman Bay</td>
<td>Bar Harbor</td>
<td>3.58 acres</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>Comment Period Ended 8/24/19</td>
</tr>
<tr>
<td>Downeast Institute</td>
<td>Near Mud Hole Pt, Estin Bay, Mud Hole Cove</td>
<td>Beals</td>
<td>4 acres</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>Public Hearing Held 2/4/20</td>
</tr>
<tr>
<td>Downeast Institute</td>
<td>Norris’s Pound, Black Duck Cove, Eastern Bay</td>
<td>Beals</td>
<td>0.84 acres</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>Appl. submitted, comments due 9/11/20</td>
</tr>
<tr>
<td>Downeast Institute</td>
<td>Elmer’s Pound, Black Duck Cove, Eastern Bay</td>
<td>Beals</td>
<td>1.14 acres</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>Appl. submitted, comments due 10/2/20</td>
</tr>
<tr>
<td>Feeds Farms LLC</td>
<td>E. Lower Coombs Isl, New Meadows River</td>
<td>Brunswick</td>
<td>3.86</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>Comments closed 6/18/2020</td>
</tr>
<tr>
<td>Sea Run Fisheries &amp; Habitat</td>
<td>E of Western Head &amp; Lt1 Riv Id, Cutler Hlbe</td>
<td>Cutler</td>
<td>4 acres</td>
<td>Fish</td>
<td>3 yrs</td>
<td>Comments due 4 pm 4/3/20</td>
</tr>
<tr>
<td>Deep Blue Aquaculture</td>
<td>W of Hog Isl, Penobscot bay</td>
<td>Deer Isle</td>
<td>3.86 acres</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>Lease is GRANTED 9/10/20</td>
</tr>
<tr>
<td>Mussel Bound Inc.</td>
<td>Barlett Narrows, Blue Hill Bay</td>
<td>Mount Desert</td>
<td>3.55 acres</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>Public Hearing Postponed as of 11/1/19</td>
</tr>
<tr>
<td>Victor Doyle</td>
<td>E of Barlett Id, Blue Hill Bay</td>
<td>Mount Desert</td>
<td>1 acre</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>Public Hearing Postponed</td>
</tr>
<tr>
<td>Saltwater Seafarm LLC</td>
<td>upp side Demis Bar, Nonesuch River</td>
<td>Scarborough</td>
<td>3.15 acres</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>Comments due 4 pm 4/3/20</td>
</tr>
<tr>
<td>Saltwater Seafarm</td>
<td>Nonesuch River</td>
<td>Scarborough</td>
<td>3 yrs</td>
<td>Lease denied 9/3/2020</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dirigo Marine Resources, LLC</td>
<td>E of Wolfe’s neck, Recompense Bay</td>
<td>South Freeport</td>
<td>3.85 acres</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>appl. resc., comment period closes 8/2/20</td>
</tr>
</tbody>
</table>

### Standard Lease Applications

<table>
<thead>
<tr>
<th>Name of Applicant/Company</th>
<th>Site</th>
<th>Town</th>
<th>Size</th>
<th>Product</th>
<th>Duration</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Byers Bay Oyster Co.</td>
<td>off Old House Cove, Westerns Bay, Spruce Pt</td>
<td>Bar Harbor</td>
<td>3.36 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Public hearing scheduled 10/13/20 2 pm</td>
</tr>
<tr>
<td>Tightrope Farms</td>
<td>south of Carlton Island, Salt Pond</td>
<td>Blue Hill</td>
<td>7.25</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Site Review Pending as of 10/20/2019</td>
</tr>
<tr>
<td>Community Shellsfish Co., LLC</td>
<td>W of Oar Isl &amp; N of Hog Isl, Medomak River</td>
<td>Bremen</td>
<td>4.19 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Public hearing scheduled 9/15/20</td>
</tr>
<tr>
<td>Coe Water Ventures LLC</td>
<td>E of Lt1 Chebeague, Casco Bay: Long Island and</td>
<td>Chebeague Id</td>
<td>3.79 acres</td>
<td>Marine Algae</td>
<td>20 yrs</td>
<td>Site Review pending as of 10/7/19</td>
</tr>
<tr>
<td>Summit Point LLC</td>
<td>S of Basket Island, Casco Bay: Long Island &amp;</td>
<td>Chebeague Id</td>
<td>100 acres</td>
<td>Marine Algae</td>
<td>20 yrs</td>
<td>Site Review pending as of 12/27/20</td>
</tr>
<tr>
<td>Schoodic Sea Farm LLC</td>
<td>off Long Mill Cove, Gliburno Bay, Mill Pond Cove</td>
<td>Corea</td>
<td>2.2 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Scoping Session for July 2020, 2020</td>
</tr>
<tr>
<td>Summit Point LLC</td>
<td>NE of Clapboard Isl, Casco Bay, Falmouth &amp;</td>
<td>Cumberland</td>
<td>100 acres</td>
<td>Marine Algae</td>
<td>20 yrs</td>
<td>Site Review pending as of 12/27/20</td>
</tr>
<tr>
<td>Black Stone Point Oysters LLC</td>
<td>Damariscotta River</td>
<td>Damariscotta</td>
<td>12.98 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Public Hearing: 10/20/20 3 pm</td>
</tr>
<tr>
<td>Christopher Dickenson</td>
<td>800 ft SW Hog Island, Damariscotta River</td>
<td>Damariscotta</td>
<td>1 acre</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Site Review pending as of 10/19/19</td>
</tr>
<tr>
<td>Glidden Point Oyster Co.</td>
<td>Dodge Lower Cove, Damariscotta River</td>
<td>Edgecomb</td>
<td>8.22</td>
<td>Oysters</td>
<td>20 yrs</td>
<td>Lease renewal approved 6/16/2020</td>
</tr>
<tr>
<td>Spiney Creek Shellsfish, Inc.</td>
<td>NW of Rt 95 Bridge, Spiny Creek</td>
<td>Eliot</td>
<td>2.75 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Site Review complete 3/18/20</td>
</tr>
<tr>
<td>Taunton Bay Oyster Co., Inc.</td>
<td>No of Hatch pt, Taunton Bay</td>
<td>Franklin</td>
<td>5.87 acres</td>
<td>Shellfish</td>
<td>10 yrs</td>
<td>Scoping Session scheduled 10/13/20 6 pm</td>
</tr>
<tr>
<td>Harraseeket Oyster Co.</td>
<td>S of Bowman Isl &amp; Stockbridge Pt, Casco Bay</td>
<td>Freeport</td>
<td>7 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Site Review Pending as of 12/11/19</td>
</tr>
<tr>
<td>Love Point Oystoers, LLC</td>
<td>SE of Window Park, Casco Bay</td>
<td>Freeport</td>
<td>4.78 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Site Review Pending as of 3/13/20</td>
</tr>
<tr>
<td>Love Point Oystoers, LLC</td>
<td>S of Crab island, Casco Bay</td>
<td>Freeport</td>
<td>4.13 acres</td>
<td>Oysters</td>
<td>20 yrs</td>
<td>Site review Pending as of 2/20/20</td>
</tr>
<tr>
<td>Maine Ocean Farms, LLC</td>
<td>E of Wolfe’s Neck, Recompense Cove</td>
<td>Freeport</td>
<td>9.88 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Site Review pending as of 12/13/19</td>
</tr>
<tr>
<td>Georgetown Aquaculture LLC</td>
<td>Robinhood Cove</td>
<td>Georgetown</td>
<td>26.68</td>
<td>Oysters/Quahogs</td>
<td>20 yrs</td>
<td>Amendment is granted</td>
</tr>
<tr>
<td>Taunton Bay Oyster Co., Inc.</td>
<td>SE of Sullivan Bridge, Taunton Bay</td>
<td>Hancock</td>
<td>2.34 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Scoping Session scheduled 10/8/20 6 pm</td>
</tr>
<tr>
<td>Princes Pt Oysters, LLC</td>
<td>SW of Doug Why Pt, Estin Narrows</td>
<td>Harpswell</td>
<td>2.5 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Application withdrawn 8/27/2020</td>
</tr>
<tr>
<td>Ocean Resources, Inc</td>
<td>Jordan River</td>
<td>Lamoine</td>
<td>2.96 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Scoping session scheduled 10/17/20 10 am</td>
</tr>
<tr>
<td>Glidden Point Oyster Co.</td>
<td>West shore, S of Jacks Pt, Damariscotta River</td>
<td>Newcastle</td>
<td>5.5 acres</td>
<td>Shellfish</td>
<td>10 yrs</td>
<td>Public Hearing Postponed 3/8/20</td>
</tr>
<tr>
<td>Maine Island Aquaculture</td>
<td>Marsh Cove</td>
<td>North Haven</td>
<td>15 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Scoping Sess. scheduled 8/12/20 11:00 am</td>
</tr>
<tr>
<td>Frenchman Bay Oyster Co.</td>
<td>W &amp; S of Ingalls Isl. Sullivan Harbor</td>
<td>Sargent</td>
<td>5.85 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Site Review pending as of 10/12/19</td>
</tr>
<tr>
<td>Moosk Sea Farms Inc.</td>
<td>S of Wiley Pt &amp; N of Pitch Pt, Damaris River</td>
<td>South Bristol</td>
<td>3 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Site Review pending as of 9/9/19</td>
</tr>
<tr>
<td>Brian Harvey</td>
<td>W of Haynes Pt, Goose Cove, Western Bay</td>
<td>Trenton</td>
<td>6 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Site Review Pending as of 3/27/2020</td>
</tr>
<tr>
<td>Peter W Franicsco</td>
<td>E of Middle Ground, New Meadows River</td>
<td>West bath</td>
<td>5.5 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Public hearing scheduled for 3/10/20</td>
</tr>
<tr>
<td>Amanda Mooser</td>
<td>S of Lanes Isl, Inner Casco Bay</td>
<td>Yarmouth</td>
<td>9 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Public hearing pending as of 9/30/19</td>
</tr>
<tr>
<td>Maine Source Seadool</td>
<td>E of Lanes Isl, Casco Bay</td>
<td>Yarmouth</td>
<td>3.4 acres</td>
<td>Oysters</td>
<td>20 yrs</td>
<td>Site Review Complete as of 4/2/20</td>
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<tr>
<td>Thomas Hemminger</td>
<td>Broad Cove, Casco Bay</td>
<td>Tarmouth</td>
<td>5.9 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Application submitted 7/9/20</td>
</tr>
<tr>
<td>Wolfe Neck Oystro Co. LLC</td>
<td>SE of Lanes Island, Casco Bay</td>
<td>Yarmouth</td>
<td>8 acres</td>
<td>Shellfish</td>
<td>20 yrs</td>
<td>Site Review pending as of 11/13/20</td>
</tr>
</tbody>
</table>

**Experimental Lease: up to 3 years, 4 acres and is non-renewable**

**Standard Lease: term is up to 20 years and is renewable**
Diabetes is known as a silent killer because people often don’t have any symptoms or may miss the symptoms altogether, especially early in the disease. In fact, the CDC estimates that in 2018, there were 1.3 million Americans ages 18-44 with undiagnosed diabetes. That’s on top of the 3.6 million Americans in this age group who were aware of their diabetes diagnosis.

Some early symptoms of diabetes (known clinically as Diabetes Mellitus or DM) are easy to overlook, such as fatigue, excessive thirst, and frequent urination. Everyone has days when they feel tired, but if you’re getting enough sleep and you’re still tired, don’t dismiss your fatigue. And of course, feeling thirsty or needing to urinate can be related to your hydration level. Maybe you’re feeling thirsty because you actually haven’t been drinking enough water (not uncommon in a busy, physically demanding job) or you have to urinate because you really have been drinking a lot of water. If this describes you on one or two days, then it probably is just related to your hydration level. But if you’re feeling thirsty as if you’re thirstier than other lobstermen or you notice that you’re going to the bathroom more frequently these days, then maybe it’s time to talk with a healthcare professional. Other symptoms of diabetes include weight loss, blurry vision, poor wound healing, and tingling or loss of feeling in your fingers and toes.

Do you have a family history of diabetes? Both types of diabetes (Type 1—typically in beginning in childhood, and Type II—adult onset) tend to run in families, although we still don’t understand exactly how they are inherited. Part of the challenge of understanding diabetes is that both genetic and environmental factors play a role in who develops the disease. If you have a family member with diabetes, you are at increased risk, but that risk may be because you’ve been exposed to the same environment and lifestyle as your parents or siblings. Even if you are healthier than most of your family, it’s reasonable to consider getting screened with a simple blood test periodically to be sure that diabetes isn’t sneaking up on you, too.

You may be wondering, “What does it mean to have diabetes or high blood sugar?” I thought my body needed sugar to function.” Our bodies are incredible and use many different molecules for energy, including protein and fat, but all of our tissues can readily use glucose, a form of sugar. When our bodies are functioning well, they regulate how much glucose is in our blood at any given time. This regulation is accomplished by the pancreas, which makes insulin.

When blood sugar levels are high, insulin is released by the pancreas. This insulin then acts as a signal to cells that excess sugar is circulating in the blood and needs to be absorbed. The cells respond to the insulin signal and absorb the glucose from the bloodstream, thus bringing the glucose levels back down.

In adults, diabetes usually develops along a spectrum going from “pre-diabetes,” also known as insulin resistance, to full-blown diabetes. In pre-diabetes, your body’s cells stop reacting normally to insulin. At this stage, your cells aren’t listening, and they don’t absorb the excess glucose. This is known as insulin resistance. In this scenario, your blood glucose levels will stay elevated. If you don’t address the pre-diabetes at this point, then full-blown diabetes can develop. After working really hard to make a lot of insulin—which is akin to the pancreas yelling at your cells all of the time—the pancreas can begin to wear out and stop producing enough insulin—kind of like a parent who gets tired and gives up trying to discipline their teenager. Eventually, the pancreas can become completely overwhelmed and may stop making insulin altogether.

Why does diabetes start and how do I prevent it? As mentioned earlier, it can be complicated. Many factors can contribute to the development of diabetes. In 2018, 89% of adults diagnosed with diabetes were overweight and 38% were physically inactive. Please note that being overweight and physical inactivity are related but different risk factors!

Diet is the main driver of weight gain, as well as the main tool in weight loss. When someone is overweight or obese, their body has more volume and more cells, which means that the pancreas has to work harder to make enough insulin to circulate throughout the body. We’re not entirely sure why, but the cells also become more resistant to insulin. Weight loss can reverse the volume problem and exercise (even independent of weight loss) has been shown to help reverse insulin resistance. If you are diagnosed with diabetes, don’t give up. Work with your healthcare professionals to get healthy again. With diligence and determination, you can control and even reverse diabetes.

So how do you catch this silent killer before it’s too late? There are several things you can do. First is to be aware of the disease and know what the symptoms are so that you don’t dismiss them. This includes watching out for your fellow crewmembers and helping them notice these symptoms in themselves, too. Second, discuss your risk of diabetes with your healthcare professional and ask about screening. In the past, getting checked for diabetes involved having blood drawn after fasting, but now, your doctor is most likely to use a test called a hemoglobin A1c usually just called an “A1c.” This test does not require you to fast. It’s more helpful than a fasting blood glucose test because it gives your healthcare professional a better idea of what your average blood sugar has been over the past 3 months. And third, focus on finding off diabetes altogether with healthy lifestyle choices, such as eating a balanced diet, exercising regularly, only drinking alcohol in moderation, and not smoking.

Preventing diabetes is far easier than treating it. As a community, we can support each other in making healthy choices and fighting off this modern disease.
Maine and other New England states with a lobster fishery are developing plans to reduce the risk of entanglement by North Atlantic right whales in lobster gear by 60% as required by the National Marine Fisheries Service (NMFS). The Maine Department of Marine Resources (DMR) submitted a plan for the Maine lobster fishery to NMFS in January. The plan was subsequently presented to all seven lobster zone councils for discussion this past winter.

In addition to minimum traps per trawl and incorporating weak points in endlines, a key component of DMR’s proposal is conservation equivalencies, a provision which would allow the individual lobster management zones to implement measures that achieve conservation outcomes equivalent to the overall plans. This provision enables lobstermen in different zones to operate under different suites of rules, ones that work for their local fishing practices, oceanographic conditions, and safety concerns.

Each lobster zone council formed a sub-committee of lobstermen, some of whom do not serve on the council, to consider conservation equivalency measures that adapt the DMR plan to better fit the needs of their zone. All the sub-committees met with DMR to ensure that their zone’s recommendations were equivalent to the state plan. The sub-committees brought or will bring their recommendations to their respective lobster zone council for discussion and vote in late September and early October.

All seven lobster zone sub-committees put forward a proposal for a conservation equivalency based on changes to trawling up measures and use of weak points (designed to break at 1,700 pounds pressure) in vertical lines fished in federal waters. Variation among the recommendations is due to differences in local fishing practices, oceanographic conditions and safety concerns, noted Sarah Cotnoir, DMR lobster zone council liaison.

"The sub-committees at first were concerned that the plan suggested they put more weight on each trawl while also making the lines weaker," she explained. "But later they looked at the current Maine proposal and options and came around to understanding that weak points weren’t as problematic as they thought."

Weak point connection types are currently being tested by DMR and include several types brought forward by fishermen who visited the testing facility in Boothbay Harbor with DMR staff. Those types include a single or double sheet bend and a lazy splice.

Other options being developed include a manufactured weak point that will be similar to a plastic dog bone but will be designed to go through the hauler better. All variations being tested will use a variety of rope diameters and manufacturers to determine the variability in breaking strength. This work is ongoing and is being supported by several different grant projects funded by NOAA’s Section 6 Species Recovery Grants to States, the Maine Outdoor Heritage Fund, and the Bycatch Reduction Engineering Program.

### Summary of Conservation Equivalency Proposals for Maine Lobster Zones September 2020

<table>
<thead>
<tr>
<th>Distance from shore</th>
<th>STATUS QUO (2014)</th>
<th>DMR Proposal (12/2019)</th>
<th>Zone A</th>
<th>Zone B</th>
<th>Zone C</th>
<th>Zone D</th>
<th>Zone E</th>
<th>Zone F</th>
<th>Zone G</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Trawl Length</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>shore to exemption line</td>
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<td>status quo</td>
<td>status quo</td>
<td>status quo</td>
<td>status quo</td>
<td>status quo</td>
<td>status quo</td>
<td>status quo</td>
<td>status quo</td>
</tr>
<tr>
<td>exemption line to 3 miles</td>
<td>2’s</td>
<td>3’s</td>
<td>3’s</td>
<td>3’s</td>
<td>2’s</td>
<td>3’s</td>
<td>3’s</td>
<td>3’s</td>
<td></td>
</tr>
<tr>
<td>3 to 6 miles</td>
<td>3’s</td>
<td>4’s/8’s</td>
<td>8’s/16’s</td>
<td>5’s/10’s</td>
<td>5’s/10’s</td>
<td>10’s</td>
<td>10’s</td>
<td>10’s</td>
<td>10’s</td>
</tr>
<tr>
<td>6 to 12 miles</td>
<td>5’s (A,B,C) 10’s (D,E,F,G)</td>
<td>8’s/15’s</td>
<td>10’s/20’s</td>
<td>5’s/10’s</td>
<td>10’s/20’s</td>
<td>10’s</td>
<td>10’s</td>
<td>10’s</td>
<td>20’s</td>
</tr>
<tr>
<td>12+ miles</td>
<td>15’s with 20’s (F/G) Nov thru end Feb</td>
<td>25’s</td>
<td>25’s</td>
<td>25’s</td>
<td>20’s</td>
<td>20’s</td>
<td>26’s</td>
<td>30’s</td>
<td></td>
</tr>
</tbody>
</table>

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Weak Points in Buoy Lines

<table>
<thead>
<tr>
<th>Distance from shore</th>
<th>shore to 3 miles</th>
<th>3 to 12 miles</th>
<th>12+ miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>1 point ½ way down</td>
<td>2 points ¼ &amp; ½ way down</td>
<td>1 point 1/3 way down</td>
</tr>
<tr>
<td>N/A</td>
<td>1 point ½ way down</td>
<td>2 points ¼ &amp; ½ way down</td>
<td>2 points ¼ &amp; ½ way down</td>
</tr>
<tr>
<td>N/A</td>
<td>1 point ½ way down</td>
<td>2 points ¼ &amp; ½ way down</td>
<td>2 points ¼ &amp; ½ way down</td>
</tr>
<tr>
<td>N/A</td>
<td>1 point ½ way down</td>
<td>2 points ¼ &amp; ½ way down</td>
<td>2 points ¼ &amp; ½ way down</td>
</tr>
<tr>
<td>N/A</td>
<td>1 point 1/3 way down</td>
<td>1 point 1/3 way down</td>
<td>1 point 1/3 way down</td>
</tr>
</tbody>
</table>

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*LOBSTER ZONE COUNCILS’ SUB-COMMITTEES RECOMMEND CONSERVATION EQUIVALENCIES, PART OF WHALE PLAN*

By Melissa Waterman

"Potential weak point connection types being tested:

*weak points in vertical lines fished in federal waters.*"
MAJOR CHANGE IN ATLANTIC STATES MARINE FISHERIES COMMISSION MENHADEN MANAGEMENT

By Melissa Waterman

In August, the Atlantic States Marine Fisheries Commission (ASMFC) adopted Ecological Reference Points (ERPs) for the management of Atlantic menhaden. ERPs consider the role played by a fish species within the larger ecosystem, e.g. what importance it has as a predator or prey. The 2021-2022 quota for menhaden, which will be set by the ASMFC this month, will be based on ERPs. “Managers are looking at a wide range of options ranging from no reduction through fairly sizable [>40%],” Matthew Cieri, a Department of Marine Resources biologist, explained in an email.

Management decisions for menhaden now will be based on how it interacts with other species, in particular striped bass because it is sensitive to menhaden fluctuations. The striped bass population remains low and is considered overfished. The ASMFC’s recent vote was a major shift from “single species management” of fish stocks, which weighs such factors as mortality and reproduction rates, fishing pressure and other variables, to “multi-species management,” which considers the balance between a sustainable ecosystem and commercial and recreational fisheries.

A recent study by Steve Cadrin of the University of Massachusetts Dartmouth published by the Science Center for Marine Fisheries found that the vast majority of menhaden remain in the water at current fishing levels.

The study found that over the ten-year period of 2008 to 2017, the fishery “harvested an average of less than one percent of the total menhaden population, with the remaining percent of the menhaden stock left in the ocean serving as food for predators and other species.” Another important measurement, fecundity, has reached a near-record high, and is well above the threshold level set by the ASMFC,” Cadrin wrote.

The 2020 quota for Atlantic menhaden was 216,000 metric tons. The majority of landings goes to the reduction fishery, in which menhaden are used to produce fish meal and oil. Approximately 30% of landings serve as an essential bait supply for several Atlantic coast fisheries, including lobster.

At the ASMFC’s meeting in October, the Commissioners will use ERPs for menhaden to set the Total Allowable Catch, as well as move forward on new measures to rebuild the Atlantic coast’s striped bass stocks. Maine’s 2020 menhaden quota allocation was 2.4 million pounds (1.088.6 metric tons). Maine fishermen were allowed to catch an additional 4.7 million pounds (2.131.8 metric tons) through the Episodic Event Set Aside program. Before the fishery transitioned to the small-scale menhaden fishery which limits harvester vessels to landing 6,000 pounds per day.

USDA trade relief —You may have already read about relief for Maine fishermen coming from the U.S. Department of Agriculture. This program is intended to compensate fishermen for losses resulting from China’s retaliatory tariffs.

We’ve been working with USDA’s Farm Service Agency in Maine to help fishermen navigate the application process. This relief fund will provide Maine fishermen who have a valid 2020 license and had 2019 landings 50 cents for every pound harvested in 2019. This is good news for an industry that has suffered under the weight of more than its fair share of challenges.

Communications from DMR

In September I sent an email out to the industry regarding communications. It is clear that COVID has created challenges on this front. Webinars don’t allow you to know how to find us, and I would encourage you to reach out.

I have directed staff to pull together monthly communications that will be sent out via email to help keep information flowing. If ever you have issues, you know how to find us, and I would encourage you to reach out.

Like I said, 2020 is one for the books. But in the face of unprecedented global market loss, you’ve worked hard to change how you do business. And you’ve continued to lean into the challenge of more regulations and worked with DMR on ways to protect whales and preserve the future of this industry.

Despite the uncertainty of the past 10 months and based on what I have observed from this industry, it looks as though there is a light at the end of the tunnel.

Here’s to 2021!

Keliher continued from page 3

...
SEA GRANT AMERICAN LOBSTER INITIATIVE RECEIVES SECOND YEAR OF FUNDING

The Maine Sea Grant Program in conjunction with University of Maine scientists announced in September that the second year of the Sea Grant American Lobster Initiative (ALI) received $2 million in federal funding. This is the second year in a row that $2 million was awarded to the ALI; the 2020 funds will be split up among smaller projects. All the research will focus on how lobster is adapting to a changing climate in the Gulf of Maine and in other New England waters. In addition to four Maine organizations that will receive support, the Atlantic Offshore Lobstermen’s Association will receive $326,556 to invest in lobster monitoring efforts to better understand their early lifecycle.

FEDS DENY APPLICATION FOR PORTLAND DREDGING MONEY

The federal Department of Transportation in September turned down an application from the city of Portland for funds to help pay for dredging around the city’s piers and wharves. The cost of dredging the harbor and disposing of the waste will run about $30 million. The state, cities of Portland and South Portland, and wharf owners would all contribute, but most of the money would come from the federal government. As much as 25% of the space around piers has been lost because of the silt buildup. The city, fishermen and wharf owners have been trying to get funding for dredging for about 30 years. This year’s application was made under a public works grant program from which Maine received about $50 million, mostly for bridge repairs.

ORPC SIGNS AGREEMENT WITH EASTPORT

Ocean Renewable Power Company recently signed a memorandum of understanding with the city of Eastport on a five-year plan to develop a $10-million microgrid primarily powered by tidal generation. The project is an opportunity for ORPC to expand its reach as the company develops a market for ocean- and river-based generation in an industry largely dominated by solar and wind. ORPC first demonstrated its tidal power device in Eastport from 2012 to 2013, at which point the device was removed from the water due to a manufacturing defect. The company has spent the years since improving its designs. Current systems use turbines positioned parallel to the ocean floor and perpendicular to the current, submerged at depths that allow boats to pass above, to generate electricity.

UNDERWATER GLIDERS LISTEN FOR RIGHT WHALES

Kim Davies, a professor at the University of New Brunswick at Saint John, helped develop an underwater acoustic glider that can monitor for whales, including the endangered North American right whale. It detected two right whales in the Laurentian Channel shortly after being launched earlier this summer. The unmanned gliders move back and forth through the water by changing buoyancy. The glider has a hydrophone sensor attached, which records the sounds of the ocean. A software system then processes the acoustic data and picks out the different whale calls. Two gliders spent the summer in the southern area of the Gulf of St. Lawrence and in the shipping lanes of the Laurentian Channel, which the whales are known to pass through.

DMR ALSO LISTENS FOR RIGHT WHALES

In collaboration with NOAA Fisheries, Maine Department of Marine Resources deployed acoustic devices to listen for right whales at eight locations inside of state waters along the Maine coast. The sites chosen are the same as those sampled by the DMR in 2010 to enable researchers to compare the data for differences over time. The fixed archival-acoustic recorders continuously detect and record sounds for three months. Then they are retrieved, the batteries refreshed, and the recorded data downloaded before they are redeployed at the same location. This cycle will be repeated four times to obtain a full 12 months of data, which will be analyzed to identify captured sounds, including any calls made by North Atlantic right whales.

“We are excited to partner on this project to begin to understand how right whales might use nearshore waters in Maine,” said Erin Summers, lead of the Division of Biological Monitoring and Assessment at DMR. “It is a data gap that has implications for Maine’s fixed-gear fisheries that operate close to shore.”

Map showing locations of eight passive acoustic monitors along the Maine coast. NOAA image.
FRIENDSHIP TRAP OWNER PASSES AWAY

From PenBayPilot obituary

Christopher Scott Anderson, 58, of Washington, Maine, passed away unexpectedly on September 2. He was born on January 22, 1962 in Dayton, Ohio. Chris spent his childhood in many different parts of the U.S. He lived as a teenager in Grapevine, Texas, where he taught himself to play the guitar and became active in his church. There Chris began writing and singing his own music and teaching guitar. He graduated from Grapevine High School and later from Texas A & M with a B.A. in industrial engineering.

Chris worked for several large corporations during his career, including IBM, Dell, Best Buy, and Avery Dennison. In 2011, he purchased Friendship Trap Company from founder Pike Bartlett. The purchase allowed his family to move permanently to Maine, where they had often vacationed. At Friendship Trap he continued the company’s commitment to customers, innovation, service and quality.

Chris wrote on the Friendship Trap web site, "When I was investigating this company and deciding whether to purchase it, it became clear to me that Friendship Trap has a well-deserved reputation for making traps that are built the best, built to last, and built your way — at least that’s how I characterized it based on what I was learning. I really like the basic commitment to customers that this philosophy demonstrates, and it is the kind of company I wanted to be associated with. So when I bought the company several years ago, we adopted that as a motto — Built the Best, Built to Last, Built Your Way. It’s what we stand for and guides the decisions we make every day."

Chris was chairman of and a delegate for the Republican Committee in Washington. Family and friends knew him as a loyal, devoted, faithful, committed Christian, and a passionate man who thoroughly enjoyed creating, whether it was songs, worship, food or new manufacturing processes.

BIG BOATS NAVIGATE THE MAINE COAST THIS SUMMER

By Melissa Waterman

The Riviera, an 800-foot cruise ship, may have spent the summer tied up to Eastport’s breakwater as a result of the federal government’s no-sail order earlier this year, but other, private vessels, not quite as large, have been plying Maine’s coastline this summer. And that has posed a few problems for the state’s lobstermen.

“Yes, there’s been an increase in larger yachts this summer,” said Rockland harbormaster Matt Ripley. While the city was not visited by the giant Carnival Cruise Lines vessels of past summers, “Yes, there’s been an increase in larger yachts this summer, anchoring in Camden briefly. The 180-foot yacht Silver Shalis, owned by New York City developer Larry Silverstein, also spent time in Rockland Harbor in August. Ripley noted that some of the largest boats — those greater than 253 feet in length — require a pilot when entering a harbor. The Penobscot Bay and River Pilots Association reported that its members piloted five private yachts this summer, more than in any other year.

Rockland has two federal anchorages, one to the south and another just inside its mile-long breakwater. There have been very few problems from the vessels encountering local lobstering gear, explained Ripley, primarily because the large yachts drop anchor in one of the two anchorages. “From a navigational standpoint, they know where they are,” he said. That hasn’t been the case in Kennebunkport, where lobsterman Laurin Brooks has lost several traps this summer. “There is no dedicated anchorage and thus does not show up on charts. It is identified on the town’s water management chart but no one else recognizes anchorage and thus does not show up on charts. It is identified on the town’s water management chart.

“Where they want to anchor is soft bottom,” Brooks continued. “A lot of us fish there in the summer.” He pointed out that most captains, when contacted by local lobstermen, are willing to move outside of the fishing area. “They work with us,” Brooks said. “But they need a place where no one fishes.”

Raelene Pert, Stonington harbormaster, has had few if any problems with large private yachts. “We don’t have a lot of deep water here,” she explained. Out in Eggemoggin Reach things aren’t so calm. Giant vessels, such as Magic or Magic, have found anchorage there. “[The big boats] kick the living shit out of traps,” said lobsterman Christopher Pert, her husband. The only change this summer for harbormaster Pert has been the demand for moorings. “Before, I would get maybe 20 or 30 calls for moorings. This summer it’s been 30 to 70 calls and they will call me at 9 o’clock at night!”

NEW GEAR MARKING RULES IN EFFECT SEPTEMBER 1

TRAP GEAR FISHED WITHIN WATERS INSIDE THE EXEMPTION LINE:

- THREE PURPLE MARKS- 36” purple mark within top two fathoms, 12” purple mark midway, 12” purple mark at bottom of the buoy line. (No green marks allowed inside the exemption line).
- OPTIONAL FOR BUOY LINES LESS THAN 100 FT: TWO PURPLE MARKS- 36” purple mark within top two fathoms and 12” purple mark at bottom of the buoy line. (No green marks allowed inside the exemption line).

TRAP GEAR FISHED WITHIN WATERS OF THE SILVER AREA (between exemption line and 3nm line) and WITHIN FEDERAL WATERS OUTSIDE THE 3nm LINE:

- FOUR PURPLE MARKS and ONE GREEN MARK- 36” purple mark and 6” green mark within top two fathoms, 12” purple mark at top of buoy line, 12” purple mark midway, 12” purple mark at bottom of the buoy line.
- OPTIONAL FOR BUOY LINES LESS THAN 100 FT: TWO PURPLE MARKS and ONE GREEN MARK- 36” purple mark and 6” green mark within top two fathoms, and 12” purple mark at bottom of the buoy line.

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This summer many people and businesses contributed to the Maine Lobstermen’s Association’s Legal Defense Fund through multiple T-shirt sales, ingenious challenges and successful auctions. But perhaps no one has made raising funds for the MLA’s legal efforts more personal than Jay Perrotta.

Jay is a salesman for Mack Boring and Parts Company [note: Mack Boring is a business sponsor of Landings]. His job takes him throughout the coast of Maine where he is especially well known at the lobster boat races. Jay took up the fundraising torch for the Legal Defense Fund in his own unique way.

By June, three months into the COVID-19 lockdown, Jay’s hair has grown long, as long as it was way back in 1982. As a hockey player, Jay was fond of the hair-style known as a “mullet.” So he set up a GoFundMe page in which he presented a challenge: If he could raise $500, he would get a “mullet” haircut and keep it for three months, despite the objections of his wife and daughters.

The many responses quickly led Jay to up his ante. After reaching $500, he pledged to dye his hair Scania orange, a particularly brilliant hue found on many boat engines, if the donations reached $1000. The photos tell the story.