LABOR SHORTAGES PLAGUE CANADIAN SEAFOOD PROCESSORS

By Melissa Waterman

In June, 2014, the Canadian government made major changes to its Temporary Foreign Workers program. These changes have caused outrage within the seafood processing industry, which in recent years has come to rely on foreign workers for seasonally-based work. Many of those workers are from the Caribbean, the Philippines and even China.

“We want to employ Canadians. That’s what we do. The issue is that there are not enough people in these rural areas to fill the jobs that are required,” said Dennis King, director of the P.E.I. Seafood Processors Association.

The Canadian Temporary Foreign Worker Program began in 1963 in an effort to help businesses that couldn’t find the specialized talent needed in Canada. In 2002, the Liberal Party, which was in power at the time, passed legislation that allowed employers in a few sectors to recruit low-skilled workers abroad. When the Conservative Party was elected in 2006, it expanded the program, allowing thousands of low-skilled workers to enter the country on a temporary basis. Many of those people came to work in Canada’s hospitality, food-service, long-haul trucking, and seafood sectors. In 2013, the program was amended to permit employers to pay foreign workers 15% less than the local median wage, which led to more foreign workers entering the country to work.

In the same year, the Canadian Broadcasting Corporation ran a story that showed some companies turning away Canadian job applicants in order to

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RARE COLD WATER CORALS FLOURISH IN THE GULF

By Melissa Waterman

When you hear the word “coral” you typically think of shallow, clear turquoise water and colorful reefs populated by bright tropical fish. In the Gulf of Maine, however, lie spectacular cold water coral formations that are just now being mapped and explored. Cold water coral communities are unusual because they

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IN THE NEWS
While September brings with it the return to school, cool nights and colorful maple leaves, it is also the height of the fishing season for Maine's lobstermen. New shell lobsters are being landed by the thousands, and quickly shipped to processors and markets here, in Canada and around the world. It means long hours on the water and even longer hours on the dock as the lobsters just keep coming on.

We take a look this month at what’s happening in lobster marketing from the point of view of two leaders in the industry: Geoff Irvine, executive director of the Lobster Council of Canada and Matt Jacobson, executive director of the Maine Lobster Marketing Collaborative. Although regulations and seasons differ greatly in Canada and the United States, the aims of both organizations are similar: to ensure that high quality lobsters are delivered to customers throughout the world.

One challenging issue that is common to the Maritime Provinces and Maine is the difficulty of finding enough workers to handle the ever-increasing lobster landings. As was noted in the July issue of Landings, Maine companies are going to great lengths to hire workers to fill their needs.

In this issue, we look at what’s happening in Canada, where changes to the federal Temporary Foreign Workers program has complicated the problems provincial seafood processors face getting enough workers in the plants.

Landings also continues its series on Maine’s development of a fisheries management plan for lobster. Earlier we discussed the shift in regulatory authority over lobster from the New England Fisheries Management Council to the Atlantic States Marine Fisheries Commission. In this issue Landings explores what a lobster fishery management plan specific to the state of Maine might entail.

Many species other than lobster call the Gulf of Maine home. Many people, however, don’t know that the cold waters of the Gulf contain remarkable formations of coral tucked away in deep basins. These cold water corals grow extremely slowly and form important habitats used by various fish species as shelter. Unfortunately, certain fishing practices cause serious damage to these fragile formations. Landings offers an overview of a research cruise this summer that uncovered new and spectacular coral areas.

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Many species other than lobster call the Gulf of Maine home. Many people, however, don’t know that the cold waters of the Gulf contain remarkable formations of coral tucked away in deep basins. These cold water corals grow extremely slowly and form important habitats used by various fish species as shelter. Fortunately, the Center for Coastal Studies in Provincetown, Massachusetts, has a trained disentanglement team ready to free those whales. It’s not easy work, but as Scott Landry writes in this issue, the team has had some successful results this year.

Figuring out one’s health insurance is often complicated for those who may never have had coverage before. This month Landings provides definitions of certain terms that are part of health insurance plans to help minimize confusion. We also hear from Ann Backus, director of the Outreach Program at the Harvard School of Public Health, about ways that lobstermen who are at the height of their season can reduce stress.

DMR’s Kathleen Reardon knows a little about stress. The newly appointed lead lobster biologist for the Department of Marine Resources had seen her job description grow by leaps and bounds since she first started working for the department ten years ago. Reardon takes on the job formerly held by Carl Wilson, who became DMR’s Science Bureau director earlier this year. Landings talks with Reardon about her career and her plans for the future.

And last but certainly not least, we reprint here the proclamation of the U.S. Senate made in July that officially made September 25 National Lobster Day. Senators Angus King and Susan Collins offered the proclamation to their colleagues, noting among other things that “lobster likely joined turkey on the table at the very first Thanksgiving Day feast in 1621” and that “responsible lobstering practices, beginning in the 1600s, have created one of the world’s most sustainable fisheries.” So on September 25, find yourself some of Maine’s new shell lobsters and settle down to a feast!

I hope you enjoy this issue, and as always, we welcome your thoughts and feedback.

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MLCA fosters thriving coastal communities and preserves Maine’s lobstering heritage

The MLCA invites you to support Maine’s lobster industry. Donations of $25 or more include a subscription to Landings.

☐ Donation $ Please note amount. Check or credit card accepted.

MLCA is a 501 (c) 3 non-profit charitable organization.
By Matt Jacobson

In May of 2013, Abercrombie & Fitch CEO Mike Jeffries had a bad day. He agreed to be interviewed for a story on Salon.com, a popular news web site—a story to explain A&F’s success.

Could anything like this happen to us in the Lobster industry? Absolutely. Every time we talk about our product we have an opportunity to enhance our brand and influence our target market—or to hurt ourselves.

We need to approach our conversations from the customer’s point of view. When telling the story of Maine Lobster, it’s critical to use words that are benefit-oriented for the customer. The story you tell is not about you—it’s about them!

Customers think of Maine much the same as we do—beautiful, unspoiled, cool clear water. And they love Maine Lobster. We need to be careful to cultivate that image with every opportunity.

As you know, the MLMC has launched a marketing campaign around “Maine New Shell Lobster.” We deliberately chose “New Shell” to describe the bulk of the Maine lobster catch. We recognize that traditionally our prices go down when our supply of “New Shells” is highest during summer and early fall. If we can spark demand for our product during those months, the whole industry will benefit.

We know that chefs and their customers are interested in seasonal and locally sourced foods. We also recognize that most people do not understand there is any difference between “New Shell” and “Hard Shell,” even in the chef community. The good news: chefs love our product and the seasonality component is beginning to catch on. We are seeing an amazing amount of coverage in our target food publications. Some of the best restaurants and most influential chefs in New York City are putting Maine New Shell Lobster on their menus! Our strategy is working!

All of this success can be undone if we are not careful about the words we choose to describe our product. Why are we so sensitive about word choice? Words spark emotion and move our potential customers into a different mindset—one in which they will listen, try and prefer Maine lobster to any other alternative.

According to Brands in Glass Houses — How Transparent Storytelling Helps Brands Compete and Win by co-authors Debbie Williams and Dechay Watts, a great example of this kind of transformation is a 2011 video that went viral called “The Power of Words.” It shows a blind, homeless man sitting on a city street collecting change. Initially he held up a sign that simply said, “I’m blind, please help.” The video shows most people just glancing and walking by. The turning point comes when a woman stopped and rewrote his sign to say, “It’s a beautiful day and I can’t see it.” (https://www.youtube.com/watch?v=Hzgzim5NnoU)

Why do these new words become impossible to ignore? They build an emotional connection between the experience of one person and another. They make the passersby relate in an entirely different way to what and whom they see. This short film illustrates how the power of words can dramatically change your message and effect upon people.

Now think about how you refer to our product, Maine lobster, in your conversations—especially with tourists or reporters. Every one of us has a responsibility and opportunity to connect our product emotionally to our customers.

Continued on page 17
By Geoff Irvine

There is nothing like a touch of prosperity to block out memories of tougher times and cause most people to sit back and think that the worst is over. This is a common human trait and where we find ourselves in the Canadian lobster sector going into the fall of 2015. The combination of a weak Canadian dollar (a blessing and a curse, depending upon one’s role), strong international market development for our lobster products and a levelling out of landings has caused many in the industry to think that all is well and we can go back to our old ways. If we want to continue to build a strong, sustainable and vibrant lobster sector, now is the time, with a few extra dollars in our pocket, to invest in the future.

As I thought about the fact that action only seems to happen in a crisis, I reflected on the structural reviews and analysis of the lobster industry which the Council has undertaken since its inception in 2010. In particular I reviewed the status of the Maritime Lobster Panel (MLP) recommendations, part of the report released in late 2013 following the MLP contained 33 recommendations. It stated that the lobster industry needed to make wholesale changes. The authors (respectively industry participants Gilles Theriault, Lewie Creed and John Hanlon) suggested that there were three broad areas for reform: industry relationships, operations and structure.

In the area of relationships, we have seen strong progress with both harvesters and the shore-side sector becoming more organized and professional. In the shore-side sector we have seen the emergence of the New Brunswick/Nova Scotia Lobster Processors Association, the renewal and strengthening of the Prince Edward Island Seafood Processors Association and the Nova Scotia Fishpackers Association. An organized live shipping and processing sector is vital for sharing information, working on new ways to set shore prices and approaching the market in a cohesive manner.

On the harvesting side we have seen the development of the Canadian Independent Fish Harvesters Federation as an umbrella group. Importantly, one more lobster fishing zone in Nova Scotia voted for mandatory dues (Zone 2 – Atlantic Cape Breton) under the Fish Harvester Organization Support Act (FHOSA). FHOSA is the enabling legislation that allows harvesters to vote to have the province collect mandatory dues from all core fishermen in their zone to fund harvester associations. There is still much work to do in Nova Scotia to encourage harvesters to support FHOSA in the south and southwestern counties.

The Maritime Seafood Coalition brought harvester and shore-side groups together to advocate for changes at the federal level to help deal with the chronic labor shortage facing the lobster processing sector. These organizations all came together around the table of the Lobster Council of Canada to work together to build a more proactive and organized lobster sector.

In the area of operations we have seen action on adjusting seasons, harvesters working with buyers to smooth out supply and improve quality handling and handling the province of Nova Scotia and two Lobster Fishing Areas in that province are working together on a value chain pilot project to improve lobster handling practices. The New Brunswick provincial government has supported purchasing new on-deck insulated tubs for lobster in its own efforts to improve quality. The Lobster Council of Canada has completed a project that recommends three quality grades to be used between the harvester and shore dealer. This would foster a quality-based shore pricing system and ensure that the right product goes to the right market every time.

In the area of industry structure, progress has been slower but advances have been made. The report calls for a Value Recovery Strategy focused on more market information, a new shore pricing structure, a comprehensive marketing strategy and an industry levy to pay for it all. Industry stakeholders in both New Brunswick and Prince Edward Island are very close to securing a mechanism to collect an industry levy to fund marketing and other priorities. In Nova Scotia, where organization among

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Accutech Marine Propeller, Inc. (Doer, NH) – 10% off propeller repair Discounts vary by manufacturer for new propellers, shafting and other hardware.


Back River Financial Group (Farmingdale, ME) – Free initial consultation and review of previous tax returns.

Downeast Bait, LLC (Seabrook, NH) – $5 discount per drum on multiple drum purchases (must show current MLA card).

Coastal Hydraulics (Seabrook, NH) – 10% discount on all in stock items for MLA members.

Commercial Fisheries News (Deer Isle, ME) – Discounted annual subscription rate for $18.75 with MLA membership noted on check.

Craig’s All Natural (Durham, NH) – 10% discount on all Victo- nius Cutlery.

Friendship Trap Company (Friendship, ME) – 5% off list price on traps purchased at the Friendship store.

Hamilton Marine (Searsport, Rockland, Portland, Southwest Harbor, Jonesport, ME) – Discounts available to commercial fishermen.

Hews Company, LLC (South Portland, ME) – 10% off all hydraulic components and Cable Craft cables in 2015.

Law Office of J. Scott Logan, LLC (Portland, ME) – 10% discount on for- closure defense and bankruptcy legal fees.

Maine Camp Outfitters (Sunset Mills, ME) – 10% off all apparel and pro-motional product orders.

Maine Lobstermen’s Association (Kennebunk, ME) – 10% off MLA merchandise.

Maine Maritime Museum (Bath, ME) – 10% off admission to MLA mem- bers.

McMillan Offshore Survival Training (Belfast, ME) – 10% discount on USCG Drill Conductor training.

Midcoast Marine Electronics (Rockland, ME) – 10% off list price on all marine electronic products.

Mount Desert Oceanarium (Bar Harbor, ME) – Free admission to com- mercial fishermen and their families.

National Fisherman (North Hollywood, CA) – Special annual subscription rate.

North Atlantic Power Products (Exeter, NH) – 10% off marine gears, controls, accessories, and parts.

Penobscot Marine Museum (Searsport, ME) – Free admission for MLA members.

Richard Stanley Custom Boats (Bass Harbor, ME) – $1,800 off final price of hull with MLA membership.

Sea Rose Trap Co. (Scarborough, ME) – 5% off trap list price when you show your MLA card.

Smithwick & Mariners Insurance (Falmouth, ME) – Discounted vessel insurance plus 5% discount with proof of G approved Drill Conductor course within the last 5 years.

SW Boatworks (Lamonie, ME) – $1000 discount for hull or top

Weatheryme Seafood (Kittery, ME) – 10% off mail order purchases, just mention you are an MLA member. 1-800-914-1774.

Winter Harbor Fishermen’s Coop (Winter Harbor, ME) – 10% off picked lobster meat.

Continued on page 5
What’s up with Atlantic herring these days? One might wonder since reports often vary and wide-ranging opinions are readily available. The most recent news from fishery managers may help sort out fact from fiction.

As reported at the New England Fishery Management Council’s (NEFMC) June meeting, the April 2015 herring stock assessment update indicates the resource remains above its biomass target (i.e., rebuilt) and below the overfishing threshold (i.e., no overfishing). Even with some past fluctuations in allowed catch levels, this has been the case since the current management program was adopted by the Council in 1999.

The Council’s Scientific and Statistical Committee (SSC) recommendations for the overfishing and acceptable biological catch levels (in metric tons) for 2016-2018 reflected this news and accordingly were approved by the Council for the next three years.

<table>
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<tr>
<th>Year</th>
<th>Overfishing Limit (OFL)</th>
<th>Acceptable Biological Catch (ABC)</th>
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<tr>
<td>2016</td>
<td>138,000 mt</td>
<td>111,000 mt</td>
</tr>
<tr>
<td>2017</td>
<td>117,000 mt</td>
<td>111,000 mt</td>
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Using a constant catch strategy, the ABC specification of 111,000 mt each year for 2016-2018 represents a slight reduction from the 2015 ABC specification of 114,000 mt. Despite the lower ABC, this approach was advocated by both the Council and industry to promote long-term stability in the fishery and because little has changed with respect to the science on which the assessment was based and the overall condition of the stock.

The Council will vote on the rest of the 2016-2018 herring fishery specifications, including the allocation of sub-components of the catch for each management area, as well as gear/area-based river herring and shad catch caps, at its September meeting in Plymouth, Massachusetts.

Some of the best news that came out of the June Council meeting and was reflected in the news and accordingly were approved by the Council for the next three years.

The Council also approved more details about the next major Atlantic herring management action once work on this year’s specifications are completed. Amendment 8 will establish a long-term ABC control rule. The control rule will provide specific guidance on how to set annual catch levels for Atlantic herring and, importantly, will include consideration of herring’s role as a forage species in the ecosystem.

A new ABC control rule may allow managers to more systematically account for different uses of the resource overall. Not only will Atlantic herring as a forage species be highlighted, but other Amendment 8 goals include examining the issues of localized depletion of herring at certain times and in certain areas and of stabilizing fishery landings at a level that will achieve optimum yield, as defined in the Magnuson-Stevens Act.

Amendment 8 is a very broad management action with a number of elements that will likely take considerable time to develop. Taken as a whole, developing the Amendment will involve the exploration of new ideas, different collaborations, and an open exchange of ideas and views among a range of stakeholders. Stay tuned as the Amendment develops. Check the Council’s web site at www.nefmc.org and look for the Atlantic Herring Fishery Management Plan page.

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The Lobster Council of Canada publishes a regular newsletter focused on research and market intelligence with an eye to providing a more robust service to the sector when funding is available. The recommendation for an improved shore price system remains daunting; it is something that we will return to in an effort to make the system more transparent. The LCC has prepared a marketing and promotion strategy that is ready to go when funding can be secured.

In summary, I would suggest that the majority of the recommendations of the Maritime Lobster Panel have been implemented in part or in full and they re-

Vital that we do not let the perception of good times today take our focus from what we must for the long-term sustainability of the lobster sector in Canada.

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The Atlantic States Marine Fisheries Commission released its 2015 American Lobster Stock Assessment Report in August. The news continues to be excellent for Maine lobstermen. The assessment concludes that both lobster abundance and recruitment are at record highs for the Gulf of Maine (GOM) and Georges Bank (GBK) stocks; the resource is not depleted and overfishing is not occurring. An independent Peer Review panel agreed with these findings. Fortunately for Maine’s lobster industry, our many years of strong stewardship practices coupled with some help from Mother Nature have provided a strong positive outlook for the future.

In sharp contrast, the stock assessment finds that the Southern New England (SNE) stock is at record low abundance and recruitment is near zero; the stock is depleted, but overfishing is not occurring. Southern New England represents the southern extent of the geographic range of lobsters in coastal waters. The independent peer review panel partially agreed with the findings, although it noted the conclusion that overfishing is not occurring to be “an extremely misleading result.”

So, why the large disparity between two adjacent lobster stocks? The assessment points to water temperature as the key factor in the strong health of the GOM stock and the depleted condition of the SNE stock. Temperature is the primary driving force in the life history of lobster, influencing its metabolism, spawning, development, and growth. The optimum temperature range for lobster is from 12°C (53.6°F) to 18°C (64.4°F). Analysis of a longstanding temperature time series from both Massachusetts and Maine shows that the number of days each year within the optimal temperature range declined in southern Massachusetts and increased in Maine. Prolonged exposure to temperature range decline in southern Massachusetts and increased in Maine. Prolonged exposure to temperatures in excess of 20°C (68°F) increases physiological stress, decreases immunity to common bacteria and viruses, increases rates of disease, and decreases survival rate of lobster larvae. Since lobster is highly influenced by temperature, climate change is expected to continue to significantly impact the biology and distribution of lobster.

A key change in this assessment is the recommendation that the Gulf of Maine and Georges Bank lobster stock units be combined. Data analysis shows a significant seasonal migration of large female lobsters, with the GOM serving as a source of large females for GBK. This has likely always been the case, but it has now become more evident with the increase in lobster abundance. The assessment states that these females are highly fecund, have highly viable eggs, and likely represent a very important component of the spawning stock for the GOM and GBK.

The assessment identifies a few issues worthy of further consideration.

- While the lobster assessment model has done a good job tracking the dramatic overall increases in stock abundance, the results do not reflect more localized abundance trends.
- Exploitation rates have remained remarkably stable while the stock abundance increased beginning in the late 1980s and more dramatically since 2005.
- Lobster settlement indices have shown a downward trend, with relatively low levels of settlement through- out the GOM during this time period (2008-2013). This recent pattern of low settlement indicates a potential for decline in recruitment to the fishery in future years.
- The federal travel survey has seen a dramatic increase in lobster indicating more lobster in offshore areas compared to earlier survey periods.
- The increase in abundance of large female lobsters on Georges Bank appears to be the result of management measures put into place in the GOM in the late 1990s. Steps should be taken to ensure that these large females continue to be protected.

A tremendous amount of effort went into preparing the new stock assessment and peer review. It includes a thorough analysis of all of the data sets available for the lobster resource and incorporates several standard modelling approaches, as well as an evaluation of observed stock indicators (mortality, abundance, and fishery performance) to provide information about the overall health of each stock independent of assessment models.

If the stock assessment is any indication, 2015 is shaping up to be another great year for Maine’s lobster industry.
The Standardized Bycatch Reporting Methodology (SBRM) Omnibus Amendment to all federal fisheries management plans was implemented in February, 2008. A revised SBRM Omnibus Amendment was implemented in July, 2013.

Federal observers have been placed on lobster vessels since 1991 to support SBRM sampling requirements and coverage rates have been increasing since 2012. We conduct only one survey per year on an ongoing basis. We regularly attend the Maine Fishermen’s Forum and have staffed a booth on the observer program for the past nine years. We have also had face-to-face meetings with lobstermen on the docks. This year, under the revised SBRM requirements we have increased our sampling efforts well above those in previous years. We are communicating these changes with industry and state biologists through our outreach activities and are proposing a workshop to discuss improved coordination of federal and state sea sampling programs.

I am concerned about your report that observers are poorly trained in handling lobsters. We take your comments on lobster handling seriously and are working to eliminate problems through additional training and oversight. Our training curriculum includes lobster handling, and we would appreciate industry feedback on how this can be improved. We conduct interviews with captains post-trip on at least 10% of the trips. In addition, observers offer a Fishermen’s Comment Card at the conclusion of the trip. We have also heard back from several captains directly, which has been productive and positive. NEFOP observers must successfully pass an advanced training class to be “lobster-certified.” Only high-performing NEFOP observers are eligible for this training.

NEFOP observers do characterize catch by disposition (kept or discarded), and the reason for discard. Although observers may include comments on the condition of finfish when they are released (for example, if the fish swam away), there currently are no standard protocols to determine and record viability of discarded fish by observers; neither NEFOP nor at-sea monitoring (ASM) observer data are used to estimate discard mortality rates in fish stock assessments. Instead, the proportion of fish that die as a result of capture and release are derived from research projects, species-specific studies, or expert opinion.

Your letter urges NOAA Fisheries and NEFOP to exercise any discretion it may have to alter its priorities to make more funds available to the groundfish At-Sea Monitoring program, and it correctly acknowledges that NEFOP and ASM are two distinct programs with separate funding sources. The SBRM Omnibus Amendment, which would indeed be redundant and would not be cost-effective. While some vessels could be asked to take a state or a federal observer, the programs have different objectives, and cover different portions of the fishery. Consequently, each program will likely benefit from targeted, limited, and concise results. We are proposing a regional workshop to evaluate the potential to develop an integrated regional program that meets both state and federal scientific and management objectives and needs.

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NMFS finalizes Marine Mammal Stock Assessments and Responds to MLA Comments

Comment 8: The Maine Lobstermen Association (MLA) recommended that the "Population Size" section of the North Atlantic right whale SAR (Stock Assessment Report) should have a more in-depth discussion of recent changes in right whale distribution over the last five years, during which time fewer are being seen in their known historic habitats. The comment stated that since the minimum population estimate (NMIN) for right whales is based only on NMFS closely monitors mean group-wise capture probabilities using a mark recapture (MRB) statistical model. At the point in time that population estimation via MRB offers a more robust estimate of NMIN than does Minimum Number Alive, that new estimate can then be vetted and used in the SAR.

Comment 9: The MLA recommended that the minimum population estimate for the North Atlantic right whale should be revised to 510 whales, based on the best available science from the North Atlantic Right Whale Consortium 2014 Annual Report Card.

Response: The MMPA requires that NMFS report a minimum abundance estimate that provides reasonable assurance that the stock is equal to or greater than the estimate. The estimates provided by the North Atlantic Right Whale Consortium do not meet that standard in that they count whales that are likely to be dead (what the Consortium calls "presumed alive"—those whales not treated as dead for one to five consecutive years). Including those whales in an NMIN for the SAR would increase the likelihood that the estimate is biased high, which fails to meet the mandate of MMPA. Note also that the North Atlantic Right Whale Consortium’s 2014 Annual Report Card includes the statement that their number "should not be considered a population estimate."

Comment 10: The MLA recommended that the "Current Population Trend" section of the SAR for the North Atlantic right whale should be revised to reflect that the population has been increasing over the past decade.

Response: The SAR provides a graph that depicts the population increase over a 12-year period and it includes in the text an estimate of growth during that time frame. The current wording in the "Current Population Trend" section is "Examination of the minimum number alive population index calculated from the individual sightings database, as it existed on 25 October, 2013, for the years 1990-2011 (Figure 1) suggests a positive and slowly accelerating trend in population size. These data reveal a significant increase in the number of catalogued whales with a geometric mean growth rate for the period of 2.8 percent." This text reflects that the population has been increasing over the past decade.

Comment 11: The MLA recommended that the "Current and Maximum Net Productivity Rates" section of the North Atlantic right whale SAR be revised to include a more recent analysis of the pool of reproductive females, mean calving intervals, and age structure of the population.

Response: NMFS agrees that providing a demographically-based productivity value in the SAR would be slightly more informative than the present SAR's accounting of the number of detected calves. NMFS will revise the section in future years by providing a per capita production value. Because many whales are of unknown age, the development of detailed information on age structure will require setting estimates through a peer review process that cannot be organized in the short term, but will be included in the next SAR feasible. The same is true for calving interval.

Comment 12: The MLA recommended that the PBR for the North Atlantic Right Whale should be revised to 1.02, using 510 as the minimum population size for the population as referenced above.

Response: See response to comment 9.

Comment 13: The MLA recommended that the North Atlantic right whale SAR include a short explanation of the methodology used to make the assignment for serious injury and mortality rates in U.S. versus Canadian waters. The comment states that the SAR should not include 13.75 reported observed entanglements for the years 2001-2005, which does not include the value of Optimal Sustainable Population (OSP) for right whales, as then the value of Optimal Sustainable Population (OSP) for right whales, as

Comment 14: The MLA recommended that the North Atlantic right whale SAR be revised to include data from the last ten years to characterize the overall impacts of serious injury and mortality on the North Atlantic right whale population.

Response: NMFS is presently working on a more robust depiction of the impact of entanglement-related serious injury and mortality on the right whale population, which should be available in subsequent SARs (assuming the procedures receive a favorable peer review, possibly beginning with the next SAR).

Comment 15: The MLA recommended that the North Atlantic right whale SAR note that it is unknown whether any of U.S. fisheries entanglements relate to the efficacy of the sinking line rule.

Response: At this point, too little time has passed to make any statements relative to entanglement rates and the sinking ground rule.

Comment 16: The MLA recommended that the North Atlantic right whale SAR include the value of Optimal Sustainable Population (OSP) for right whales, as
well as the value of the size of the stock to substantiate the statement that the “size of the stock is extremely low relative to OSP in the U.S. Atlantic EEZ.”

Response: NMFS has provided a graph that depicts North Atlantic right whale population growth during 1990-2011. That graph indicates that population growth is accelerating and has not passed an inflection point. An inflection point would suggest that the population could be reaching Maximum Net Productivity Level (MNPL). Because the population appears to be at levels clearly lower than MNPL it is, by mathematical definition, less than OSP. Until population growth begins to decelerate—due to density dependence, not deaths caused by human activities—then it would be unwise to attempt to fit a growth curve and estimate OSP from the population data. 

Comment 17. The MLA recommended that in the North Atlantic right whale SAR NMFS revise the sentence “the North Atlantic right whale is considered one of the most critically endangered populations of large whales in the world.” The comment states that this conclusion is based on a 1999 report that estimates the population of right whales to be 295 animals, which is substantially lower than the current estimate of 510 whales. The comment states that therefore, more recent data should be used to substantiate such a statement.

Response: NMFS’ comment regarding the critically endangered status of North Atlantic right whale is still true. There are likely only four large whale stocks in more dire straits than the North Atlantic right whale: Western gray whales, Gulf of Mexico Brydes whales, Arabian humpback whales, and North Pacific right whales.

ASMF Lobster Stock Assessment Results

The 2015 American Lobster Benchmark Stock Assessment and Peer Review Report indicates the American lobster resource presents a mixed picture of stock status, with record high stock abundance and recruitment in the Gulf of Maine (GOM) and Georges Bank (GBK), and record low abundance and recruitment in Southern New England (SNE). The GOM/GBK stock is not overfished and not experiencing overfishing. GOM and GKB were previously assessed as separate stock units and are now combined into one stock unit due to evidence of seasonal migratory patterns and connectivity between the two areas. Conversely, the SNE stock is severely depleted with poor prospects of recovery, necessitating protection.

Stock Status

Gulf of Maine/Georges Bank

GOM/GBK stock abundance has increased since 1979 and at an accelerated pace since 2007. Recruitment and spawning stock abundance have remained high between 2008 and 2013. Current stock abundance is at all-time highs. Exploitation (fishing mortality) declined after 1979 until the mid-1990s and then remained stable with higher exploitation of males than females. Current exploitation rates remain on par with the 2008-2013 average.

Southern New England

SNE stock abundance increased from the early 1980s, peaked during the late 1990s, then declined steeply through the early 2000s to a record low in 2013. Both the assessment and peer review support the finding that the SNE stock is severely depleted. Declines in population abundance are most pronounced in the inshore portion of the stock where environmental conditions have remained unfavorable to lobsters since the late 1990s. The stock has collapsed and is undergoing recruitment failure. Despite attrition among the fleet and fewer traps fished for lobster, declines have continued. These declines are largely in response to adverse environmental conditions including increasing water temperatures over the last 15 years combined with sustained fishing mortality.

Declines in catch and fishery-independent survey indices in the offshore portion are evident as well, however, they are not as severe. It is believed the offshore area of SNE depends on nearshore larval settlement and offshore migration as the source of recruits (e.g., young of the year lobsters). Therefore, unless fishing effort is curtailed, the offshore component will be in jeopardy in the future when the poor year classes fail to materialize offshore. The Peer Review Panel noted while the SNE stock is not experiencing overfishing based on the current reference points, these reference points were established “without considering the possibility that the stock could be at the lowest abundance level ever and the production of recruits in the inshore area (on which the offshore area depends) could be brought to an extremely low level. It is noted that pre-recruits are not measured in the offshore surveys, so the effects of recruitment failure in the inshore would not be seen in the offshore until years later when the lobsters become available to the fishery and surveys. Hence, by any reasonable standard, it is necessary to protect the offshore component of the stock until increased recruitment can be observed.”

Peers Review Panel Recommendations

For SNE, the Panel recommends close monitoring of stock status along with implementing measures to protect the remaining lobster resource in order to promote stock rebuilding. Stock indicators should be updated annually and reported to the Management Board for appropriate action. Given the good condition of the GOM/GBK stock, the Panel recommended stock indicators be monitored prior to the near benchmark assessment to detect signs of changing recruitment or other conditions.

Landings

Total U.S. landings in the fishery have steadily increased in the past 35 years. Up until the late 1970s, landings were relatively constant at about 30.87 million pounds. However by 2000, landings almost tripled to roughly 86 million pounds and by 2006 grew to 92.61 million pounds. Landings in 2013 were roughly 149.94 million pounds. These landings are primarily comprised of catch from inshore waters (0 to 12 nautical miles). GOM supports the largest fishery, constituting approximately 76% of the U.S. landings between 1981 and 2007 and accounting for approximately 87% of landings since 2002. Landings in the GOM were stable between 1981 and 1989, averaging 32.13 million pounds, and then increased dramatically from 42.34 million pounds (1990) to 141.12 million pounds (2013). Landings averaged 112.46 million pounds from 2008-2013. GKB constitutes a smaller portion of the U.S. fishery, with landings averaging 4.93 million pounds between 2008 and 2013. Like the GOM, landings were stable in the 1980s and then quickly doubled in the early 2000s to a high of 5.29 million pounds in 2005. Before 2011, SNE was the second largest fishery, accounting for 19% of the U.S. landings between 1981 and 2007; however, a sharp decline in the population has significantly reduced catch. Landings there peaked in the 1990s, reaching a high of 21.91 million pounds in 1997. Since this time, landings have precipitously dropped to a low of 3.31 million pounds in 2013.

The Board adopted both the stock assessment and peer review report for management use. In response to the findings regarding the status of the SNE stock, the Board established a working group of Board and Technical Committee members to review the assessment and peer review findings and develop recommendations for Board consideration. The final report will be available via the Commission’s web site at www.asmf.org on the American Lobster page under Stock Assessment Reports.

ASMF Approves Jonah Crab Interstate Fishery Management Plan

The Atlantic States Marine Fisheries Commission has approved the Interstate Fishery Management Plan (FMP) for Jonah Crab. The FMP implements a suite of measures to manage and monitor the Jonah crab resource for the first time along the U.S. Atlantic coast. The Plan limits participation in the trap fishery to only those vessels and permit holders that already hold an American lobster
permit or can prove prior participation in the crab fishery. All other harvesters using non-trap gear must obtain an incidental permit. It also establishes a 4.75” wide minimum size and requires the landing of whole crabs except for individuals from New Jersey, Delaware, Maryland, and Virginia who can prove a history of claw landings before the control date of June 2, 2015.

The FMP seeks to cap effort and protect spawning stock biomass in the absence of a range-wide stock assessment. The Plan was initiated in response to concerns about increasing targeted fishing pressure for Jonah crab, which has long been considered a bycatch in the American lobster fishery. Since the early 2000s, growing market demand has increased reported landings by more than six-fold. The vast majority of Jonah crab are harvested by lobstermen using lobster traps. With the increase in demand for crab, a mixed crustacean fishery has emerged that can target both lobster or crab or both at different times of year based on modifications to the gear and small shifts in the areas in which traps are fished. The mixed nature of the fishery makes it difficult to manage a Jonah crab fishery completely separate from the American lobster fishery without impacting the number of vertical lines and traps in state and federal waters.

Furthermore, a lack of universal permitting and reporting requirements makes it difficult to characterize catch and effort to the full extent in order to manage the fishery. In federal waters, the crab resource is not directly regulated but rather is regulated incidentally by the American lobster regulations. Therefore, in the absence of a comprehensive management plan and range-wide stock assessment, increased harvest of Jonah crab may compromise the sustainability of the resource.

The FMP establishes commercial, recreational, and fishery-dependent monitoring measures for the Jonah crab fishery. In addition to the issues of minimum size, permitting, and crab part retention addressed above, the Plan also establishes a non-trap incidental bycatch limit of 200 crabs per calendar day. 500 crabs per trip extending longer than one calendar day and prohibits the retention of egg-bearing females. For fishery-dependent sampling, the plan requires 100% harvester reporting and 100% dealer reporting with port and sea sampling, jurisdictions that currently require less than 100% harvester reporter are required to, at a minimum, maintain their current programs and extend them to Jonah crab. In the recreational sector, the FMP establishes a possession limit of 50 whole crabs per person per day. Finally, the FMP specifies that states whose commercial landings are less than 1% of the three-year coastwide average may qualify for de minimis status. De minimis states are not required to implement fishery independent or port/sea sampling.

Since the fishery primarily occurs within federal waters, the Board has recommended that NOAA Fisheries implement the provisions of the Jonah Crab FMP in federal waters, pursuant to the NOAA's authority under the Atlantic Coastal Fisheries Cooperative Management Act. The New England Fishery Management Council, which will meet in the fall to set its management planning activities for 2016, will consider whether the development of a Council Jonah Crab FMP will be one of its priorities. Regardless of its decision, the Commission and its federal partners will continue to work closely on Jonah crab management.

The FMP, which will be implemented by June 1, 2016, will be available on the Commission’s website, www.asmfc.org, on the American Lobster page under Fishery Management Plans. Upon recommending the FMP’s final approval by the Interstate Fishery Management Program Policy Board, the American Lobster Management Board agreed to move forward on the development an addendum to identify management measures for crab-only trap fisherman (e.g., trap and landing limits). The Board will discuss the specific measures to be included in the addendum at its next meeting.

### ASMFC ATLANTIC HERRING SECTION

The Atlantic Herring Section provided guidance to the Plan Development Team (PDT) for the development of Draft Amendment 3 to the Atlantic Herring FMP, this was supplemented by a Technical Committee presentation on recommended actions for spawning area efficacy. An update on the 2016-2018 Atlantic herring specification process was given.

The PDT will develop options for Draft Amendment 3 that focus on how to protect spawning fish within the specific spawning areas defined as eastern Maine, western Maine, and Massachusetts/New Hampshire. Specifically, the PDT will review timing options, including 1) spawning stage based on a gonadal-somatic index-based monitoring system, 2) closure dates, and 3) end of spawning closure (i.e. length of closure). In regard to closure dates, the PDT will consider the potential add-on of a fast track closure mechanism, up to seven days, which should provide sufficient time to convey the start of the closure to industry. An economic analysis of how options will affect fishery participants will be considered in the draft amendment.

The Advisory Panel will be involved as the options for Draft Amendment 3 are developed; meetings will take place prior to the November Annual Meeting, as well as during (and after) the public comment period.

The New England Fishery Management Council (NEFMC) Herring Committee met on July 22, 2015 to discuss elements of the 2016-2018 Atlantic herring specification package including management uncertainty; the stock-wide Atlantic herring annual catch limit (ACL), seasonal sub-ACLs (by management area), domestic annual harvesting, domestic annual processing, U.S. at-sea processing, border transfer, fixed gear set-aside, and research set-aside; and gear/area catch caps for river herring and shad. In large part, status quo options were recommended. The Committee will review the analyses of the options for the specifications and finalize its recommendations for the selection of final 2016-2018 specifications at the September 2015 Council meeting.

### ASMFC ATLANTIC MENHADEN BOARD

ASMFC’s Atlantic Menhaden Management Board met to review the development and timeline of Draft Amendment 3. The Draft Amendment will consider changes to the management program including the development of ecological reference points (ERPs) that reflect Atlantic menhaden’s role as a forage species, as well as possible changes to the current allocation scheme. For ERPs, the Board was updated on the upcoming Ecosystem Management Objectives Workshop, scheduled for August 31 and September 1 in Hanover, Maryland. The Workshop will seek to identify potential ecosystem goals and objectives for Board review and consideration as part of the amendment development process. For allocation, the Board was provided a comprehensive list of allocation options that the working group is currently considering. A further update will be provided at the November 2015 meeting. The Draft Amendment will have two complete rounds of public input and is expected to be developed through 2016 and possibly into 2017.

The Board also discussed an Amendment 2 provision that allows a percent of unused quota to be rolled over and used in the subsequent fishing year when the stock is not overfished and overfishing is not occurring. The Board did not take action on quota rollovers at this meeting, and instead decided to address quota rollovers through the development of Amendment 3.

### DMR VIOLATIONS REPORT, MAY 15-AUGUST 15

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Town</th>
<th>Viol Description</th>
<th>Adjud Date</th>
<th>Adjud Fine SUM</th>
<th>Adjud Decision Code</th>
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<tr>
<td>ANDREWS, SEAN</td>
<td>RYAN</td>
<td>Boothbay</td>
<td>Fishing six lobster traps without valid 2015 trap tag</td>
<td>10-Jul-2015</td>
<td>250.00</td>
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<td>DAVENPORT, JAMES</td>
<td>CUSHING</td>
<td>Vinalhaven</td>
<td>Possessing more than five un-notched lobsters (seven)</td>
<td>12-Jun-2015</td>
<td>1800.00</td>
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<td>TENERIS HARBOR</td>
<td>Vinalhaven</td>
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<td>McMAMAN, WILLIAM</td>
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<td>MURDOCK, BEN</td>
<td>GEORGETOWN</td>
<td>Monhegan Island</td>
<td>Class I lobster fishing without a license, possess or transporting lobster</td>
<td>17-Jul-2015</td>
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<td>PINKHAM, IRA</td>
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<td>Vinalhaven</td>
<td>Possession of 218 short lobsters</td>
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<td>BUTTER, ROBERT</td>
<td>SCARBOROUGH</td>
<td>Vinalhaven</td>
<td>Lobstering without a license</td>
<td>22-May-2015</td>
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<td>SEAVEY, KENNETH</td>
<td>SEAL COVE</td>
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<td>Fishing for lobster without a current license</td>
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<td>SMITH, MICHAEL</td>
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<td>TRUNDY, DANIEL</td>
<td>STONINGTON</td>
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are so slow growing, and appear to be vital to the biodiversity of the Gulf of Maine.

Deepwater corals are not new to fishermen. In fact, fishermen called them to the attention of biologists over a century ago. Trawler fishermen were familiar with "the trees," coral formations found on Georges Bank and the Scotian Shelf. Most corals lie in the very deep submarine canyons and seamounts far out on the edge of the continental shelf. However, they also occur in deep areas within the Gulf, such as Jordan Basin. Principally these are soft corals with flexible skeletons, unlike the species that build reefs. Because it takes so long for the corals to grow, some large colonies may be hundreds to over a thousand years old.

Since 2013 scientists funded through NOAA’s Deep Sea Coral Research and Technology Program have been using remotely controlled underwater vehicles and multibeam sonar during research cruises to identify coral communities in the Gulf. This year during a ten-day research cruise aboard the RV/Connecticut, scientists from the University of Maine, the Northeast Fisheries Science Center, and the Northeast Underwater Research, Technology and Education Center at the University of Connecticut surveyed three areas: Outer Schoodic Ridge, the Mount Desert Rock area and the Georges Basin region.

One site on Outer Schoodic Ridge that was revisited showed dense coral and sponges along the bottom and on the steep vertical walls. Scientists also observed a tremendous number of haddock moving through the coral. In previous years large schools of pollock and silver hake had been seen in the same place. Two dense coral walls were discovered in the Mount Desert Rock area this summer, full of red coral, fan coral and multiple species of sponge.

No corals were observed, however, at the few locations visited at the base of the slope stretching from Georges Bank into Georges Basin. "Lindenkohl Knoll at the northern boundary to Georges Basin did have sparse corals in multiple locations along with evidence of extensive impacts from fishing," said Peter Auster, Research Professor Emeritus at the University of Connecticut and Senior Research Scientist at Mystic Aquarium, who took part in the cruise. Deep vertical rock outcrops, like those in the northern Gulf that supported dense coral gardens, showed marks from fishing gear and were nearly stripped of all life.

"The fact that we found these spectacular walls of corals for the first time in 2014, and at additional sites in 2015, after 40 plus years of research with capable vehicles in the Gulf of Maine illustrates how much more we need to understand about the Gulf ecosystem in order to better conserve and manage our natural resources," Auster added.

In a report to the New England Fisheries Management Council (NEFMC) in December 2014, the scientists involved in deep coral research noted the role deep sea corals play in providing habitat for numerous marine species. Pandalid shrimp, amphipods, and schools of krill were commonly associated with coral communities along steep walls. Acadian redfish used coral for shelter whereas Atlantic cod, cusk, goosefish, pollock, silver hake and spiny dogfish were observed searching for and catching prey amid the coral colonies.

The fragility of deep sea corals and their value to commercial species of fish led the Mid-Atlantic Fishery Management Council in June to restrict fishing activities over an area of deep ocean bottom stretching from Long Island to Virginia, principally in areas deeper than 450 meters and out to the seaward edge of the Exclusive Economic Zone. If approved by NMFS, the council’s proposal would create the largest area protected from bottom fishing in U.S. Atlantic waters, about the size of Maryland, Delaware and New Jersey combined.

In New England, the NEFMC is not developing a specific plan for deep sea coral protection. Rather, it is working to develop an omnibus amendment, like the one recently approved for essential fish habitat, to amend existing fishery management plans to designate coral management areas, according to Michelle Bachman, Essential Fish Habitat Omnibus Amendment coordinator at NEFMC. "If these corals are destroyed, they are not coming back in any ecologically significant period of time," Auster said.
By Nancy Griffin

Kathleen Reardon began her new position as lead lobster biologist for the Maine Department of Marine Resources (DMR) in August. Reardon has worked for the past 10 years with Carl Wilson, who became director of the DMR Science Bureau last winter, coordinating the DMR lobster sea sampling program and ventless trap survey, managing the GIS database and much more. “For the past 10 years, I’ve been so focused on the details of lobster programs. This is an opportunity to focus on the bigger picture. Luckily, Carl is just down the hall and he’s the institutional memory of lobster science,” said Reardon. Reardon was named acting lead biologist in March. Since then, she’s been doing both jobs. “And that won’t change until my old job is filled,” she added.

The relationship among industry, science and management is challenging and accepted by all parties,” said Reardon. Reardon noted that it’s important to keep an open dialogue. “For me, it is a policy can be so effective. You have to be able to speak different languages to one of the reasons the university’s dual degree program in marine biology and environmental studies at Williams College, including a semester in an interdisciplinary maritime studies program at Mystic Seaport. “It included maritime history, policy, literature, and science. It was very liberal arts,” said Reardon. Her first job after college was at the Island Institute in Rockland as an Island Fellow located on Islesboro. She worked with the school and the town on GIS mapping and did sampling on lobster boats in the summer. “The island was good for me,” she said. “I hung out, listened, and asked a lot of probably stupid questions and learned a lot. So I kind of fell into lobster. I didn’t go searching for it but I found it and I enjoyed it.”

A month after she completed the Island Institute Fellowship in 2002, she heard that Wilson needed a grad student for a Jonah crab trap project. “Jonah crab was unregulated and little was known about the population,” Reardon recalled. “I went searching for it but I found it and I enjoyed it.”

In 2006, DMR’s ventless trap program began. “Someone else ran it until the funding ran out in 2010 and then I took it on,” said Reardon. “It involves a lot of logistics.”

In 2012, she took on half of a position managing the Department’s GIS database. Recently she also began representing Maine on the Atlantic States Marine Fisheries Commission’s Jonah Crab Fishery Management Plan Development Team. Reardon found herself a busy woman. “I enjoy working directly with the industry collecting information that informs decisions,” she said. “Each time I absorbed new responsibility in my job, it made sense. And yes, it did keep me busy,” she laughed.

In addition to thinking about bigger lobster science issues and representing Maine on the ASMFC Lobster Technical Committee, Reardon’s new duties will include supervising the agency’s oil spill response and GIS coordinators, in addition to the science staff for scallops, urchins, shrimp, quahogs and protected species (whales).

Reardon never expected to be working for the government at all, after her time working with fishermen and living on an island. “Although I did not come from a fishing family or from Maine, my first experiences in the lobster industry were directly with my lobstermen friends on Islesboro. There was a lot of talk about regulations and how the rules did not make sense to them,” she said. “I think the need for clear communication and understanding across perspectives is one of the reasons the university’s dual degree program in marine biology and policy can be so effective. You have to be able to speak different languages to have constructive discussions and make progress that can be understood and accepted by all parties.”

In 2005, with only her graduate thesis left to write, Reardon noticed the Lobster Sea Sampling job posted at DMR. She applied and was chosen for the job. She and Wilson joked that instead of a ‘one-hour interview, I had a five-year interview after sea sampling on Islesboro and the graduate work.” She completed her graduate thesis in 2006.

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The relationship among industry, science and management is challenging and Reardon noted that it’s important to keep an open dialogue. “For me, it is a collaboration with fishermen, other scientists, and policy makers. We, the scientists, need to have credibility with the industry. That includes knowing which questions to ask, as well as being honest and saying ‘I don’t know’ when we don’t,” she said.

NEW DMR LEAD LOBSTER BIOLOGIST KEEPING BUSY

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Health insurance can be confusing. We all have heard the words “deductible” and “coinsurance” but what do these words really mean? It’s important to understand the terms of your health insurance when choosing coverage. Knowing how your plan’s coinsurance and deductible will factor into your monthly health insurance cost is key to finding the right plan for you.

A deductible is the amount you have to pay for services before your health insurance begins to pay. For example, if your annual deductible is $1,000 your won’t pay anything until you’ve spent that amount for covered health services. When choosing a plan it’s best to think through how often you expect to use your health insurance. This may be difficult to predict, but in some cases you may have some idea. If you know you’ll need monthly prescription medications or expect a big expense in the future, like surgery, you may want to choose a plan with a lower deductible.

Your plan’s premium is another important item to understand. The premium is the amount you pay each month to the insurance company. It is typically paid monthly to keep your insurance current although in some cases it could be paid quarterly or yearly. Often the monthly premium is higher for plans with a lower annual deductible cost. Balancing the monthly premium against your annual deductible is usually a big factor when choosing a plan.

Your “out of pocket” limit is another cost to consider when shopping for an insurance plan. This is the most you will pay during a policy period, generally 12 months, before your health insurance will start to pay 100% of the allowed amount. For example, if your out of pocket limit is $2,000 and you’ve spent that amount as well as met your plan’s deductible, your insurance company will pay 100% of services moving forward until the end of the policy period.

The plan’s coinsurance amount is also important because this is your share of the costs of a covered service, calculated as a percentage. The amount of coinsurance will depend on the level of the plan; a Gold plan will cover 80%, a Silver plan 70%, a Bronze plan 60% and a Catastrophic plan 50%. You cover the remaining percentage of the cost. In general, a Gold plan monthly premium will be higher in comparison to a Bronze plan due to the coinsurance percentage.

A copay is a form of coinsurance, and is a fixed amount you pay for a covered service when you receive the service. For example, when you go to the doctor’s office you may have a $20 copay to see the doctor or when you pick up a prescription at the pharmacy you may have a $10 copay to purchase your medication. These costs go toward the “out of pocket” limit of your plan.

Plans that are considered “ACA compliant” will cover the following ten essential health benefits: Ambulatory patient services (outpatient care that you get without being admitted to a hospital); emergency services; hospitalization (such as for surgery); pregnancy, maternity and newborn care; mental health and substance use disorder services including behavioral health treatment; prescription drugs; rehabilitative and habilitative services and devices (to help with injuries, disabilities or chronic conditions); laboratory services; preventative and wellness services and chronic disease management; pediatric services including oral and vision care. All healthcare.gov plans also must offer dental services for children. Every year there will be an Open Enrollment Period to enroll in a plan for the following year. Enrollment for 2016 will start November 1 and end January 31, 2016.

Do we connect our audience with the cool clear waters of Maine and the beautiful scenery? Do we capture every opportunity to make sure our customers and target audience know that we catch and inspect every lobster by hand? Do we help them understand our sustainability practices? Do we make sure they understand that we care very much about our fishery and do everything we can to make sure it is healthy?

Our job, not only for the MLMC but for the whole industry, is to make sure we connect our audience with the cool clear waters of Maine and the beautiful scenery? Do we capture every opportunity to make sure our customers and target audience know that we catch and inspect every lobster by hand? Do we help them understand our sustainability practices? Do we make sure they understand that we care very much about our fishery and do everything we can to make sure it is healthy?

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Meetings continued from page 1

During the most recent legislative session, seven different bills were submitted to the Joint Committee on Marine Resources seeking changes to the lobster licensing system. While none of these bills were passed, the Committee has stated that it strongly supports reforming the lobster licensing system and is interested in hearing from the industry how best to do it.

In September, Keliher will once again meet with lobstermen to talk about ways to amend the current licensing system. At these meetings, the Commissioner and staff will give an update on the current status of the lobster fishery, discuss general concepts for change, and review possible future steps. “These meetings are a chance for industry not only to hear from the department but to have their voice heard on issues that directly impact them,” said Keliher.

Hire temporary foreign workers at a lower wage. The Minister of Employment and Social Development at the time, Jason Kenney, revoked the 15% discount in wages and then split the program in two, welcoming highly-skilled foreign workers and placing strict limits on the admission of low-skilled foreign workers.

As a consequence, by July 1 of this year, companies that use foreign workers can have no more than 20% on staff. By next year, that figure must be down to 10%. In addition, another law, passed in 2011, required temporary foreign workers in the country to either apply for permanent residence or leave the country when their four-year permits expired. Many faced deportation this past April.

“It’s been very hard for the seafood sector,” King said. “[Here on P.E.I.] we’ve seen a population decline as well as an aging population. It makes it very hard to find people to hire.” In June, some P.E.I. processors limited landings from each lobsterman to 1,000 pounds per day because they couldn’t handle any more lobster.

Jerry Amirault, director of the Lobster Processors Association of New Brunswick and Nova Scotia, echoes King’s perspective. “Due to a rapid increase in landings, from 2006 at 150 million pounds, to 2014 at 330 million pounds, more workers had to be found. Most plants are in rural areas where there has been an outward movement to western oil-rich provinces for employment,” he said.

As Canadian lobster landings were rising, the Canadian federal government had no more than 20% on staff. By next year, that figure must be down to 10%. In addition, another law, passed in 2011, required temporary foreign workers in the country to either apply for permanent residence or leave the country when their four-year permits expired. Many faced deportation this past April.

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As Canadian lobster landings were rising, the Canadian federal government concluded new trade agreements with Europe and countries in Asia. “External affairs [the Canadian State Department] was busy signing bilateral trade agreements and opening up new markets [for seafood]. But at the same time you just cut off our labor supply,” Amirault said. Also, many young people from Prince Edward Island and other rural communities have gone on to university for higher education, freeing themselves from the need to work in a seafood factory. “As seasonal work, it’s tough to make a good living. So in a way it’s a success story that so many of our young people are not working in the plants. But the average age is now 53 years old. We will not have workers for the future,” King said.

King and Amirault are part of the new Maritime Seafood Coalition, composed of seafood processors throughout the Maritime region. The Coalition, which met on July 29, hopes to raise awareness of the troubles seafood processors are facing to the national level as the date of the Canadian federal election in October draws nearer. The Coalition says that although transitioning low-skilled workers into permanent residents is a good idea, those workers will only qualify to stay in Canada if employers can provide full-time employment. “Seafood processors into permanent residents is a good idea, those workers will only qualify to stay in Canada if employers can provide full-time employment. ‘Seafood processing is just seven, maybe eight months of the year,’ King explained.

Lobster Community Meetings schedule

<table>
<thead>
<tr>
<th>Dates</th>
<th>Locations</th>
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<tr>
<td>Mon., Aug. 31</td>
<td>Deer-Isle Stonington High School Cafeteria</td>
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<tr>
<td>Tues., Sept. 1</td>
<td>Vinalhaven School Auditorium</td>
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<tr>
<td>Tues., Sept. 8</td>
<td>Oceanside High School, Rockland, Performing Arts Center</td>
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<tr>
<td>Wed., Sept. 9</td>
<td>University of Southern Maine, Portland, Talbot Lecture Hall, 1st floor of Luther Bonny Hall</td>
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<tr>
<td>Tues., Sept. 22</td>
<td>University of Maine, Machias, Science Bld., Room 102</td>
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<tr>
<td>Wed., Sept. 23</td>
<td>Ellsworth High School Cafeteria</td>
</tr>
<tr>
<td>Tue., Sept. 29</td>
<td>Kennebunk High School Cafeteria</td>
</tr>
<tr>
<td>Wed., Sept. 30</td>
<td>Wiscasset High School Cafeteria</td>
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All meetings are at 6 p.m., with the exception of the Vinalhaven meeting, which is scheduled for 3 p.m. Be sure to check the DMR website, www.maine.gov/dmr, as meeting dates and locations are subject to change.

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A LOBSTER FISHERIES MANAGEMENT PLAN FOR MAINE

By Melissa Waterman

In the coming months Maine lobstermen will have the opportunity to put their mark on a lobster Fisheries Management Plan (FMP) specific to Maine. The Lobster Advisory Council (LAC), the seven lobster zone councils and Department of Marine Resources (DMR) staff will discuss specific management actions that will comprise the state’s first management plan for lobster.

“The LAC reviewed the draft goals and objectives at their May meeting and the councils at their meetings in May and June,” said Sarah Cotnoir, zone council liaison at DMR. “The next phase is to develop the thresholds and triggers within the plan and identify management actions.”

ASMF vs. state authority

As was reported in Landings in July, the Atlantic States Marine Fisheries Commission (ASMF) has had regulatory authority for lobster since 1996. The commission’s lobster management plan established seven distinct regional areas, known as Lobster Conservation Management Areas (LCMA), each with its own Lobster Conservation Management Team (LCMT). Maine, New Hampshire and part of Massachusetts comprise Area 1 which encompasses state waters to about 40 miles offshore. ASMF’s plan has core management requirements that all areas must comply with, however, each area can achieve the overall goals in its own way.

Maine, like the other states, retains the ability to create a lobster management plan for its state waters as long as it is in sync with the ASMF plan. The initiative to have a state plan arose from a 2011 Program Review of Maine DMR which recommended that Maine develop specific management plans for each of its fisheries. This desire was further supported after the tumultuous summer of 2012, when warm water caused an early shed among Maine lobsters and the price plummeted. Some lobstermen even petitioned the DMR to close the fishery as the price sank ever lower, a move that the agency did not have the statutory power to do.

Lobster landings have continued to grow since 2012 and prices have recovered. Although the water temperatures in the Gulf of Maine have not hit the records set in the 1980s, the Gulf continues to warm overall. Fisheries biologists attribute part of the decline in southern New England lobster abundance to the number of days each year when water temperatures hit 68°F or higher. If the water temperatures continue to increase in the Gulf of Maine, it may have a negative effect on lobster populations in future years. The sheer abundance and shift in the volume of landings in Maine, from the mid-coast to the eastern counties, combined with an increase in landings in New Brunswick and Nova Scotia, has resource managers wondering if this could adversely impact lobster abundance and landings along the Maine coast in the future.

What would happen if landings started to drop? Under the ASMF plan, management action must be taken to reduce effort in the lobster fishery if the stock hits one of several reference points; the reference point most commonly discussed is 35 million pound annual landings in Maine. The Maine Lobster Fishery Management Plan, on the other hand, could call for management changes well before the ASMF steps in. Being proactive would both forestall ASMF action and perhaps limit the negative economic impact such a decline would have on lobstering families and coastal communities.

What is the Maine Lobster Fishery Management Plan supposed to do?

A fisheries management plan is akin to a football team’s game plan. The game’s purpose is to get a football over the goal line 100 yards away. To achieve that aim, the players have to make a plan, with very specific actions (throw the ball, run the ball, kick the ball, etc.) detailed in it.

So too with a lobster FMP. The plan must have certain long-term goals and then more specific objectives that, once achieved, will bring the fishery closer to achieving the goals. The purpose of the lobster FMP is to guide long-term thinking about Maine’s lobster fishery by developing a shared vision for the future of the fishery and a strategy to achieve that at a time when the fishery is not in crisis. Ultimately, it is designed to keep the resource and the economy healthy and to minimize the impacts of any future decline.

The goals and objectives are based on a wealth of information included within the FMP, such as a review of the biology of the species; a detailed description of the fishery; information about the status of the stock; current management measures; an outline of research needs; and an ecosystem-based characterization of the fishery and the resource. Shorter term objectives are identified to support the plan’s goals and a strategy is developed to implement the plan. Once agreed upon, the FMP will guide actions by the DMR, the Lobster Advisory Council and the state Legislature in the future. Whatever the final plan entails, it is not written into law; rather it is a guidance document that can be revised and updated at any time.

Continued on page 22

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DISENTANGLEMENT TEAM HELPS SNARLED WHALES

By Scott Landry, Marine Animal Entanglement Response, Center for Coastal Studies

Just after dawn on August 2, scientists at the Center for Coastal Studies came across a humpback whale as they were leaving Provincetown Harbor for a research cruise. The little whale was towing a buoy, very thin and very difficult to follow as it traveled into the southwest chop. They stayed with the whale until our Marine Animal Entanglement Response (MAER) team arrived aboard our response vessel Ibis. The team set out a small, soft-bottomed inflatable and over the subsequent hours, deployed grappling hooks, control lines, large buoys and hook-shaped knives from poles. By 4:30 in the afternoon, north of Plymouth Harbor, the team had finished removing a gillnet panel and a single pot set from the mouth of the whale. By sunset the team had received two other reports of entangled whales, both east of Cape Cod, bringing the total number up to 17.

The disentanglement team released a whale in March which had a thick tangle of rope across its back. CCS image. NOAA permit 932-1905.

In late March a commercial fisherman reported an entangled whale just off Race Point, Provincetown but could not stand by. At that time of year right whales mass in Cape Cod Bay before departing as humpback and fin whales begin to arrive. The fisherman was unsure of what kind of whale he had seen but said that the whale was traveling and had an extremely thick rope across its back. We searched the area, with help from an aerial survey team from the Northeast Fisheries Science Center, and finally found the whale. The humpback whale had a perfect collar of the heaviest rope we had ever encountered since we started disentangling whales in 1984. We still can’t fathom how this whale became entangled but the collar was complete with a complex knot at its throat and had no trailing line to easily catch hold of with our grappling hooks. In the end we did manage to grab hold of this line and it took hours to saw through the collar, using hook-shaped knives attached to lanyards and buoys, to release the whale.

During a research cruise in July we came across two humpback whales dozing at the surface about 30 miles east of Chatham, Massachusetts. As we photographed the whales, one of them raised its flukes as it headed down on a dive. The whale had a short length of very thin line wrapping and cutting deeply into its back. We searched the area, with help from an aerial survey team from the Northeast Fisheries Science Center, and finally found the whale. The disentanglement team released a whale in March which had a thick collar of the heaviest rope we had ever encountered since we started disentangling whales in 1984. We still can’t fathom how this whale became entangled but the collar was complete with a complex knot at its throat and had no trailing line to easily catch hold of with our grappling hooks. In the end we did manage to grab hold of this line and it took hours to saw through the collar, using hook-shaped knives attached to lanyards and buoys, to release the whale.

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No doubt more entanglement reports will come in over the next few months. Our small team will be ready and our goal is simple: to get as many whales out of their entanglements as soon and as safe as possible. That being said, each disentanglement is complex and takes a huge amount of effort. All mariners can help by reporting their sightings quickly and standing by the whale until responders arrive.

This humpback was found entangled in line off the coast of New Jersey. CCS image.

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ST. GEORGE, MAINE
A traditional New England clambake can take over eight hours of preparation and cooking time before it is ready to consume. To start, you need to dig a two-foot-deep pit at the top of a sandy beach. To add an extra layer of authenticity, you should gather seaweed and dig the clams for the clambake from that very same beach. After the pit is dug, you must line it with stones and start a hardwood fire to heat the rocks. The fire must be kept roaring hot for at least two hours before it is allowed to burn down and the wood turns to embers. This process can often take an additional two hours and must be followed through to ensure the rocks are heated to a sizzling temperature of 400 degrees. When the rocks are hot enough to split a drop of water on contact, the pit is ready for baking. Then you must layer it with fresh, wet seaweed, pile on lobsters, clams, fish, corn and potatoes and cover the ingredients with more wet seaweed, hot rocks and sand, or cover with a tarpaulin to seal in the heat. The lobster and shellfish must then steam in the pit for about two hours. Some people add an egg to the pit as a timer: when the egg is boiled, the clambake is complete. After eight hours of digging, assembling, and waiting, the feast is ready for consumption.

Now consider that the average American spends just 33 minutes of time on food preparation per day! You could just as easily throw lobsters, clams, corn and potatoes into a big pot of boiling water and they’re ready to eat in about 20 minutes. Is it absolute madness that summer tourists and native Mainers still seek out authentic New England clambakes? I think not. The longstanding history of the clambake and its connection to the earth makes it a perfect antidote to today’s increasingly fast-paced, urban life.

The clambake tradition is actually older than America itself. Native American tribes in Massachusetts, Maine, and Connecticut cooked clams and lobsters in sand pits as much as 2,000 years ago. These tribes did not have massive cooking pots, so they used the earth as their cooking vessel. Before Bar Harbor was known as Bar Harbor, the Wabanaki tribe gathered clams and other shellfish in this part of Mount Desert Island and referred to the area as Ah-bay-si-awk (‘clambake place’), leaving large piles of shells as evidence of the practice.

Before writing this column, I thought that the traditional clambake was passed on to the Pilgrims when they observed Native Americans creating these ocean-side feasts. After further research, I’ve discovered that clambaking was likely adapted as a cultural practice by New Englanders in the late 1700s out of a desire to establish a unique “American” tradition not linked to our European past.

Regardless of its origins, by the end of the nineteenth century, the clambake had become an authentic symbol of American tradition, alongside Thanksgiving, the Fourth of July and apple pie. Clambakes were a trendy way of spending leisure time during the Gilded Age, a common feature of social gatherings, and even appeared in art and literature as a “symbol of sanctuary from a world gone awry.”

Clambakes continue to be a popular pasttime today. The fact that we live in such a fast-paced, industrialized world only adds to their allure. Traditional cooking rituals keep us connected to our roots, to each other, to the earth and to the seasons.

The crew at Cabbage Island Clambakes in Boothbay Harbor, for example, confirm that consumer interest in their clambakes has increased steadily through the years, with both out-of-state tourists and native Mainers eager to take part in the ritual. Customers who have experienced a Cabbage Island Clambake rave on TripAdvisor, an online reviewsite, not only about the bounty of food served but also about the rustic atmosphere, the authenticity of the cooking process and the long-lasting memories from the experience (one customer has attended a Cabbage Island Clambake every summer for 51 years).

Today very few clambake companies adhere fully to the original cooking method. It simply takes too much time to cook food in the ground. But companies like Cabbage Island Clambakes capture the essence of the ritual by steaming lobsters, clams, and...
LOBSTER LEADS SURGING CANADIAN SEAFOOD EXPORTS

Canada's seafood industry is making a comeback thanks largely to growing exports to Asia, and China in particular. Trade numbers released by Statistics Canada showed that exports of seafood products jumped nearly 130% from May to June. A good chunk of those exports have been heading to Asia. Data provided by the Canadian Department of Fisheries and Oceans showed lobster exports to Asia, specifically to China, have nearly doubled in recent years, rising to 4.7 million kilograms' worth of product valued at $76 million (CD) in 2014 compared to 2.7 million kilograms of product worth $42 million (CD) in 2013.

SMALL HARBORS IN NOVA SCOTIA LIMIT BIGGER BOATS

A trend within the lobster fishing industry towards larger boats is causing problems in small harbors across southwestern Nova Scotia. Boats that were once on average 32 to 35 feet long and at most 12 to 13 feet wide are now up to 50 feet in length and 30 feet wide. The situation is exacerbated during storms, because many fishermen have to tie up their larger vessels to existing wharves that are old and not built for larger vessels. In addition, the openings or entrances of some harbors may need to be redesigned to accommodate these larger vessels.

WE'RE IN HOT WATER

July was the hottest month on Earth since climate records were first gathered, according to U.S. scientists, with an average temperature worldwide of 61.9 F (16.6 C). Scientists at the National Oceanic and Atmospheric Administration (NOAA) said in an August report that they expected 2015 to be the hottest year on record. Nine of the 10 hottest months since records began in 1880 have occurred since 2005, and the first seven months of 2015 are the hottest January-to-July span recorded. Scientists said global climate change and a boost this year from an El Nino warming of the Pacific Ocean were behind the record temperatures. At the same time, parts of eastern Scandinavia and western Russia, eastern and southern Asia and scattered areas in central and northern North America were cooler than average.

HERRING SPAWNING CLOSURES

Herring fishing in the Eastern Maine Spawning Area is closed from August 15 through September 11. Sufficient samples were not available to determine spawning condition, therefore closures began on the default date established in DMR Chapter 36.01 (D)(1)(b). Herring taken legally outside the Eastern Maine Spawning Area may be transported through the area only if all of a vessel’s fishing gear has been stowed. Additional closures will be announced for the Western Maine and Mass./NH Spawning Areas when ripe females are detected. If sufficient samples are not available, the closures will take place on the default dates of September 1 and September 21 respectively.

What might be in the lobster FMP?

There are three broad categories that comprise the plan's goals: Biological and Ecological Goals, Social Goals and Economic Goals. The DMR has worked with the LAC and the zone councils to draft these goals. The draft Biological and Ecological Goals are to minimize risk of stock depletion and recruitment failure in order to maintain the biological status of the lobster resource and to maintain broader ecosystem functions by understanding the impact of the lobster resource and the associated fishery. The draft Social Goals are to maintain the existing social and cultural features of the lobster industry; to foster successful co-management of the lobster fishery by continuing to utilize and support cooperative management and research; to ensure that management actions are applied equitably across the fishery and do not have disparate impacts; and to ensure the viability of coastal communities and fishing opportunities for future generations. The draft Economic Goals are to ensure that the economic implications of management actions taken to address biological or social aspects of the fishery are considered; and to develop and foster best management practices for handling. The next step is to figure out at what point corrective management actions should be taken if any of the goals are in danger of not being met. That will involve defining the thresholds that would then trigger specific actions by the DMR. For example, if a goal is to ensure a certain level of lobster landings, a threshold might be met when landings drop to a certain level. It is possible that thresholds will be different in different parts of the coast because the fishery is so diverse from west to east. DMR staff will be meeting with the LAC later this fall as well as with the zone councils to discuss these topics more fully.

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Dr. Li goes on to say, "I recommend the ORS drink for fishermen, carpenters and anyone who has a physically active job." Instead of paying for electrolyte-replacing drinks such as Gatorade, you can make your own ORS. Dr. Li’s recipe: To each quart of water (32 ounces) mix in ½ teaspoon of table salt, 5 teaspoons of sugar, and a healthy squeeze of any citrus fruit (such as lemon, orange or grapefruit) for potassium. If you want to make something tastier try the following from Dr. Li:

To each quart of water add:
1/2 teaspoon Morton’s Lite salt
5 teaspoons sugar
4 teaspoons lemon juice
5 teaspoons sucralose (Splenda)
half of a 0.23 oz. Kool-Aid drink packet

In summary, think about whether you can change your work-life balance just a little to reduce your stress. In the long run you may well be more productive. Mix several quarts of ORS and share it with your sternman while you fish. And in addition to landing lobster, land a good night’s sleep! Final note: Regarding all these suggestions, consider your own health status and follow your doctor’s orders.

Stress continued from page 21

corn and potatoes in layers of seaweed and kelp above ground, in close proximity to the ocean. And locals line up with tourists, happy to spend an afternoon in order to experience a cultural practice so connected to the history of our coast and our American identity. It is the the ultimate ocean-to-table feast, a metaphor for the bounty of New England and a humble symbol of our heritage.
RESOLUTION Designating September 25, 2015, as “National Lobster Day.”

Whereas lobster from the United States is recognized around the world as a prized culinary delicacy;
Whereas lobster fishing has served as an economic engine and a family tradition in the United States for centuries;
Whereas thousands of families in the United States make their livelihoods from lobster fishing and processing;
Whereas more than 120,000,000 pounds of lobster are caught each year in waters of the United States, representing one of the Nation’s most valuable catches;
Whereas the lobster industry is booming abroad, with profits climbing from $335,800,000 in 2009 to $738,600,000 in 2014;
Whereas historical lore notes that lobster likely joined turkey on the table at the very first Thanksgiving Day feast in 1621;
Whereas responsible lobstering practices, beginning in the 1600s, have created one of the world’s most sustainable fisheries;
Whereas Lobster Newburg was featured on the menu at the inaugural dinner celebration for President John F. Kennedy;
Whereas lobsters are one of the most healthy and nutritious sources of protein;
Whereas the peak of the lobstering season in the United States occurs in the late summer;
Whereas lobster has become a culinary icon, with the lobster roll being featured at the 2015 World Food Expo in Milan, Italy; and
Whereas lobster is featured on more and more restaurant menus, growing by 35% from 2009 to 2013:

Now, therefore, be it Resolved, That the Senate—
(1) designates September 25, 2015, as “National Lobster Day”; and
(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.
The 68th Maine Lobster Festival drew more than 50,000 people to the Rockland waterfront during the five day festival in early August. The people came from near and far to eat lobster, take part in lobster cooking contests, view the festive lobster parade, and dozens of other activities. The festival, which began in 1947, celebrates all things related to Maine’s iconic crustacean. This year festival organizers said that 14,850 pounds of 1-1/8 pound lobsters, supplied by Linda Bean Lobster, were steamed and sold as well as 1,300 pounds worth of lobster rolls. More than 1,200 people volunteered at the festival. Some families from far flung places such as California and Arizona take their vacations each year in order to be Maine Lobster Festival volunteers. Photos courtesy of the Maine Lobster Festival.

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