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Maine Lobstermen's Community Alliance

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TO SELL A LOBSTER: THE TALE OF THREE MAINE COMPANIES

By Melissa Waterman

Selling a lobster is a complicated business. Live? Frozen? Processed into value-added products? Three Maine businesses are taking different approaches to getting Homarus americanus to its final destination.

From Workers to Owners

A significant transition has occurred in Maine’s lobster world: Linda Bean’s Maine Lobster is now owned not by Linda Bean but by the employees of the company. Bean sold her interest in the company to her employees in May, 2016. Yet, to all appearances, everything is just the same.

Except perhaps for the smile on president John Petersdorf’s face. “It’s a 401K plan on steroids,” he said referring to the new ownership structure.

An employee-owned company, commonly called an ESOP (Employee Stock Ownership Plan), is nothing new. This form of corporate ownership has been around since 1974, said Richard Crossman, a member of the company’s board of directors and an executive at the Allen Insurance and Financial Agency. “Sargent Construction in Old Town is an ESOP, as well as my company and Prock Marine [in Rockland]. I’d say there are at least 100 companies in Maine that are ESOPs.”

Linda Bean started her lobster company in 2007 at the age of 66. Her stated intent was to ensure that Maine lobster was processed and marketed in Maine by Maine people. The company, at first based in Port Clyde, quickly grew in size as Bean purchased additional property and wharves in Tenants Harbor and Vinalhaven. Bean processed her lobster into various value-added products,

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THE FISH EVERYONE WANTS

By Melissa Waterman

The allocation of herring remains a bone of contention in New England. In this article, the second in our series on herring, Landings looks at the efforts made by state regulators to ensure that the inshore herring fishery continues into the fall months.

It’s been an anxious month for Maine’s lobstermen. High season in the lobster fishery has arrived and for many lobstermen, all they can think about is bait. Herring bait, to be exact. The traditional bait for most lobstermen along the coast is a highly managed species and this summer stretching the landings of herring has been foremost in state and regional managers’ minds. And for some lobstermen, particularly those in the smaller harbors, getting enough bait has been a cause of concern.

The Allocation of Herring

The ocean may look open and unencumbered by boundaries but in fact, the Gulf of Maine is divided by law into four distinct areas when it comes to herring: Area 1A inshore Gulf of Maine, Area 1B offshore Gulf of Maine, Area 2 south coastal area, and Area 3 Georges Bank. In Area 1A, the year-long fishery is divided into trimesters, from January 1 to May 31, June 1 to September 30, and October 1 to December 31. A specific percentage of the annual catch limit (ACL) for herring is allocated to each trimester. For the 2016-2018 fishing years, the allocation of herring to Area 1A is 66.79 million pounds (30,295 metric tons); 72.8% of that allocation can be caught between June 1 and September 30; 27.2% can be caught from October 1 to December 31. In addition, mid-water trawling for herring is prohibited in Area 1A from June 1 to September 30 when only vessels rigged for purse seining may harvest the fish.

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It's been quite a dry summer here in Maine. While only the southernmost sections of the state are facing mild drought conditions, everyone would agree that a good dose of rain would make farmers and home gardeners alike happier. Yet out on the Gulf of Maine, dry weather means more opportunity to chase Maine lobsters. Lobstermen are reporting a good start to their seasons, although limited supplies of lobstermen's favorite bait, fresh herring, have caused anxiety up and down the coast. The lobsters are beginning to land in large volumes this month and Maine's lobster dealers and processors are ready to transport them to eager national and international markets.

This month Landings looks at three companies which have differing roles in moving those lobsters to their final consumers. Central Maine Cold Storage, a new company in Bucksport, uses an ammonia-based process to produce IQF (individually quick frozen) whole lobsters. This is the second season for the company, whose motto is to produce the highest-quality whole lobster within 24 hours after it is hauled from the sea.

In Tenants Harbor, on the Port Clyde peninsula, an old wharf has taken on a new identity. Miller's Wharf, owned by the four Miller brothers, recently teamed up with Luke's Lobster, a New York City-based lobster restaurant company. The wharf organized itself as a fisherman's cooperative, struck a deal to sell all its catch to Luke's Lobster and its subsidiary company, Cape Seafood, and arranged to open the first Luke's Lobster restaurant in Maine on its wharf. The Tenants Harbor Fisherman's Cooperative also put Luke Holden, Luke's founder, and Merritt Carey, a Maine lawyer, on its board. As Josh Miller, the co-ops president, said, "Why not have intelligent people from outside the industry be on the board, like any corporate board?"

Linda Bean's Perfect Maine Lobster began in 2007 when Bean, granddaughter of L.L. Bean, jumped into the lobster industry. Bean began buying and selling lobster from a business. Bean began buying and selling lobster from a New York City-based lobster restaurant company. The wharf organized itself as a fisherman's cooperative, struck a deal to sell all its catch to Luke's Lobster and its subsidiary company, Cape Seafood, and arranged to open the first Luke's Lobster restaurant in Maine on its wharf. The Tenants Harbor Fisherman's Cooperative also put Luke Holden, Luke's founder, and Merritt Carey, a Maine lawyer, on its board. As Josh Miller, the co-ops president, said, "Why not have intelligent people from outside the industry be on the board, like any corporate board?"

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By Matt Jacobson

When the Maine Lobster Marketing Collaborative (MLMC) started this journey in 2014, we had much to learn about how to market Maine lobster, and what “effective marketing” actually meant. Everyone on the board had lots of opinions, but frankly, we didn’t have much data or available measurements that we could use to judge our efforts. We set about learning as much as we could and looking for partners to help us along the way.

We hired a world-class marketing and communications firm, Weber Shandwick, to help us and went to work. We discovered many things about successful marketing and quantified what we were trying to accomplish. The first guiding principle we identified was that at the levels of the supply chain we got a lobsterman and a chef together, the chef put Maine lobster on his or her menu. Every time!

Our challenge is that chefs work late at night and getting a chance to speak to them is difficult. So we came up with the “Maine After Midnight” events. We expected that after work, at 11 p.m. or midnight, chefs might be interested in coming to an educational party. Together with our dealer and processor community, we decided to host these events this summer in Atlanta, Washington, D.C., and New York City.

The first event was in Atlanta. Our host chef, Anne Quatrano, is the “godmother” of the Atlanta culinary scene. She hosted the event at her restaurant. Little

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Matt Jacobson is the executive director of the Maine Lobster Marketing Collaborative.

GUEST COLUMN: Chefs love new-shell lobster!

A Washington, D.C. chef tries his hand at using a gauge while lobsterman Dustin Delano explains legal size limits. MLMC photo.

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I have had the privilege of being a Marine Patrol Officer for over 30 years and feel compelled to express my heartfelt gratitude to Maine’s fishing communities for the support shown to the Department of Marine Resources (DMR) and the Marine Patrol.

I figured out a long time ago that we at the DMR and Marine Patrol work with an industry made up of hardworking, down-to-earth folks with a good deal of common sense. I am talking about the fishermen who, through their hard work and perseverance, pay my salary and that of the officers who regulate them on a daily basis.

Throughout my career I have seen many examples of the support that folks who make their livelihood from the coastal waters provide to Marine Patrol. Many from the industry recognize Marine Patrol Officers, and before them Coastal Wardens, as the face of DMR. Fishermen see their local MPOs on a regular basis and recognize them as people they can depend on.

It is a two-way street. We are there to protect the fishermen’s livelihood and they, in turn, have always been there for Patrol. While there are many others, three significant examples illustrate the support that the Maine fishing industry has afforded DMR and Marine Patrol.

...again representatives from the fishing community carried the day. Despite a severe storm they showed up in Augusta this winter and testified for four hours in favor of the important legislation.

Back in 1992 during very difficult budgetary cuts, seven Marine Patrol Officers received layoff letters, 15% of our workforce. I was one of them. We were told that unless funding could be found to support our positions we would be laid off the following year. It was a difficult time for many of us and although we were told that leadership felt that it would work out, we were less than confident in our futures.

Many of us began looking for other work. As the word got out there was a groundswell of support for Patrol from industry. Fishermen recognized the importance of having a healthy Marine Patrol with the ability to properly regulate fishing activities. In short order they supported a large increase in license fees in order to support DMR and the Bureau. No jobs were lost and most of those officers dedicated the rest of their careers to the Marine Patrol in support of the fishermen along the coast of Maine.

In 2000, the Maine Marine Patrol was operating with a 25 years in, age 62 retirement system. Most other law enforcement agencies had superior plans. A bill to improve retirement was crafted and debated at the legislature. When the bill was presented before the Appropriations Committee several fishermen came to testify in favor. Arthur “Sparky” Pierce, Proctor Wells from Phippsburg, and the late Ted Bear from Bailey Island testified on Patrol’s behalf. Their testimony really carried the day. One senior legislator commented to me that “those are the citizens that we want to hear from. Their testimony really made the difference.”

A huge thanks from Maine Marine Patrol to all of you who had our back yet again. 

Sincerely,

Colonel Jonathan B. Cornish
Maine Marine Patrol

FROM THE DOCK: Many thanks to Maine's lobstermen

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Sincerely,

Colonel Jonathan B. Cornish
Maine Marine Patrol
by Shelley Wigglesworth

Kennebunkport native Erin Gott, 41, grew up lobstering during the summer and fishing for groundfish and shrimp in the winter with his father. Jim Gott, on his boat the F/V Shannon. Gott feels that fishing experience has given him an advantage in the small aquaculture business he owns and operates today.

Gott is the proprietor, farmer, and sole employee of Pope's Creek Oysters. He raises baby oysters in mesh bags inside floating cages in an area of the Webhannet River in Wells Harbor known as Pope's Creek.

“I have always loved the idea of aquaculture. I believe it holds an important role in our world’s future, and I personally wanted to grow oysters because I love them,” Gott said. He started investigating the process of growing oysters in 2009 by reading anything he could find on the subject.

“Luckily I stumbled on an article that mentioned Dana Morse from Maine Sea Grant. Basically, if it wasn’t for Dana’s advice I’m pretty sure I’d still be trying to figure it out,” he said.

It took Gott approximately two years to obtain permits and complete the submerged lands lease process before he could start his business. “A small lease is called an LPA [Limited Purpose Aquaculture] and allows 400 square feet of gear and costs $50. A full lease that allows much more space in multiple acres costs $1,500 in the form of a non-refundable application fee and then $100 an acre a year,” he explained. Obtaining a small lease involves finding open, clean water in the desired area, getting the local town to sign off on the use of that water, completing the state application and getting approval from the Army Corps of Engineers. “A full lease is more complicated and involves public hearings, site reviews and additional paperwork,” Gott continued, “and there are grants are available to help with the start-up.”

After obtaining all the permits, Gott took the advice of Morse and started small. “He told me, ‘Take your punches and learn the hard way with less at stake.’ So I did,” he said. He started his operation with 10,000 baby oysters and remained with no more than 10,000 for the first couple of years. Once he became comfortable with the art and science of making his oysters happy, he began gradually growing his business. “This summer I’m starting 70,000 oysters, which is big for me but still a very small operation in the aquaculture world,” he said.

Gott purchases his baby oysters, which are called spat, each spring from Muscongus Bay Aquaculture in Bremen. During their first year, the company keeps the spat in an upweller (a device that continuously flows seawater over the tiny oyster so that it can rapidly grow). When the spat reach the size of about a quarter-inch they are ready to be farmed, and that is when Gott gets them.

“After I get the spat, I set them out in the river in mesh bags that are placed in cages and are suspended in the water by floats,” he explained. “They get rid of a lot of the to keep them clean from fouling organisms,” he said. Grown oysters are ready for market, Gott powers his oysters and sells his harvest to Taylor Lobster Company in Kittery and Harbor Fish in Portland. Wholesale oysters can fetch anywhere from 65 cents to a dollar each, and business is brisk. “I can’t keep up with the demand, and right now the demand surpasses the supply,” Gott said. “Oyster farmers are very desirable. They tend to have a firmer texture and varying sweetness based on the salinity in the water they grow in. Oyster lovers just can’t get enough of them, and that’s a great thing for the future of my business as I hope to one day be able to make my living solely from oyster farming.”

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FROM LOBSTERMAN TO AQUACULTURIST

Erin Gott with the tools of his trade. S. Wigglesworth photo.
Based on recent stories in Landings about midcoast lobstermen raising money to give 85 bicycles to needy children and fishermen traveling up and down the East Coast to educate big-city chefs about how sustainable the Maine lobster fishery is, it is clear that Maine lobstermen work hard to support their communities and ensure a sustainable future.

Other stories have chronicled the hydrographic surveys in Penobscot Bay, an underwater electric cable from Penobscot Bay to Plymouth, Massachusetts, dredging projects in several harbors, and the wind-farm project off Monhegan. All of these projects involve federal agencies that do not regularly interact with fishermen and who have taken actions that could disrupt parts of the fishery.

Landings has also featured stories on other critical issues affecting our state’s signature industry: for example, bait supply, whale rules, bycatch of groundfish in lobster traps, and warming waters.

One significant finding from the RPB plan is the data gap in the lobster and tuna fisheries...

Federal agency staff who know little to nothing about the lobster fishery’s complex nature or its economic, social, and cultural significance to our coastal communities regularly make decisions that impact Maine’s fishing families and the businesses that depend on them. Ideally, these decisions would be made after conversations with the Maine Department of Marine Resources (DMR) and outreach to industry associations, providing opportunities for those potentially affected to voice their concerns. But it does not always work out this way.

That’s where the Northeast Regional Planning Body (RPB) comes in. The RPB is a group of representatives from nine federal agencies, six New England states, six federally-recognized tribes, and the New England Fisheries Management Council. RPB members spent the last four years developing an ocean plan for the region, a draft of which was released this spring. The draft plan doesn’t actually do a lot of “planning,” but it does begin to improve how federal agencies interact with state agencies and coastal stakeholders.

The draft plan contains data and information about a variety of ocean uses, such as commercial shipping traffic, recreational boating patterns, and aspects of the ocean ecosystem. Even more important is the commitment by federal agencies to use this data and information in their existing decision-making or regulatory processes. These commitments focus primarily on using the data to identify where additional discussions, work, or emphasis should occur. In other words, instead of just looking at a particular spot and identifying that some fishing activity is taking place there, agencies are signing on to “go and talk to the right people.” These conversations are intended to draw out more site-specific information, including how that area is currently being used, how it fits into fishermen’s business plans, or how it might be used in the future.

In addition to doing outreach for large projects like offshore wind turbines, the federal agencies participating in the RPB have committed to reaching out to industries that might be impacted by dredging and hydrographic surveys. They also understand that coastal communities have interests in specific ocean space and have agreed to consider the cumulative impact of any particular project on local stakeholders. Future RPB work will include research that creates a better understanding of the connection between ocean space, communities, and how environmental change can shift human uses.

One significant finding from the RPB plan is the data gap in the lobster and tuna fisheries – there simply aren’t enough good spatial data about where or how these fisheries operate. Knowing where lobstermen fish is, however, only a start. The more important information for federal agencies to understand from conversations with fishermen is how other ocean uses impact fishing practices and businesses. This knowledge can go a long way in better informing agencies’ decision-making processes for more mutually beneficial outcomes.

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Our beautiful Maine summer is in full swing. Most lobstermen are busy fishing hard, and we here in the office are hard at work conducting MLAs summer membership campaign and getting caught up after this year’s hectic round of meetings.

The 2016 lobster industry was off to a great start as the predicted early shed did not materialize. The demand for haddock has been steady and the price has reflected the strong position of Maine lobster in the marketplace. Still, it wouldn’t be the Maine lobster industry if we didn’t have some sort of crisis to contend with — this year’s came to us in the form of the herring fishery.

It has been a tough season for herring. Herring supplies have been tight, to say the least, and prices have shot up. We all know that last year’s lobster prices were strong and provided a good year for most lobstermen. This year’s new-shell price (as I write this in the third week of July) is down by only 3%. It is a strong summer price in the big scheme of things.

Unfortunately, our good position in terms of lobster prices has been undermined by the shortage of haddock. Herring prices right now, compared to this time last year, are up 30% so far. I hope that they’ve stopped increasing, but that is probably overly optimistic.

The problem is simple — supply and demand. The lobster industry uses lots and lots of haddock. We need herring from all of the four management areas to be landed over the course of our peak season to meet our needs. The offshore Georges Bank (Area 3) fishery was shut down last year in late October because the bycatch limit for haddock was exceeded. It did not reopen until May 1. This lack of landings during the first part of 2016 meant that there was not enough herring in the area. The Area 3 boats started out strong in May and during the first few weeks of June. Then, the fish dried up. Some offshore herring captains have reported that the fish are not there. Others who have found them say that they are mixed with haddock. They simply cannot afford to set their nets as they would risk shutting the fishery down again without catching their herring quota if they surpassed the allowed bycatch of haddock.

The lobster industry is now being supplied primarily by herring landed from the inshore Gulf of Maine (1A) area. With the addition of a few large trawl boats rigged over for seineing and the use of carriers, the herring fleet has the ability to land that inshore quota quickly. With the possibility of more herring coming in from Area 3 unknown, in July Department of Marine Resources (DMR) Commissioner Keliher stepped in to carefully manage landings from Area 1A through new emergency regulations. If he hadn’t done so, the Maine lobster industry would have been faced with no source of fresh herring by August — until and if — the offshore boats start producing again.

Maine lobster landings peak over the three months from August through October. Followed by November, July and December for landings. If lobstermen don’t have access to bait during peak fishing months, our fishery would suffer greatly. On the good news side, we are fortunate to have a strong supply of pogies so far this year, and some of the larger bait distributors have frozen bait in inventory to keep lobstermen going.

Unfortunately, the MLA can’t wave a magic wand and get clean schools of herring, unmixed with haddock, out on Georges Bank to supply Maine’s lobstermen. Nor can we reduce the lobster industry’s insatiable demand for bait or control the price. While I understand that a lobsterman considers his bait strategy as one of the critical elements of his success, each of you needs to think carefully about what type of bait you use, how you use it and when you use it. As this year has shown us, we can’t afford to waste precious bait in months like June when we may not be catching profitable volumes of lobster.

The MLA will continue to weigh in strongly with DMR and the Atlantic States Marine Fisheries Commission on how the herring supply is managed. They need to look at the big picture – herring landings from all four areas — when considering how management actions affect the lobster industry.

The MLA is continually stressing the lobster industry’s dependence on herring for the success of the fishery, and our need for a steady bait supply through the fall.

Let’s all keep our fingers crossed that the herring come back to Georges Bank and separate from the haddock. That will certainly be a game changer for us. Until then, use your bait resources as conservatively as you can. Let’s hope for a great fall full of fresh bait and lobster!

As always, stay safe of the water.

...
Following introductions, the Directors continued their discussion from the June meeting on the need to develop a plan for the lobster industry. Ted Miller explained his desire for the MLA to be proactive on issues important to the industry. The legislative agenda in recent years has been initiated from interests largely outside the lobster industry. The MLA has been engaged, but largely in reaction to proposals put forward by others.

Many ideas on how to improve the industry have been raised in discussions in recent years. There are new issues developing which haven’t been dealt with. The DMR has closed an additional five miles at the mouth of the Penobscot River as a result of contamination that would prompt a closure. With two conflicting data sets, the results from the crab samples, however, did not show levels of contamination that would prompt a closure. With two conflicting data sets, however, DMR will not make any management changes for crab at this time.

The MLA strongly urged the DMR to secure funding to analyze the 2015 samples and to prioritize analysis of the crab data. If the 2015 crab data does not show contamination, the DMR may consider a management response.

The Penobscot Bay hydrographic survey began in early July. A plane is flying close to shore early in the month, and then the boat-based survey will use two jet-drive catamarans to cover the area. The vessel will have a pole-mounted echo sounder in the stern and cameras to avoid any lobster gear that is encountered. The survey team will be based in Rockland, and they invite lobstermen to tour the plane or participate in a boat-based survey.

The Board discussed the MLA’s support for ongoing research projects. Typically, this is simply a letter of support for the organization conducting the research. There was some controversy about a few projects recently. The first was a proposal to conduct research to reduce cod bycatch. The research is to improve the selectivity of lobster traps to reduce the incidental capture of groundfish, which will involve altering the lobster traps, cutting an additional opening. The MLA Board acknowledged that this may sound scary and ridiculous to a lot of people, but it is just research. There is a lot of political pressure on the lobster industry to be proactive on groundfish bycatch issues and therefore the MLA Board believes it is important to pursue this research.

The Board also discussed whether MLA should be an official partner in the Gulf of Maine Research Institute’s (GMRI) lobster season prediction activities. The project and its play in the media created a lot of headlines for the lobster industry this year. After considerable discussion, the MLA board voted not to have any formal relationship with this project. However, the board does want the MLA to continue to engage with GMRI on their project and how the results are discussed in the future.

During the meeting, the MLA Board discussed several ongoing issues.

• The Swedish petition to ban import of American lobster: an European Union (EU) scientific forum has given Sweden until July 31 to respond to the US, and Canadian diplomatic, scientific and commercial opposition to the Swedish-led proposal to label American lobster an invasive alien species and ban its import by the EU. The EU scientific forum asked Sweden’s scientists to reinforce or expand the scientific basis for the American lobsters as an invasive species posing a threat to the indigenous European lobster population.

• The MLA joined the Atlantic Offshore and Massachusetts Lobstermen’s Associations in a letter to NMFS regarding the next steps in the whale plan to urge them to ensure that any new reporting requirements are not redundant and that they also enhance their data collection on whales.

• Coast Guard safety rules: the Coast Guard has proposed new regulations to implement the provisions of the Coast Guard Acts of 2010 and 2012, but the rules do not cover 2015 amendments. Comments are due in September.

• Draft Ocean Plan: the MLA is reviewing the draft ocean plan which was released in May. The Island Institute released a companion piece entitled “Lobster and Ocean Planning” which provides additional guidance on how to work with the lobster industry on ocean planning issues. Comments are due in late July.

• UMaine wind development: the UMaine-led wind project Aqua Ventus is eligible to receive up to $40 million from the US. Department of Energy to develop and deploy full-scale wind turbines off Monhegan. The MLA will monitor this project as it develops.

Other issues were discussed in the meeting.

MLA’s membership campaign is underway! Harvesters who join by August 31 will be entered in a raffle to win $1,000. MLA thanks Smithwick & Mariners for their generous support of this raffle. The membership campaign will be run on social media, email, phone calls, with limited mailings. The MLCA has held several fundraising nights. The Board discussed other strategies to raise funds in support of programs such as the Lobster Leadership Program and Lobster Quality. The MLA is closely monitoring the research underway in Massachusetts to test weak lines. Next Board meeting will be on September 7 at 5 p.m. Board members will meet earlier at 3 p.m. to continue discussions on developing a plan for the industry.

HERRING LANDINGS

<table>
<thead>
<tr>
<th>Area</th>
<th>Cumulative Catch YTD</th>
<th>2015 Catch YTD</th>
<th>Total Annual Quota</th>
<th>2016 % of Quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>1A*</td>
<td>96.49</td>
<td>7.849</td>
<td>30,102</td>
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</tr>
<tr>
<td>1B</td>
<td>888</td>
<td>2.883</td>
<td>2,941</td>
<td>30%</td>
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<tr>
<td>2</td>
<td>9.793</td>
<td>11.366</td>
<td>32,100</td>
<td>31%</td>
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<tr>
<td>3</td>
<td>8.479</td>
<td>22.674</td>
<td>45,832</td>
<td>19%</td>
</tr>
<tr>
<td>Total</td>
<td>28,808</td>
<td>46,766</td>
<td>108,592</td>
<td>26%</td>
</tr>
</tbody>
</table>

*Quota June 1 thru Sept. 30 = 21,510; Oct 1 thru Dec 31 = 8,992
HERRING REGULATIONS

Herring Updates

As of July 6, 2016, 25% of the Trimester 2 quota (June 1 – September 30) for Area 1A (inshore Gulf of Maine) has been harvested. The DMR has issued a herring emergency rule, effective July 9, in an attempt to distribute the Trimester 2 quota (72.8% of the Area 1A sub-ACL) as far into Trimester 2 as possible. This action also provides for fishing opportunity to account for weather and safe operations. As described in the emergency rule, vessels landing herring caught in Area 1A in any Maine port will be limited to the following provisions. See the DMR regulations for specific definitions and more information: https://content.govdelivery.com/accounts/MEDMR/bulletins/154c337
- 3 fishing days (Saturday 6 p.m. to Tuesday 6 p.m.)
- Harvester vessels can make at-sea transfers to only one carrier vessel per week
- Harvester vessels are limited to making one landing per 24-hour period (6 p.m. to 6 p.m.)
- Harvester and carrier vessels shall send an email hail to DMR three hours prior to landing. See DMR website for specific reporting requirements.

The Atlantic States Marine Fisheries Commission’s Atlantic Herring Section is not warranted at this time; therefore, the ‘days out’ call on July 11 is cancelled. Staff will continue to monitor landings and will schedule ‘days out’ calls on an as-needed basis, while providing 48 hours notice to interested parties. Vessels (except those landing in Maine) should adhere to the following days out schedule for Area 1A that was released by the Commission in April.
- July 1-14: Vessels may land 4 consecutive days a week. All other days are designated as ‘days out’ of the fishery (e.g., vessels may not land herring).
- July 15-September 30: Vessels may land herring 5 consecutive days a week until further notice.

AMSC Herring Section

The New England Lobstermen’s Association

Groundfish and Herring – Haddock Bycatch Limit

After discussing timing for the industry and Council alike and on-going priorities, the Council approved a motion to separate the development of the Georges Bank haddock catch cap for the Atlantic herring mid-water trawl fishery from the ongoing groundfish framework. Framework 56 will now include the following types of management measures:
- Updates to status determination criteria, stock status, and annual catch limits based on upcoming stock assessments for witch flounder and the US/CA stocks — Eastern Georges Bank (cod and haddock and Georges Bank yellowtail flounder);
- A sub-annual catch limit for northern windowpane flounder for the scallop fishery;
- An increase in the Georges Bank haddock subannual catch limit, or sub ACL, for the Atlantic herring mid-water trawl fishery;
- Revisions to the process used to develop management measures for the recreational fishery; and
- Modification of Atlantic halibut management measures (to avoid a possible overage of the annual catch limit in state waters fisheries, measure).

Note that the Groundfish Committee will develop measures to increase the Georges Bank haddock sub-ACL only, while the Herring Committee will continue work on the details of any changes to the accountability measures that relate to overages of the GB haddock sub-ACL. The details of the haddock catch cap will be included in a future herring framework adjustment.

Development of revisions to the Georges Bank haddock accountability measures for the Atlantic wild herring mid-water trawl fishery

The Council reviewed and approved revisions to the “purpose and need” for this action (see April Council Report, p. 3-4) to now include:
- Increased emphasis on reducing potential negative impacts on the herring fishery that could result if opportunities to fish in Area 3 and 1B are curtailed mid-season; and
- Reduced the potential negative impacts on the mackerel fishery, given that these vessels are also affected by any accountability measures (AMs) for Georges Bank haddock if they participate in the Georges Bank winter mackerel fishery.

The Council passed several motions to identify the range of alternatives, reflecting discussions held by the Groundfish and Herring Committees prior to this Council meeting. In addition to approving the “No Action” alternative, the items approved by the Council addressed the magnitude of the catch cap, changes to the herring fishery accountability measures, and their implementation. No pro-active accountability measures are to be considered at this time. Draft measures would:
- Increase the existing 1% haddock catch cap to something higher – 1.5% or 2%
- Pair an increased catch cap with a transfer provision that permits any unused portion of Georges Bank haddock sub-ACL to revert back to the groundfish mid-year;
- Modify the Georges Bank AM area based on new information about the high-est bycatch rate areas;
- Potentially identify a season for the AM, rather than have an area close for the remainder of the groundfish fishing year once the AM is implemented;
- Allow a seasonal (80%/20%) split of the Georges Bank haddock sub-ACL to reserve some haddock bycatch for herring fishing activity later in the year; and
- Amend how catch is estimated through the addition of dockside monitoring in addition to sea sampling.

Amendment 8 moves forward

Amendment 8 to the Atlantic Herring Plan will advance considerably during the summer and early fall with additional direction from the Council, which is using a new Management Strategy Evaluation (MSE) process to develop a long-term control rule for specifying the herring fishery’s Acceptable Biological Catch (ABC). A control rule is a formulaic approach for establishing a catch limit or target fishing level based on the best scientific information available. Amendment 8 has three goals, which are to: account for the role of Atlantic herring within the ecosystem, including as forage; to stabilize the fishery at a level designed to achieve optimum yield; and to address localized depletion in inshore waters. The stated objective is to “develop and implement an ABC control rule that manages Atlantic herring within an ecosystem context and addresses the goals of Amendment 8.”

Back in January, the Council agreed to use MSE to develop alternatives for the Georges Bank haddock AM. MSE utilizes a collaborative approach that calls for more public input and technical analysis upfront – before alternatives are actually selected – so that all involved have a better understanding of the potential impacts of various proposals. Stakeholders who attended a facilitated MSE workshop in May welcomed the approach.

At its June meeting, the full Council reviewed the workshop’s outcomes, as well as additional recommendations from the Plan Development Team and the Herring Advisory Panel and Committee. The Council approved the ABC control rule objectives, performance metrics, and a range of ABC control rules for analysis.

Industry-Funded Monitoring

The NMFS-led Industry-Funded Monitoring amendment is being developed jointly as an omnibus action to ensure consistency among any new industry-funded monitoring programs included in New England and Mid-Atlantic Council’s fishery management plans. The amendment also would include specific coverage levels for the Atlantic mackerel and Atlantic herring fisheries. The Councils are currently involved in crafting the specifics. If approved by both Councils and the agency, provisions would allow increased monitoring and/or other types of data collection in the herring and mackerel fisheries to more accurately characterize catch, monitor annual catch limits, and/or provide other information. The increased monitoring under consideration would be independent of NOAA Fisheries’ Standardized Bycatch Reporting Methodology (SBRM) requirements. Final products—the amendment will include a standardized administrative structure. The action also includes that industry funding would be used in conjunction with, not instead of, federal funding to pay for additional monitoring to meet FMP-specific monitoring coverage targets that would be determined by each Council. What has happened to date? Earlier in the year both Councils approved pre-ferred alternatives for the omnibus elements of the amendment or those that

Continued on page 10
would apply to all programs initiated through this action. Other than refining one of the omnibus alternatives, the NEFMC focused its attention in June on changes to the monitoring coverage targets for the Atlantic herring fishery. Below is a list of the specific changes approved by the New England Council:

• An equal weighting approach to prioritize funding to support the administrative functions for new industry-funded monitoring programs among affected fisheries;

• Two options for at-sea monitoring sampling design. The additional option would include the collection of additional biological information on kept and discarded catch;

• After previously approving a measure that slippage reporting requirements, restrictions, and consequence measures be extended to herring trips that are also selected for at-sea monitoring coverage and electronic monitoring/portside sampling coverage, the Council reconsidered that decision in June based on concerns that cameras might not be able to determine the cause of slippage events, possibly resulting in enforcement problems.

Ultimately, Council members did not recommend removal of slippage consequence measures for any alternatives.

• An additional herring monitoring coverage target alternative that would apply monitoring coverage based on permit category or gear type. Based on permit category, the added alternative would apply at-sea monitoring (ASM) coverage on Category A and B vessels using a midwater trawl, purse seine, and small mesh bottom trawl gear at a rate of 25%, 50%, 75%, or 100%.

• Based on gear type rather than permit category, the additional alternative would apply ASM coverage on vessels targeting herring using midwater trawl, purse seine, and small mesh bottom trawl gear at a rate of 25%, 50%, 75%, or 100%.

The Council also determined that pending satisfactory completion of the Fisheries Service electronic monitoring (EM) pilot project and an NEFMC review, vessels subject to IFM coverage could choose to continue with at-sea monitors or use EM/portside monitoring. These vessels would be limited to choosing one monitoring type per fishing year, and would be required to declare their preferred monitoring type six months in advance. The action would establish a minimum participation threshold for each monitoring type.

The IFM discussion ended with Council approval of the Draft Environmental Assessment for purposes of seeking input at public hearings. The NEFMC also recommended a 45-day public comment period for this action and asked the agency for an update on the progress of the EM pilot project at its September 20-22 meeting in Danvers, MA.

NMFS LOBSTER TRAP TRANSFER PROGRAM

NMFS began a new Lobster Trap Transfer Program that allows permit holders to flexibly buy and sell trap allocation for Lobster Conservation Management Areas 2, 3, and the Outer Cape. NMFS will accept trap transfer applications starting August 1 through September 30. Transfers will be effective on May 1, 2017.

All Federal lobster permit holders with qualified Area 2, 3, and/or Outer Cape Area traps, including those with permits in confirmation of permit history (CPH), may sell traps up to their full permitted allocation to another Federal lobster permit holder.

All Federal lobster permit holders, including those with permits in CPH, may buy traps up to the current cap limit for Areas 2, 3, and/or Outer Cape, even if their lobster permit does not qualify for trap fishing.

If you have more than one Federal permit, you can be both the ‘buyer’ and ‘seller’ to transfer traps between your permits.

Any dual (state and Federal) permit holder who wishes to transfer traps (either buy or sell) must have the same state and Federal trap allocation. If the state and Federal allocations do not match, the permit holder may only transfer traps if he/she agrees to align the state and Federal permit allocations at the lowest allocation for each Area. Traps cannot be leased.

The Trap Transfer Program regulations require that Area 1 permit holders who choose to sell Area 2, 3, and/or Outer Cape traps will permanently give up their Area 1 trap fishing rights. Area 1 permit holders may choose to buy traps through the program without giving up their Area 1 trap qualification.

A Federal-only permit holder cannot buy or sell traps from or to a state-only permit holder. You must possess a Federal lobster permit to retain Federal traps, and a state permit to retain state traps.

Every buyer is taxed 10% conservation tax on his/her purchase and is only able to receive 90% of the transferable traps to his/her permit; e.g., 100 traps are bought, 90 traps are transferred to the buyer’s permit, and 10 traps are retained from the transfer.

The Trap Transfer Program Guide and other detailed information about the program is available at www.greatereasternlantic.fisheries.noaa.gov/sustainable/species/lobster.

PROPOSED COAST GUARD REGULATIONS

The Coast Guard published proposed safety regulations on June 21. Comments are due September 19. This rule proposes to implement the statutory mandate of the USCG Acts of 2010 and 2012 that relate to commercial fishing vessels and that can be incorporated in regulations without exercise of any Coast Guard discretion. These rules do not reflect any 2015 reauthorization. The Coast Guard is considering additional regulatory actions through discretionary authority to improve the safety of fishing vessel operations but will seek public comment before seeking these actions. The proposed regulations address many issues.

Vessel Purity – The law states that undocumented vessels are no longer excluded from USCG commercial fishing vessel (CFV) safety regulations. The proposed rule clarifies that, at least for now, any proposed changes that require Coast Guard discretion would only apply to documented vessels. The USCG also now has discretionary authority to require additional safety equipment on CFVs if it determines “a risk of serious injury exists that can be eliminated or mitigated by that equipment.” It requests public comment on the types or operational characteristics of CFVs that pose risk of serious injury and equipment to eliminate or mitigate it.

Substitute Baseline for Boundary Line Criteria – This proposed rule replaces statutory boundary line with 3 mile line, so all CFV safety regulations will apply to vessels operating in federal waters.

Survival Craft – This rule proposes to require all CFVs operating outside 3 miles to carry a survival craft that ensure “that no part of a person is immersed in the water.” Vessels operating inside 3 miles will be allowed to continue to use life jackets or rigid buoyant apparatus. This proposal replaces earlier regulations proposed for February 2016.

Vessel Examinations – All fishing vessels fishing outside 3 miles are required to complete a vessel safety examination and receive a Safety Decal as of October 2015. Examinations are required every five years. The Coast Guard can order the termination of a fishing trip if the captain fails to demonstrate successful completion of a dockside exam. The Coast Guard is considering future rulemaking on how fishing vessel owners would request an examination. For now, vessels can demonstrate compliance by displaying a current valid safety sticker or by having a signed letter of compliance from an accepted third party. NMFS federal observers are prohibited from going on a vessel without a valid safety sticker.

Training – The Coast Guard will be requiring operator compliance training for the individual in charge of the fishing vessel. However, the proposed rule proposes no action on training requirements because the Coast Guard must first use its discretionary authority to determine how to recognize and give credit for commercial fishing vessel experience, and develop the specific items that the training covers.

Records – This rule proposes to require records of equipment maintenance and required instruction and drills to be kept for three years. Documented vessels operating outside 3 miles will be required to conduct monthly emergency drills by fishing vessel drill conducts for vessel inspection. The Coast Guard requests comments on further specifications for record retention.

Construction standards for smaller vessels – This rule proposes to restate the statutory mandate that all CFV’s less than 50 feet in overall length must be constructed as to provide a level of safety equivalent to the level required under USCG recreational standards (relating to safe loading, horsepower capacity limits, adequate flotation, safe electrical and fuel systems, navigation lights, etc). The CFV need not comply with each specific requirement, but rather the CFV must be able to demonstrate that they provide a safety standard that is equivalent to the level outlined in the standard.

Load Lines – The proposed rule removes the load line exemption of all commercial fishing vessels built after July 1, 2013 for vessels 79 feet or more in length.

Clipping of Vessels – This section proposes changes to require all vessels operating beyond 3 miles, which are at least 50 feet in length and built after July 1, 2013, to meet all surveying and classing requirements prescribed by the American Bureau of Shipping (ABS) or other approved organization.

Termination of Unsafe Operations – This proposed rule replaces the current legal authority to improve the safety of fishing vessel operations but will seek public comment before seeking these actions. The proposed regulations address many issues.

Miscellaneous – This rule proposes that CFVs must now have a series of equipment adequate for the size of the vessel and where the vessel operations intend to fish. Marine communications equipment should be sufficient to effectively communicate with land-based search and rescue facilities; navigation equipment including compasses, nautical charts, and publications; first aid equipment and medical supplies sufficient for the size and area of operation of the vessel; and ground tackle sufficient for the vessel. The Coast Guard requests comments on further specifications for this section.
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**Bait Dealers**
- *Bessy Bait, LLC*: Searsport, NH -- $5 discount per drum on multiple drum purchases (must show current MLA card).

**Boat Builders/Repairs**
- *Richard Stanley Custom Boats*: Bass Harbor, ME -- $1,000 off final price of hull with MLA membership.
- *SW Boatworks*: Lamonie, ME -- $100 discount for hull or top, on a 18’ CB or 44’ CB

**Documentation Services**
- *Maine Design Company*: Appleton, ME -- 10% discount to surveys on lobster boats. Must be an MLA member & mention this listing to get discount.

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**Financial & Investment**

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- *Hamilton Marine*: Searsport, Rockland, Portland, Southwest Harbor, Jonesport, ME -- Discounts available to commercial fishermen.
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- *Maine Camp Outfitters*: Sunset, ME -- 10% off all apparel and promotional product orders.

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**Industry Organizations**
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by Alisha Keezer

The Affordable Care Act first introduced Modified Adjusted Gross Income (MAGI) to calculate income eligibility for health coverage through the state and federal marketplaces. MAGI has two factors that must be considered: household size and household income. MAGI is essentially the amount of income a household reports on their annual federal tax form. By using the same income definition for all programs, it is easier to determine which program an individual is eligible for and how much assistance he or she is eligible to receive.

What Income is counted in MAGI

An individual’s income will only be counted toward the total household income if the individual is required to file a federal income tax return. Who must file a federal income tax return is based on age, filing status, and income amounts that change every year.

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If your child earns $6,300, that income will count toward the household income because the child is required to file a tax return.

HOW TO CALCULATE YOUR INCOME FOR HEALTH INSURANCE

Selected Income and Adjustments Included in MAGI:

<table>
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<tr>
<th>Type of Income Counted</th>
<th>Type of Income Not Counted</th>
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<tr>
<td>Wages, salaries, tips (earned Income)</td>
<td>Supplemental Security Income (SSI)</td>
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<td>Workers Compensation payments</td>
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<tr>
<td>Interest and dividends</td>
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<tr>
<td>Profit or loss from self-employment (Schedule C)</td>
<td>Some non-taxable American Indian income (excluded for Medicaid determinations only)</td>
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<tr>
<td>Social Security benefits (taxable + non-taxable)</td>
<td>Student loans and some scholarship income (broader exclusions for Medicaid determinations only)</td>
</tr>
</tbody>
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For people who have both earned and unearned income, gross income of more than the larger of either $1,000, or earned income (up to $5,850) plus $350. When determining MAGI, the best place to start is “gross income” followed by adjustments to gross income. Gross income is adjusted to result in Adjusted Gross Income (AGI) by subtracting deductions including contributions to a health savings account, job-related expenses, student loan interest, IRA contributions, alimony paid, and in some cases tuition and fees (see lines 23 to 35 on the IRS-1040 form for the complete list of deductions). There are three modifications made to AGI to get to MAGI:

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Social security income, excluded foreign income and tax exempt interest. MAGI is based on income reported on a consumer’s federal tax return. To count the income for MAGI follow these two steps:

First, identify the adjusted gross income, which is the amount listed on the Line 37 of IRS form 1040 (or Line 4 of the IRS form 1040 EZ) used to file federal income taxes.

Secondly, add to adjusted gross income the following non-taxable portion of Social Security income, excluded foreign income, and tax exempt interest to get a total MAGI.
Although lobstermen increasingly fish for herring, the demand for the catch landed in Maine comes in the later summer and fall months. Thus the demand for herring is greatest from August through November. That time also coincides with the period during which herring gather to spawn along the coast. To ensure that the stock remains healthy, spawning closures go into effect sequentially, from east to west, within Area 1A from mid-November of one year. These closures designed to protect spawning fish further limit fishing opportunities at a time when herring are in high demand.

Furthermore, herring schools often share the same deep water locations as groups of haddock. The total allowable catch of haddock, like that of other groundfish in the Gulf of Maine, has been steadily reduced in recent years in order to build the stock. Consequently, haddock fishers are allowed just 1% of the haddock caught on Georges Bank as bycatch. Once that percentage is caught by the herring boats, the herring fishery in an area is effectively closed. In 2013, the Area 3 and 1B herring fishery was shut down in late October when the haddock bycatch limit was met. The fishery did not reopen until May 1, 2016, contributing to the ongoing bait shortage this year. This has led to protests from herring fishermen that the bycatch limit too severely restricts their ability to catch herring. Currently, the New England Fisheries Management Council (NEFMC) is considering revising that quota, according to Deirdre Boilek, Herring Plan coordinator at the NEFMC.

**Absence of herring on Georges Bank**

It’s a complex management system designed to ensure a smooth flow of herring to lobstermen and other users. But herring don’t obey management systems. This summer herring have not appeared in any great numbers on Georges Bank where they typically are found in June and July. Vessels which normally found herring in abundance were instead finding few herring; and those that did find have been mixed with haddock. If the nets are set on these fish, they are at risk of moving ever closer to a mandated closure of the area.

That scarcity in Area 3 resulted in two large herring trawlers re-ripping for purse seining and moving into Area 1A to fish in June. The F/V Providian and F/V Starlight joined the rest of the purse seiners inshore where large aggregations of the fish could be found. The addition of these boats, and the use of other trawl boats as carriers, meant that the entire quota allocated for Area 1A from June to September 30 could be landed, and landed quickly. "The state could have seen that quota caught in two weeks," commented Rene Cloutier, deputy chief of the Marine Patrol Bureau in the Department of Marine Resources (DMR). DMR Commissioner Patrick Keliher promulgated emergency rules on June 22, July 2 and July 9 to forestall catching the quota before the lobster season moved into full swing.

The July 9 rules state that vessels landing herring from Area 1A are limited to fishing on three consecutive days (6 p.m. Saturday to 6 p.m. Tuesday) and landing herring on two consecutive days (from 6 p.m. Sunday to 6 p.m. Tuesday). All vessels are limited to one landing per 24-hour period. All harvester vessels landing herring from Area 1A are subject to a weekly landing limit of no more than 600,000 pounds (15 trucks). Seiners may transfer fish to another vessel, but may only transfer fish to one carrier vessel per week. Vessels operating as harvester vessels may not operate as carrier vessels on the same trip. Additionally, all harvester and carrier vessels must send an email hail to DMR 3 hours prior to landing to report the amount of herring on board and other information about the fishing trip and where the fish will be landed.

"So far it’s going, O.K.,” Cloutier said. "Last weekend [July 17] everyone landed 15 truckloads. There are just six or seven purse seiners who typically fish during the summer season inshore; the addition of larger vessels has not had the repercussion of the ones offshore. According to Cloutier, "We check on the boats at night and check the carriers. It works real good that they have to haul three hours before coming in. So far there has been nothing out of the ordinary," he said.

**It matters where you live**

The possibility that the supply of their prized bait might dwindle down to nothing before the fall season started has caused a lot of anxiety among Maine’s lobstermen, particularly those located in smaller harbors. An employee of C.H. Rich Lobster in Bass Harbor, who did not wish to be named, said that the company has had a very hard time getting a regular supply of fresh herring this summer. "We got herring from William Coffin for years, then we started getting some from Cape Porpoise, pretty much from anywhere we could,” the employee said. "Now we get it from Canada because our parent company is Canadian,” C.H. Rich was sold to Les Pecheries de Chez Nous of New Brunswick in 2015, which in turn was recently purchased by Thai Union. Warren Polk, general manager of the Cove Lobster Co-operative, knows that he is not alone in having difficulty securing fresh bait, but that knowledge doesn’t make his job any easier. “I have my lobstermen on a tray limit per day. They supplement with frozen herring. Plus I tried and salted some earlier,” he said. He gets his herring from wherever he can: New England Fish Company and C.S.S. Lobster and Fish. But although BBS Lobster Trap, Machiasport and Steuben, the co-op has no freezer and no cooler in which to store bait. "There’s just not enough coming in right now to supply the needs of the lobster industry," Polk said.

Dean Crossman, owner of Little River Lobster in Cutler, hasn’t had trouble getting fresh herring. He’s not happy about the cost, however. “Thankfully, we’ve been able to get it right along, if you want to pay the price," he said. "The price is a total shock." He too gets his herring from BBS and although there’s no freezer to store large quantities, the flow has been ample and steady for his lobstermen. "They are just a half hour away and they buy our catch so a truck comes in and then goes out with the herring," he explained. The issue for the Cutler lobstermen, according to Crossman, is that the lobsters are just coming on now. "That puts many lobstermen behind in terms of profit because they must spend more money than in prior years on bait. "And you sure can’t set in the spring at this price,” Crossman said. "Oh yeah, we get herring, but we don’t get as much as we want," said an employee of the Bremen Lobster Co-operative, who did not wish to be named. The co-op has bought its bait for many years from Purse Line Bait in Sebeco Estates and has no plans to switch to another dealer. "We get what they want to give us," he said. "We could certainly use more barrels!" Those barrels may have to wait. The Atlantic States Marine Fisheries Commission (ASMFC) voted to reduce the landing days for Area 1A from five days to two effective July 24. It was the admission of a menhaden seiner landing herring in Gloucester that prompted ASMFC managers to meet. This action brought New Hampshire and Massachusetts nearer to Maine’s regulations in an effort to prevent vessels landing herring in those states from fishing down Area 1A quota too quickly. The Commission hopes to extend Area 1A landings into September. And, there was word as this article was going to press that some vessels in Area 3 had found herring in deep water, but in association with schools of haddock. So what will happen in the fall remains anyone’s guess.
It’s summertime and the living is easy, except perhaps for Maine’s Marine Patrol Officers (MPOs). As the temperature warms and the lobster season intensifies, the states 32 MPOs find their days and often nights filled with activity.

“We made it through elver season, which is always challenging,” said Colonel Jon Cornish, referring to Maine’s three-month fishing season for the tiny glass eels. “Violations were triple what they were last year. That’s mostly because it’s easier to track violations with the swipe cards.” With the elver fishery closed in early June, the bureau turned its attention to the many tasks of the summer season: recreational boating, rescue operations, and enforcement of new herring regulations.

On July 9, Department of Marine Resources Commissioner Patrick Keliher promulgated a third set of emergency regulations to better control the landing of herring. The purpose was to slow herring landings from Area 1A in order to promote the fishery’s conservation and sustainability practices, and giving everyone a chance to swap stories.

This year the Bureau has more staff to move about as needed. As of July there were just five positions still vacant in the MPO ranks, primarily in the eastern division. The passage of LD 1523 this spring helped strengthen the Bureau, Cornish said. “That salary adjustment for law enforcement staff made a difference,” he said. “At the time I had two officers who were thinking about other offers. But they decided to stay. Now we have full capacity in southern Maine.” Two prospective officers will be attending the Maine State Police Academy in August. When they complete their studies, only three vacancies will remain.

But with each new officer comes expenses in addition to salary. “When a position has been open for three or four years, then you really have to pay attention to the budget. A new officer needs a truck, equipment and all the rest. Our budget is very tight but it’s been tight for a while. There’s just no fat,” he said.

Thus the Bureau is putting more emphasis on obtaining money from outside General Revenues, through grant applications to the federal Department of Homeland Security and the Maine Outdoor Heritage Fund. “Yes, we are definitely seeing more activity there,” Cornish said.

Bacch, and with her help and some of our contacts, we invited the leading chefs in Atlanta. We arrived with Maine-based chef, author and sustainability expert Barton Seaver as well as lobstermen Cyrus Sleeper, Brian Rapp, Mark Jones, Tad Miller and Chris Welch. More than 75 chefs, media, and food influencers attended the event. Chef Anne made some incredible lobster recipes to show the other chefs creative ways to use Maine new-shell lobster. We set up a tasting station to allow the chefs and media an opportunity to do a side-by-side taste comparison of new-shell and hard-shell lobster. The lobstermen talked one-on-one with each chef, demonstrating how to measure a lobster, explain the fishery’s conservation and sustainability practices, and giving everyone a chance to swap stories.

At the event the guests made 109 social media posts which reached over 1 million people that night! The next day, I heard from one processor who serves the Atlanta market that more than a dozen chefs had called his company the next day to order Maine new-shell lobster for their restaurants.

But the exposure for Maine lobster did not end with the event. The visiting lobstermen and MLMC staff did interviews with print media in the area. Brian Rapp even did a local morning television show that included a cooking segment with Maine lobsters! We captured the evening event in photos and video that we gave to the local TV stations who then ran it on their news programs. We cultivated print journalists who will publish articles about Maine lobster in the coming weeks.

The next week we did a similar event in Washington, D.C. Our host chef was “Top Chef” finalist Kwame Onwuachi, who made several lobster dishes, including my favorite — Maine new-shell lobster potpie with black truffles and caviar. Wow! Sonny Beal, Polie Beal, Peter Miller, Dustin Delano and Merritt Carey were the visiting lobstermen for this event. And like their colleagues in Atlanta, this crew crushed it with the 115 chefs and media that attended. In fact, the guests made 150 social media posts that got seen by nearly 1 million people that night! Local media covered the event and we are seeing articles appear already, as well as several that will be published in the coming weeks.

My favorite quote from the evening came from Johnathan Allen, sous chef at Vermilion Restaurant, about the taste of new-shell lobster: “My mind is being blown right now. I have to tell our executive chef. I want to get this on our menu!”

Our next event will be in New York City where we expect the numbers and media opportunities to be significant. Our host chef for the event is culinary “rock star” chef Marc Forgione. We’ll have another crew of lobstermen attending and will get every ounce of attention for Maine lobster that we can.

**SUMMER MEANS ALL HANDS ON DECK FOR MARINE PATROL**

By Melissa Waterman

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Serving midcoast Maine fishermen since 1996
TO YOUR HEALTH: The deer tick — why do we care?

by Ann Backus

When I see lobstermen in their boats working from dawn until dusk, I wonder what else they can possibly have time for during the day. Yet I know they mow lawns that run close to the woods, perhaps hunt or hike in the woods with kids or friends or have dogs that bound into the house that might be carrying deer ticks on their coats.

The northeast and mid-Atlantic is home to *Ixodes scapularis*, commonly known as the deer tick or blacklegged tick. Although we use the term deer tick, *Ixodes* is carried by various animals over the course of its two-year life cycle. When the egg hatch into the larval stage, the tiny *Ixodes* larvae (the size of a poppy seed) ride on and get their blood meals from birds and small mammals such as mice. In the nymph stage, *Ixodes* scapularis get their sustenance from deer (hence the name) and from humans. In their adult stage (the size of a sesame seed) deer ticks are also found on deer and humans.

In the course of its life cycle, if a deer tick bites a bird or animal infected with the bacterium *Borrelia burgdorferi*, the tick can then transmit this bacterium to people when it bites them. A deer tick, once infected with *Borrelia*, is infected for life.

**Why do we care?**

Deer ticks are very prevalent in the northeast. Transmission to animals and people takes place mainly in the spring and summer months. We New Englanders are at risk during these months to the degree that we spend time in the fields and woods.

The risk we are talking about is Lyme Disease, an illness caused by *Borrelia burgdorferi*. Maps of the U.S. show high prevalence of Lyme Disease throughout the Northeast, from Maine to Virginia. The reason we know so much about the distribution of Lyme Disease is that it is classified as a notifiable disease, meaning that local and state health agencies have to report cases to the Centers for Disease Control and Prevention (CDC). A comparison of “provisional data” from the CDC, which does not represent complete reporting, as of July 9 shows Maine having reported 161 cases of Lyme Disease compared to 360 cases cumulative to the same week in 2015.

We can’t really draw any conclusion from these data as they are incomplete at this time, but they do remind us to be vigilant and employ preventive measures.

**Lyme Disease Symptoms**

The bacterium *Borrelia* affects people differently. The most frequent symptom reported is a rash at the site of the deer tick bite. This rash can develop into a telltale “bull’s eye” rash with redness at the center and an additional red circle that migrates out from the center bite. This type of rash is known as *erythema migrans* (redness migrating or moving). Sometimes this symptom does not show up right away. Other symptoms may show up later as well, such as fever, chills, fatigue, headaches, body aches, swollen joints, Bell’s palsy (droop of one side of the face), and in about 1% of people, a potentially very serious condition that affects the heart. If the bacterium gets to the heart muscle it can cause a blockage of the normal heart rhythm, which, if untreated, can be fatal.

The difficulties of diagnosing Lyme Disease are several. First, sometimes the symptoms don’t appear right away, and the patient does not remember being bitten or doesn’t associate the symptoms with a bite, especially if a tick was not found. Secondly, other than the telltale rash, the other symptoms resemble those of a number of other illnesses. The CDC literature cautions doctors who see people with palpitations or heart beat irregularities to ask if they could have been bitten by a deer tick.

Lyme Disease usually responds to treatment with a course of antibiotics, which, as with all antibiotics, must be finished completely.

**Reducing the Risk of Lyme Disease**

To reduce the risk of being bitten, wear long pants, tuck pants into socks, wear long sleeves, use insecticides with DEET, or if you are concerned about the safety of DEET, use a natural insecticide, some of which are commercially available and have been registered by the EPA as safe and effective.

When you return from the fields or woods, shower and check completely for ticks. Use a mirror or ask another person to check your back and the back of your knees. Remember: these critters are really tiny.

If you are bitten, do not try to remove the tick with a burning match, but use tweezers to grasp the tick close to the skin and pull straight up. Apply arubbing alcohol or soap and water to the bite immediately, then drown the tick in alcohol, place it in a plastic bag or flush it away.

So maybe you are on the water most of the day, but your children and grandchildren are out and about on land. Help them learn about Lyme Disease and the precautions they should take.

The CDC website is very useful: www.cdc.gov/lyme.
launched restaurants in Maine and Florida, and developed a strong on-line specialty food business.

According to Petersdorf, about two years ago Bean began to think of retiring from the lobster business. She had diversified her company to include vacation rentals, wedding planning, maple syrup, even boat tours of the Port Clyde area. "Linda is committed to traditional Maine industries and to the continuation of the working waterfront. She wanted to transfer that dream to those who do that work for her, to solidify her legacy," said Crossman. In 2015 Bean started the process to sell her company to the employees.

A six-member board of trustees was set up to oversee the long-term health of the company. Those Board members have a fiduciary responsibility to the company; it is there that major decisions about the company’s future are made.

The management team and facility workers, however, remained largely the same. The new ownership structure means that everyone who works more than 1,000 hours in a year for Linda Bean’s Maine Lobster is vested in the company. They receive a percentage of the company’s annual profit presented in a statement each year. That percentage, said Petersdorf, is based on a number of factors. The actual money is set aside in a fund; when the employee leaves the company, for another job or for retirement, that money is released to them over time. "The payout period is years which is a tax benefit to the employee," Crossman said.

The ESOP structure is also a great benefit to the company itself because an ESOP pays no state or federal taxes. According to Crossman, an S corporation 100% owned by its employees does not pay income tax on its profits. "Don't ask me how that works," Petersdorf said, throwing up his hands. "We hire a financial firm to manage the financial aspect of this."

From Petersdorf’s point of view, the new structure means that those who work for the company are those who care about the company. "There's risk, that's certain, but there's the possibility of a return on your investment," he said. "We've bought into the company with confidence that we can make it work. And Linda really deserves all the credit. She built these facilities and made the initial investments."

The company is sticking to what it knows: buying and selling live lobsters. Bean sold the processing arm of the company several years ago. Currently Linda Bean’s Maine Lobster has 75 customers and the volume of lobster passing through its holding tanks “is good,” Petersdorf said. He doesn’t foresee much changing in the next few years. "It will be business as usual. We are a new company, essentially, and I think we’ll be pretty conservative about outlays for a while."

Running a successful business is much like voyaging by ship; you need a good crew, a good ship, and the assurance that each member of the crew knows what to do and when to do it. That comparison is particularly apt for Central Maine Cold Storage in Bucksport, a new company that focuses on producing IQF (Individually Quick Frozen) Maine seafood.

The first thing you notice upon entering the enormous building in Bucksport’s industrial park is its cleanliness. The grey concrete floor shows not a blemish or a blotch. The management team – Brian McCarthy, chief executive officer; Tony Kelley, president and COO; Tina Kelley, vice president in charge of quality control and compliance; and Dwain Moody, refrigeration specialist – quickly credits Patricia Moody, Dwain’s wife, for the facility’s tidiness. That sort of camaraderie reflects the four individuals’ shared experience in the world of freezing food.

"It took us about two years from the concept to opening in 2014," McCarthy said. The 15,000-square-foot building and state-of-the-art freezing equipment were entirely privately financed, without state or federal support, McCarthy noted. "Our goal is to produce the best possible frozen lobster within 24 hours of it coming from the water," he said.

The IQF process has many steps. First the live lobsters are delivered to the plant’s holding room, where they are kept at 38°F. Then they are either taken to the blanching room or placed in freshwater tanks. The lobsters move through the blanching machine where steam from the building’s boiler is used to quickly cook the outer skin of the lobster at 220°F. "The outer skin dis-attaches from the shell while the rest is still raw," McCarthy explained. "That makes it easier for the end user to extract the meat." "We did a blind taste test with chefs in Portland and they all said that the texture of the blanched then frozen lobster was the best," he added.

The whole lobsters are then cooled to 36°F. and slipped into individual netting sacks before being sent through the IQF freezing machine. The machine, approximately the size of a ship container, uses anhydrous ammonia to drop the temperature to -35°F. McCarthy gestured to four enormous fans on one side of the machine. "They generate 60-mile-an-hour winds that blow through the ammonia coils to bring the temperature down," he explained. "It’s all about air movement and temperature." Unlike liquid nitrogen, most commonly used to flash-freeze seafood, an ammonia system requires little additional input and so is less expensive in the long run, according to McCarthy.

The whole process to sell her company to the employees.
Cost savings also accrue to the customer. Because the lobsters are frozen whole, the customer does not have to worry about lobsters dying or becoming weak during shipping, which can happen with live lobsters. A restaurant owner or a grocery store chain does not have to support the cost of maintaining a flowing seawater tank to keep the lobsters healthy prior to sale.

Once out of the machine, which can freeze 1,500 pounds of lobster in a typical 10-hour shift, lobsters that will be shipped in 10-pound boxes are quickly dipped in water which forms a thin glaze of ice around each animal. The glaze acts to prevent oxidation which leads to freezer burn. “We’ve found that it preserves the quality,” McCarthy said. The company has consulted frequently on such techniques with Jason Bolton, a food safety specialist at the University of Maine Cooperative Extension.

The lobsters are weighed, sorted and stored in pallets at -5°F in the company’s Maine Cooperative Extension. Such techniques with Jason Bolton, a food safety specialist at the University of Maine Cooperative Extension, proves the quality, “McCarthy said. The company has consulted frequently on such techniques with Jason Bolton, a food safety specialist at the University of Maine Cooperative Extension.

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But not all orders have to be gigantic, he added. A small freezing chamber is available to be used for orders of around 1,000 pounds, which means that smaller buyers can avail themselves of the freezing process as well. “We think it’s important that Maine seafood be processed in Maine using Maine workers,” he said. “This service can be used to add value and longevity to Maine’s seafood products.”

Right now Central Maine Cold Storage is aiming to become certified by the British Retail Consortium (BRC) Global Standards, an international food safety and quality certification program. “We want the certification because our distributors are calling for it,” McCarthy explained. The company hopes to introduce its Totally Maine lobster to markets in the southern and midwestern parts of the United States as well as overseas.

New Life for an Old Wharf

Despite the fact that lobstering is a centuries-old tradition in Maine, change can come very quickly. One day you are operating a family fishing wharf; the next day you find that you are a brand new lobster cooperative with a nationally-known restaurant opening on your dock.

Miller’s Wharf in Tenants Harbor has been in the Miller family for more than forty years. “My uncle bought it because my dad had a 28-foot lobster boat that he used for gillnetting,” said Peter Miller, a co-owner of the wharf and Tenants Harbor lobsterman. “My parents were both teachers with the summer off. So my mother decided to open a fish market.”

The Cod End fish market was a fixture in the small harbor for the next thirty years. Before Ann Miller passed the wharf on to her sons in 2002, it had expanded to become not only a seafood market but also a popular summertime restaurant.

Since that time the wharf has been operated by the Miller brothers - Peter, Danny, Hale and Tad. And, as Peter Miller put it, it “was a big headache.” The restaurant closed in the mid-1990s but the family continued to fish and sell lobsters to Maine and Canadian processors. One company to which they sold their catch found itself in financial trouble with its overseas accounts which lead to difficulty in paying the Millers. Plus the boats fishing from the wharf could not produce the volume that others in the region could do. So in 2015 the brothers decided to lease the wharf to Jeff Woodman of Mainely Lobster and Seafood in Owls Head.

He thought about buying the wharf, Miller continued. “But by mid-December (last year) he let us know that he wanted to wait a bit, maybe lease it again.”

About that time Hale and Merritt Carey, a Tenants Harbor resident who worked for Ann Miller for many years, took a trip to New York City to talk to Luke Holden, co-founder of the successful Luke’s Lobster chain of restaurants. They wanted to see if Holden would be interested in buying their lobsters. Holden in turn asked them if the family might be interested in forming a cooperative with other lobstermen in the area. The idea was appealing.

“Luke regularly came up here to talk with us throughout the winter. It was a mild winter but it seemed every time Luke came it was either a bad snowstorm or it was way below zero,” Carey laughed. Holden answered the lobstermen’s questions about what it would mean to sell directly to Luke’s Lobsters, what the logistics of shipping and shrinkage would be, and other nuts and bolts topics that the men were interested in. And the idea of a cooperative slowly took form.

“We started in March getting the bylaws done and organizing,” said Josh Miller, Peter’s son. “Everyone was on board to do something innovative. They solicited other lobstermen to join the cooperative and set up a board of directors and an advisory board. “We are unusual because we have two members of the board who are not fishermen. Why not have intelligent people from outside the industry be on the board, like on a corporate board?” Miller said.

The innovative aspect is not that the Miller family formed a lobster cooperative, the Tenants Harbor Fisherman’s Cooperative, but that the cooperative has formed a close collaboration with Luke’s Lobster. The members’ lobsters are sold directly to Cape Seafood in Saco, the seafood processing company started by Holden in 2012. Cape Seafood, in turn, supplies Luke’s Lobster’s 19 restaurants with lobster meat for their various lobster dishes. Luke’s Lobster promotes the Tenants Harbor Cooperative in its publicity materials; the Tenants Harbor lobstermen give Luke’s Lobster the link to place so desired by customers.

“We checked out the company’s philosophy,” Josh Miller added. “Luke wants to provide a good product and see that lobstermen are paid well. He doesn’t try to

Continued from page 20

Continued on page 22

FISHERMEN’S VOICE

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GREAT WHITE SHARK POPULATION RISES OFF MASS.

A big rise in the number of great white sharks seen off Massachusetts has been the subject of research conducted by a handful of scientists along the East Coast. Greg Skomal, senior marine fisheries scientist for the state government, tags great whites along the coast. He collaborates with researchers in Halifax, Nova Scotia, who tag blue sharks and other species and collect data from Skomal’s tags when the sharks are in Canadian waters. The data show that from mid-June to October in 2014, his team identified 68 individual white sharks off the eastern shore of Cape Cod. In the summer of 2015, that number increased to 141 individuals. Skomal believes the population is rebounding after their numbers were diminished as a result of the expansion of commercial fisheries during the last century. He noted that humans are not a preferred item for great white sharks. Instead, he thinks that the sharks are drawn to Cape Cod by grey seals that have proliferated on Nova Scotia’s Sable Island, and are now spreading out and establishing new colonies.

NEW WAY TO GET RID OF GREEN CRABS

Tourists usually come to Nova Scotia for the lobster, but soon they may come for the crab. A new program launched this month by Parks Canada offers visitors to Kejimkujik National Park in Nova Scotia the chance to help control the population of an invasive crab species.

Since 2010, Parks Canada staff have removed two million green crabs as part of a project at the park’s Seaside region. Each day staff members and volunteers check and empty traps, which can catch dozens of crabs every 24 hours. When the program started, officials were finding more than 100 crabs per trap. They now find around 30 per trap and staff hope to reduce that to 15. To help with the crab catching, the park is opening the program to tourists. Now park visitors can pay $30 each for the opportunity to take a 20-minute ATV ride to the coast, row out to any of the 55 buoys in a specific estuary, and are now spreading out and establishing new colonies.

LONG-IGNORED WHELKS BECOME VALUABLE SPECIES

Cooking a channeled whelk is not for the squeamish. But sliced and sprinkled over a bed of linguine, it’s a chewy delicacy. The sea snails known by Italian-speaking Americans as scungilli used to be so underappreciated that fishermen ignored them when they turned up in lobster traps or oyster dredges. Now they’re a prized commodity. Because of growing demand in Asia and the collapse of other fisheries, fishermen searching for something else to catch are keeping and selling the big marine snails. A large whelk can be sold for as much as $7 in a live market. The annual dockside value of the whelk catch now tops $1 million in Virginia and Rhode Island, $1.4 million in New Jersey and $5.7 million in Massachusetts, according to marine fishery agencies in those states. In southern New England, as the lobster industry has declined from Cape Cod to Long Island Sound, the market for channeled whelks has grown so quickly that states are scrambling to establish rules to let the snails grow big enough to breed.

THAI COMPANY ACQUIRES NEW BRUNSWICK LOBSTER CO.

Thai Union announced another expansion into the North American lobster industry with a deal to acquire a majority stake in Canadian lobster processor Les Pecheries de Chez Nous based in New Brunswick. Bangkok-based Thai Union, owner of brands such as Chicken of the Sea, John West and King Oscar, will own the majority of the company while existing owner Francois Benoit will retain a minority share. Chez Nous, which owns a processing facility on the Gulf of St. Lawrence, reported sales of approximately $50 million in 2015. This is Thai Union’s second major move into the North American lobster industry since February, 2015, when its subsidiary Chicken of the Sea Frozen Foods acquired the assets to Orion Seafood International.

DMR EDUCATOR RECEIVES VISIONARY AWARD

Elaine Jones, the Maine Department of Marine Resources’ (DMR) director of education has received the Gulf of Maine Council on the Marine Environment’s 2016 Visionary Award. The annual award recognizes innovation, creativity, and commitment to protecting the marine environment. Jones, who has led the education division since 1991, was recognized for her work developing programs for Maine students, teachers and residents, along with designing and constructing the Maine State Aquarium, which attracts about 40,000 visitors every summer. Jones was also honored for spearheading efforts to secure Burnt Island for the Department and restoring the Burnt Island Light Station, transforming it into an educational and recreational facility unequaled in New England.
Events Calendar

August 2-4
ASMF summer meeting, Alexandria, VA. FMI: www.asmfc.org

August 3-7
Maine Lobster Festival, Rockland. FMI: 534-8928 or www.maineoberfestival.com

August 7

August 13
Winter Harbor Lobster Festival and lobster boat races. FMI: www.acadia-schoodic.org/lobster-festival

August 14
Pemaquid Lobster Boat Races 8 am registration

August 17
NEFMC Herring Committee meeting, Holiday Inn, Mansfield MA. www.nefmc.org

August 19-21
Machias Wild Blueberry Festival. FMI: 255-6665 or www.machiasblueberry.com

August 20
Long Island Lobster Boat Races, 8 am registration

August 21
Portland Lobster Boat races, 8 am registration

UPCOMING

September 2-4

Don’t forget to check out the expanded calendar on www.mainelobstermen.org. You can find more information, links, and photos. Please let us know if you have upcoming events!

TO ALL INDIVIDUALS ON A LOBSTER LICENSE WAITING LIST

DMR release

LD1503. An Act to Amend Lobster and Crab Fishing License Laws, passed by the Maine Legislature in April, requires the Maine Department of Marine Resources (DMR) to contact all individuals who are currently on lobster license waiting lists for each of the six current Limited Entry Zones (A, B, D, E, F, and G), and determine if those individuals wish to remain on the Waiting List, or if they wish to be removed.

In an attempt to reach those individuals on the waiting lists, the Department sent a mailing earlier this summer. In addition, the Department is seeking to reach people on the waiting list through the MLA newsletter.

If you have received the form in the mail and are currently on a waiting list and wish to remain on the list, you must complete the form, and mail it by September 2, 2016 to: Mary J. Darling, Dept. of Marine Resources, 21 State House Station, Augusta, ME 04333.

September 2-11
Boothbay Harbor Festival, Boothbay Harbor. FMI: boothbayharborfest.com

September 3-4
Eastport Salmon and Seafood Festival, Eastport. FMI: 823-6122.

September 7
MLA Board of directors meeting, 3 p.m., Darby’s Restaurant, Belfast. FMI: 967-4555.

September 13
MLMC board of directors meeting, Island Institute, Rockland.

September 15
5th Annual Claw Down, Chef’s Lobster Bite Competition 6 p.m. FMI: 633-2353.

September 20
Claws for a Cause Benefit Night at Flatbread Pizza, Rockport. FMI:967-4555 or mcalliance.org.

September 20-22
NEFMC Council meeting, Danvers, MA. FMI: 978-465-0492

September 25
National Lobster Day

September 29
Land and Sea Colloquium, hosted by Maine Farmland Trust and Penobscot East Resource Center, Bowdoin College, Brunswick. FMI: 367-2708.

Announcing the 2016 Maine Lobstermen’s Alliance Membership Drive:

It’s membership time!

Send in your membership before August 31, 2016 for your chance to win $1,000!!!

Made possible through generous support from Smithwick & Mariners Ins and the MLA

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www.mainelobstermen.org/membership

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To all individuals on a lobster license waiting list,

The form is also available for download on the Maine DMR website at www.maine.gov/dmr/sci-research/species/lobster/index.html. If you have a friend or family member on a waiting list, please remind them to send their form in as well.

In order to remain on the waiting list you must return this form indicating that you want to remain on the list. The form must be postmarked by September 2nd, or you will be removed from the list. If you are removed from the list and later ask to be placed back on the list, the DMR is required by law to put you at the bottom of the list.

A reminder: It is your responsibility to provide the Department with updates to your contact information should it change. Under the new law, the Department is required to verify the Waiting Lists a minimum of once every three years. If your contact information changes in the future, please contact DMR’s Licensing Division at 624-6550 to obtain the necessary form to make the changes so that we are able to reach you for this purpose.

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The Maine Lobstermen’s Community Alliance (MLCA) is partnering with Maine’s restaurant community this summer through its Claws for a Cause program. Otto’s in Portland and Rudy’s in Cape Elizabeth dedicated a percentage of a night’s sales to the MLCA and provided the opportunity for people to learn more about Maine lobstermen and the fishery.

To learn more about Claws for a Cause and how to support the MLCA, please contact Antonina “Andi” Pelletier at 967-4555 or andi@mainelobstermen.org.

Please support MLCA!
- Do you shop Amazon? Use www.smile.amazon.com and choose “Maine Lobstermen’s Alliance.” A percentage of your purchase will be donated to MLCA.
- Eat at Flatbread Pizza on Sept 22; a portion of the proceeds will support MLCA.
- Maine Foodie Tours will support MLCA in October
- Purchase a reusable grocery bag at Hannafords in Kennebunk during September and October; profits will be donated to MLCA.

A few of the young lobstermen who took part in the Maine Lobstermen’s Community Alliance Lobster Leadership Institute visiting other fishermen on Prince Edward Island. MLCA photo.