Landings, vol. 27, no. 5

Maine Lobstermen's Community Alliance
By MLA staff

“I felt like I was leaving the funeral of a good friend,” said Stonington lobsterman and MLA board member John Williams. He was referring to the stress he felt at the close of the week-long Atlantic Large Whale Take Reduction Team (TRT) meeting held at the end of April in Providence, RI. Williams and fellow MLA board member Mike Sargent, president Kristan Porter, former board member Dwight Carver, executive director Patrice McCarron and Department of Marine Resources (DMR) staff person Erin Summers represented Maine lobstermen in discussions on the development of future regulations designed to protect the endangered North Atlantic right whales.

“It’s a moving target. The most important thing is that whatever we do, we make sure that it affects all lobstermen equally.”

The Maine team had done a tremendous amount of leg work in preparation for the TRT meeting, attending many meetings organized by the National Marine Fisheries Service (NMFS) and conservation groups in the months leading up to the TRT meeting. But more importantly, the MLA spent a lot of time seeking input from lobstermen about pending changes to the whale rules. The MLA organized eight industry meetings in 2018, helped organize sessions at the Maine Fishermen’s Forum, attended zone council meetings and DMR’s three industry meetings in March to inform lobstermen about the whale rules and discuss ideas for improving Maine’s whale protection measures with them.

The TRT is composed of 60 individuals representing federal, state, regional, scientific and environmental entities involved in right whale protection and management, and the Maine team recognized that they would be outnumbered at the meeting. In 1997 the TRT created the first Atlantic Large Whale Take Reduction Plan, which helped lead to a steady uptick in the right whale population. Unfortunately, that increase came to a halt in 2010 when the birth rate among right whales began to drop and the whales began moving to the Gulf of St. Lawrence in search of food. The decline worsened as a result of an unprecedented number of right whale deaths, mostly in Canadian waters in 2017 leading environmental organizations to bring suit against NMFS under the Endangered Species Act in January 2018, calling on it to immediately complete a Section 7 consultation. NMFS

Continued on page 4

By MLA staff

NEW HEAD OF COLLABORATIVE EXPERIENCED MARKETER

The Maine Lobster Marketing Collaborative Board of Directors selected Marianne Lacroix, the Collaborative’s marketing director, as its new executive director in late April. Lacroix served as interim director of the Collaborative during its first year of existence, from 2012 to 2013. She began working for the Collaborative’s predecessor, the Lobster Promotion Council, in 2006.

"Over the past several years, we’ve done important work with chefs and tastemakers across the country, spreading the word about Maine lobster as a premium product," Lacroix wrote in a release. "I’m thrilled that the board has placed their faith in me and look forward to moving ahead with our plans for the year, which include broadening our scope to all aspects of the supply chain."

By Melissa Waterman

Maine Fishermen’s Cooperatives


NEW HEAD OF COLLABORATIVE EXPERIENCED MARKETER

By Melissa Waterman

Marianne Lacroix, right, with MLMC board chair Frank Groat and his sternman. MLMC photo.

Changes to how lobstermen fish will have long-lasting impacts throughout the fishery. MLA photo.

Changes to how lobstermen fish will have long-lasting impacts throughout the fishery. MLA photo.

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Changes to how lobstermen fish will have long-lasting impacts throughout the fishery. MLA photo.
This issue of Landings focuses on several issues of concern to Maine lobstermen. First among them is the question of how lobstermen will adjust to new measures designed to protect endangered North Atlantic right whales from entanglement in fishing lines. At an April meeting convened by the National Marine Fisheries Service (NMFS), members of the Atlantic Large Whale Take Reduction Team, a coalition of 60 representatives of state and federal agencies and scientific, environmental and fisheries organizations, wrestled with that question for five days. At the end of the meeting, Maine had agreed to reduce vertical lines in the water by 50%. "How that reduction will take place will be the subject of meetings and discussions between the Department of Marine Resources and lobstermen in future months."

A second issue of concern is the status of lobster bait as the 2019 fishing season unfolds. Maine’s commercial lobstermen use a lot of bait to catch millions of pounds of lobster each year. A dramatic reduction in the quota for Atlantic herring has thrown the lobster bait supply into turmoil. But, as the article in Landings indicates, lobster cooperatives and lobstermen themselves are taking steps to cope with the anticipated shortage of herring and overall strain on the bait supply.

Lobstermen may also find relief from an unexpected source. Asian carp, which are an invasive freshwater species of fish found in the Illinois River, are under review by the Department of Marine Resources and the U.S. Fish and Wildlife Service to determine if they are safe to use in the Gulf of Maine as lobster bait. The fish are voracious filter feeders and pose a threat to native fish species in the river; if they prove free of disease and pose no threat to Gulf of Maine species, they could become an important bait source for Maine lobstermen.

In addition to coping with the unknown impacts of new whale regulations and bait shortages, lobstermen must face the effects of a grueling line of work. As we note in Landings this month, lobstering can affect the body in painful ways, particularly the shoulder, knees and back. Some Downeast lobstermen have found that physical therapy, massage and even the practice of dry needling can relieve discomfort and prevent additional injuries.

Some key changes in personnel in the lobster world took place in April. Marianne Lacroix, the Maine Lobstermen’s Community Alliance (MLCA) executive director, led a meeting for five days. At the end of the meeting, Maine had agreed to reduce vertical lines in the water by 50%. How that reduction will take place will be the subject of meetings and discussions between the Department of Marine Resources and lobstermen in future months.

Thank you!
Change at the Top: Jay Carroll New Marine Patrol Chief

DMR press release

Jay Carroll, a 23-year veteran of the Maine Marine Patrol, was promoted to Colonel, beginning his position on April 1. Carroll was Lieutenant of Division II, from Searsport to the Canadian border, since 2014.

“I have great confidence in Lieutenant Carroll’s ability to excel in this leadership role,” said Maine DMR Commissioner Patrick Keliher. “His depth of professional experience and accomplishments as an Officer, a Specialist, a Sergeant and a Lieutenant on Maine’s increasingly busy downeast coast position well to guide the Marine Patrol into the future.”

Carroll has had a lifelong connection to Marine Patrol. His father, Jim, was also a Lieutenant in Division II. His uncle John Carroll and cousin Richard LaHaye Jr. both served as Marine Patrol Lieutenants, and his cousin Tim Carroll, currently the Sheriff of Knox County, also served in the Marine Patrol.

Prior to serving as Lieutenant, Carroll served for thirteen years as a field Sergeant in Hancock and Washington Counties, one year as a Boat Captain in Knox County, and four years as an Officer in the Port Clyde patrol area.

Carroll began his career in law enforcement in 1994 as a Reserve Officer in the Bar Harbor Police Department. He then served as a Deputy Sheriff with the Knox County Sheriff’s Office until 1996, when he joined the Marine Patrol.

Col. Jon Cornish Retires After 34 Years

By Melissa Waterman

Colonel Jon Cornish retired as chief of the Marine Patrol Bureau in the Department of Marine Resources (DMR) on April 5. Cornish served in the Bureau for 34 years, entering soon after graduating from college with a degree in criminal law. “It’s bittersweet,” Cornish said in an interview shortly before his departure. “I am going to miss the people at DMR, the fishermen who call me. He is succeeded in the post by Lieutenant Jay Carroll.

Colonel Cornish began his career in the Marine Patrol in 1985 as an Officer. In 2001 he was promoted to the rank of Sergeant and in 2004 to Lieutenant in Division I, which includes the Maine coast from Kittery to the St. George River.

Cornish was promoted to Colonel in 2015. “I’m grateful for Colonel Cornish’s decades of exceptional service,” said Commissioner Keliher. “He has shown great commitment and judgement throughout his career and has guided the Marine Patrol with a steady hand as Colonel.”

At the time he graduated from college, one of Cornish’s relatives was working for DMR in the anomalous fish office and mentioned to him that there were good jobs to be had in the Marine Patrol Bureau. “I had no idea what the Bureau was,” Cornish admitted. “I applied and that’s where I ended up.” While he had always been interested in law enforcement, becoming a Marine Patrol officer required a certain period of apprenticeship. During his first year in the field he was patrolling out of Rockland when the boat broke down during an October storm. The rising waves eventually began to swamp the vessel. The crew called for the Coast Guard and a helicopter was sent out but before it reached them, a boat from Rockland managed to reach the boat. “I thought, ‘Is this it for me?’ There’ve been other rough times at sea but nothing as bad as that,” Cornish said.

Throughout his years at the Bureau, Cornish found mentors who helped him grow professionally. “I had great support early on from Ron Muir, he’s gone now. And Jim Peva was my first sergeant when I was in Buckport. He certainly gave me the benefit of the doubt,” Cornish laughed. When Cornish was stationed in Harpswell Dave Mercier served as a mentor as well as his supervisor, Dan Morris. “I have to mention Joe Fessenden. He was Colonel throughout my whole career and he was instrumental in my becoming Colonel,” Cornish said. “Rene Cloutier has been incredibly supportive. He has a great level of common sense that I wish I had!”

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The release of the Biological Opinion is anticipated later this year and is expected to include an analysis of the lobster fishery with status quo whale rules as well as an alternate analysis taking into account the conservation achieved by new whale protection measures recommended by the TRT that are underway through the federal rulemaking process.

North Atlantic right whales are also protected under the Marine Mammal Protection Act (MMPA) because they are designated as a strategic stock. Whale protection measures, including weak links, sinking groundlines, trawling up gear marking, are implemented through the Atlantic Large Whale Take Reduction Plan under the MMPA. The MMPA sets the maximum number of animals that can be removed from the population due to human activities such as fishing or shipping. This is known as “Potential Biological Removal” or “PBR.” If PBR is exceeded, the MMPA requires NMFS to implement additional measures. Based on the 2017 North Atlantic right whale draft stock assessment, NMFS determined that serious injury and mortality for right whales exceeded PBR by more than 500%, with an average of 5.5 right whales impacted each year. PBR allows less than one whale (0.9) to be seriously injured or killed each year.

In response, NMFS pledged to make changes to the Atlantic Large Whale Take Reduction Plan to increase protections for right whales from entanglement in fishing gear. NMFS convened the TRT in April 2017 to discuss the declining status of the whales. The agency then held subgroup meetings to explore weak rope, vertical lines density and the risk of those lines based on line diameter and trawl length to produce a risk score. The Decision Support Tool then calculates the estimated risk reduction produced by various actions, such as closures, trawling up, the use of “weak” rope, and other measures.

NMFS pressed TRT members to work to identify management alternatives to meet the risk reduction goal. NMFS Deputy Assistant Administrator Sam Rauch made the purpose of the meeting explicitly clear. “The TRT’s job is to identify measures to reduce right whale serious injury and mortality from fishing gear by 60%-80%, “ recounted McCarron. “The TRT meeting gave the lobster fishing industry its opportunity to shape how that reduction is achieved. If we failed that task, NMFS would begin rulemaking without our advice and decide for us. Either way, the fishery would have to meet that risk reduction.”

Discussions among the TRT members were intense and lasted hours into the night. NMFS was clear that any measures that fell short of the risk reduction goal would be adjusted by the agency during rulemaking. Ultimately, Maine’s representatives worked to ensure that there were no closures to lobster fishing in Maine waters (two were proposed for Maine) and that ropeless fishing was removed as a management option. In turn, Maine agreed to remove 50% of its new developed model to assess the effectiveness of proposed management alternatives the “Decision Support Tool.” This tool combines whale density, vertical line density and the risk of those lines based on line diameter and trawl length to produce a risk score. The Decision Support Tool then calculates the estimated risk reduction produced by various actions, such as closures, trawling up, the use of “weak” rope, and other measures.

NMFS holds webinar to introduce “Decision Support Tool” to assess risk reduction alternatives

April 16, 2019

February 2019

NSMFS holds Weak Rope/Gear Marking Feasibility Subgroup and Ropeless Fishing Feasibility Subgroup

March & April 2018

May 2019

April 29, 2019

NSMFS initiates federal rulemaking

Summer 2019

NSMFS to schedule scoping meetings to get feedback from fishing industry

End of 2020

Anticipate implementation of new whale rules

The Maine lobster industry, through its TRT members, was fully engaged in this process. However, NMFS did not release information on the risk reduction goal required to achieve PBR or the model that would be used to assess the risk of management alternatives until early April, just days before the TRT meeting. NMFS set a very aggressive risk reduction target that new whale protection measures must reduce the risk of serious injury and mortality to right whales by 60% to 80%. This risk reduction must be in addition to protections already afforded to right whales through the plan that is currently in place. NMFS dubbed the newly developed model to assess the effectiveness of proposed management alternatives the “Decision Support Tool.” This tool combines whale density, vertical line density and the risk of those lines based on line diameter and trawl length to produce a risk score. The Decision Support Tool then calculates the estimated risk reduction produced by various actions, such as closures, trawling up, the use of “weak” rope, and other measures.
LOBSTERMEN ADJUST TO CHANGING BAIT SUPPLY

By Melissa Waterman

Lobstermen are as varied as the Maine coast. Some still rely heavily on herring as bait, others move among bait sources based on time of year, others favor alternative baits altogether.

Sonny Beal, on Beals Island, changes bait based on the season. In the winter he hulsters with herring, haddock racks and pig hide. “In the fall I use redfish instead of haddock when it’s available,” he said. Beal is a member of the Beals-Jonesport Co-op, which gets bait from Durkee Bait in Jonesport. “I’ve started using smaller mesh pockets and also bait saver bags to help save bait, but that’s just in the last year or so. So far we haven’t had an issue with not having herring,” Beal said. “This year I’m going to use more small mesh pockets and use more hard bait in the pockets and less herring. Pig hide will be a help. I think we will end up using more of that this year. We hope to have a good supply of pogies but so does everyone else. Also I won’t be dumping any bait out of the pockets this year. We’ll be hultering on top of old stuff a lot more.”

Donny Young of Cushing knows that with the shortage of herring, prices for every other type of bait are likely to rise. He typically uses pogies and frozen rockfish for his lobster bait; he hasn’t hulstered with herring for more than six years. This year, he will be able to get the ever-popular pogies for himself. “Last year we bought a lot from local boats. This year I bought a 60-fathom seine with two other guys to use off my boat,” Young said. Continuing this “do-it-yourself” approach to securing bait, Young is turning half of his new garage into a bait freezer. “I’m turning one bay into a freezer, good down to 15°F. We’ll salt them [pogies] and keep them there. Of course, if the pogies don’t come in, we’re all in trouble,” he said.

Mark Jones of Boothbay also switched to other baits in recent years. “I didn’t use any herring last year at all and very little the year before that,” he said.

CO-OPS PLAN FOR BAIT SCARCITY

By Melissa Waterman

The fact that the quota for Atlantic herring took a sharp and painful drop this year has set Maine lobstermen on edge. Herring is still the preferred bait for many and the absence of 77 million pounds of the fish will affect lobstermen up and down the coast. Yet many of Maine’s fishing cooperatives and companies are looking at the situation pragmatically.

“We invested in getting quite a lot of frozen herring in now,” explained Kenny Lemoine, president of the Swan’s Island Fishermen’s Co-op. “We bought it in trailer loads and keep it in freezers in New Brunswick.” Lemoine said that over time the Co-op’s 34 members have moved from using mostly herring to less than 30% herring. Buying Canadian herring and storing it in New Brunswick until needed works well because the Co-op sells its lobsters to New Brunswick dealers. “They come down here after the lobsters and they bring herring. So they are coming here already,” Lemoine said. Including menhaden, known as pogies, in the bait supply will be key to making sure all the Co-op’s lobstermen have sufficient bait, Lemoine added. “Fresh pogies and the stockpile will get us through,” he said.

Allen Daggett of Cape Porpoise Lobster is also facing this season calmly. “Most of my guys switched from herring last year. I sell a lot of hard bait,” he said.

Lobstermen who buy bait from him use flatfish racks, such as haddock and monkfish, as well as skates, for their bait in addition to pogies. Most of those come from out of state. “The flatfish and mixed fish racks originally come from Maine but go to New York to be filleted and then come back as racks. I had 100 drums of flatfish in the cooler this morning and now they’re gone,” Daggett said. He views the furore over the herring quota cut with a certain degree of perspective. “I’ve been doing this for 45 years,” Daggett said. “Forty years ago it was all redfish racks. Then everyone was into herring. Now they are getting away from herring and the redfish are coming back.”

Patrick Sault, Vinalhaven Fishermen’s Co-op manager, isn’t too worried by the looming scarcity of herring. “It won’t be much different than last year. We do a lot of frozen bait. Of course, we are also looking for alternative baits,” he said. Co-op members use frozen rockfish, redhead, tuna heads, and pig hide as their bait. “Right now the red heads are popular. We’ll also use locally caught fresh pogies or frozen later on,” Sault said. “So yes, I am concerned but I don’t think there will be much of a change here this summer.”

The members of the Friendship Fishermen’s Heritage Co-op see it differently, according to Co-op secretary Gerry Laine. “We use about 75% fresh or frozen herring. It is going to cost us a lot of money. Some of these guys spend more than $75,000 a year right now just to bait up,” he said. Laine, who’s been lobstering for decades, worries about how the younger Co-op members, those with $500,000 of offshore boats and big monthly payments, are going to get through the season. “I know the price [for herring] will double. I’ve got 40 boats here. We can go through 300 to 400 bushels in a day in the summer,” he said. “Either you get the bait or you stay home.”
Maine Lobstermen’s Association

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STEWARDSHIP PLAN

So, is it yet time change how you fish? Instead, it’s time to come together to decide the best way to remove this rope. And it is not going to be easy. With larger, offshore boats leaning toward making the fishery bigger and smaller inshore boats leaning toward making due with less, it is clear that finding a solution that will work for all Maine lobstermen is going to be a real challenge. Larger boats require larger cash flow to operate and many fear that cutting back on traps would impact their bottom line. These boats can easily add crew, run longer trawls and fish further from shore in order to maintain a full complement of traps. In contrast, smaller boats are limited by space on deck and where they can safely fish. Many cannot handle trawls or carry crew due to vessel and equipment limitations or the bottom they fish.

We must be careful not to create incentives for lobstermen to transition into larger boats. If that is in someone’s business plan, that’s fine. But we don’t want to create a situation where you must get bigger to survive. And one of the most confounding problems is that there is more rope inshore — and more rope to remove — where gear is less heavy and whales are rare. And there is less rope offshore — and less rope to remove — where gear is heavier and potentially riskier to whales, and whales are more likely to transit through these areas. We must be careful not to overburden the inshore fishery where risk is lowest simply because it is capable of removing a lot more rope.

The MLA board began to discuss this dilemma during its May board meeting. Even among these 21 lobstermen who have a history of working together, the solutions are far from clear. The MLA board did, however, conclude that there are things that lobstermen can agree on as they think through a 50% reduction.

First, all options should be on the table. Inshore boats can not unilaterally say “no” to trawling up in the same way that offshore boats cannot unilaterally say “no” to trap limits. Each sector of the industry should make the effort to understand why others want to fight so hard for or against certain approaches. Inshore lobstermen do not talk about reducing traps because they are lazy and don’t want to work hard; offshore lobstermen don’t insist on keeping a full complement of traps and running longer trawls because they are greedy. There are sound business decisions driving each line of thinking and each has its place. The task for our industry is to listen and understand each other’s perspective rather than dismissing any ideas out of hand.

These discussions certainly have the ability to divide our fishery at a time when we most need to come together. Finding a way to remove half of our vertical lines from the water is an extraordinarily challenging task and will require everyone to rethink how the fishery is executed. If we fail at this task, we will face increasing pressure to transition to a “ropeless” fishery, which means no vertical lines in the water column within five to ten years. I was at the table and can tell you with complete certainty that environmental groups want that to be our future. I cannot envision any economic model that will work based on ropeless fishing, even with Maine’s current historically high landings and value. Ropeless fishing will threaten the diversity of our fleet and the ability to recruit young people to become lobstermen. Maine’s lobster fishery would no longer support thousands of boats and sustain our coastal communities.

As you think about how to best take half of our vertical lines out of the water, ask yourself a few questions. Will your idea preserve the diversity of the fleet and treat small, medium and large Maine lobster boats equitably? Will your approach treat vessels fairly across the state, from east to west, and inshore to offshore? Will your idea allow all sectors of the fleet to remain profitable? Will it allow enough fishing days and cash flow to keep larger boats going? Will it be safe and operationally feasible for smaller operations? If not, can you envision ways to rethink your approach to support all sectors of the fleet?

I know that this is a tall order because the needs of the fleet vary so widely. But in the end, every lobsterman should feel that he or she had to compromise on something to keep the fishery going. We have to make this work with less, understand why others want to fight so hard for or against certain approaches.

Maine Lobstermen’s Association is very special, offering a place for so many different business models. I urge you not only to think about your own needs, but to consider the needs of the fishery as a whole. We have to make this work without destroying ourselves and our communities in the process. There is so much to lose if we are unwilling to work together and find compromise. We don’t want to look back ten years from now and realize that we let something truly special slip away.

As always, stay safe on the water.
MLA DIRECTORS APRIL MEETING

The MLA Board of Directors met on April 3 in Belfast. Membership Director Andi Pelletier solicited board input on planning for the summer MLA membership campaign. Amy Lent and Chris Timm informed the board that the Maine Maritime Museum plans to update its Maine lobster industry exhibit. The MLA will hold its June meeting at the museum to provide an opportunity for board members to see the exhibit and provide feedback on potential updates. Nick Battista, Senior Policy Officer at the Island Institute, updated the MLA board on the many climate change initiatives under review by the Governor’s Administration and Maine Legislature. It is likely that legislative action will be taken on climate change during this session. It will be important that the lobster industry have a voice in shaping those policies as it will affect our industry. It is expected that legislative initiatives will include goals for carbon emission reductions which could ultimately impact fuel and emissions standards. There are limitations on the type of reductions the lobster industry could make given our dependence on diesel marine engines and trucks. The Governor will be putting a bill forward. Battista encouraged MLA to review the bill carefully and become involved in representing the interests of the lobster industry as solutions are developed. Patrice updated the MLA on the status of several other bills before the Legislature.

The MLA discussed feedback from DMR’s March whale meetings in Ellsworth, Scarborough and Augusta to solicit industry input before the Take Reduction Team meeting. There were several themes that emerged: many lobstermen do not support trap limits as a primary means to meet whale conservation goals and view this as an option of last resort; many supported improving whale protection by finding ways to make this work for both small and large boats; there was broad support for gear modifications such as weaker or smaller diameter lines; and there was very little support for closures. The MLA board discussed a series of ideas that have been brought forward by industry members for potential discussion at industry meetings and the TRT. The next MLA Board meeting is May 1 in Belfast and June 5 in Bath.

NMFS ANNOUNCES 60% - 80% RISK REDUCTION TARGET

Sent to TRT members via email on April 5

Throughout the past year, as we’ve met to discuss modifications to the Atlantic Large Whale Take Reduction Plan, NMFS has consistently stressed that significant changes will be needed to achieve the Marine Mammal Protection Act (MMPA) goal of reducing mortality and serious injury (M/SI) below the North Atlantic right whale Potential Biological Removal (PBR) level of 0.9. As explained below, we believe that to achieve this goal, mortalities and serious injuries in U.S. fisheries will likely need to be reduced by 60% to 80% from current levels.

As you all know, despite two decades of the Take Reduction Team’s efforts, right whale entanglement mortalities and serious injuries continue to exceed PBR. The modest upward trajectory of the population through the early 2000s appears to have reversed since 2010. This downward trend, exacerbated by unpredictable right whale mortalities (particularly in the Gulf of St. Lawrence snow crab fishery) in 2017, led a new urgency to the Take Reduction Team’s continued collaboration to modify the Plan to get M/SI below PBR.

Identifying our take reduction target: The draft 2018 North Atlantic right whale stock assessment establishes a PBR level of 0.9 right whales a year based on 2016 population estimates. The report documents a minimum rate of average annual right whale mortalities and serious injuries caused by entanglements over the five-year period from 2012 to 2016 as 5.15 whales per year. An annual average of 0.4 of these mortalities and serious injuries were attributed to U.S. fisheries and 0.4 mortalities per year were attributed to Canadian fisheries; 4.4 of the documented mortalities and serious injuries could not be attributed to a fishery in either country. Since the draft report was published, an additional mortality may have been attributed to Canadian snow crab gear: under this assumption, 4.2 remain unattributed.

In order to achieve a 60% reduction in entanglement mortality and serious injury by at least 60% in U.S. fisheries would likely be needed to get below the PBR level of 0.9. These numbers include only documented mortalities and serious injuries. Actual mortalities and serious injuries of right whales in U.S. fisheries are likely higher than the observed 2.6 per year. Population models provide an estimate of mortalities that suggest that 60% of right whale mortalities and serious injuries are unobserved (Pace, personal communication applying the methods from Pace et al. 2017).

If the average observed mortalities and serious injuries caused by entanglements for 2012 through 2016 is 5.15, given the 60% detection rate, the estimated annual mortality and serious injury by entanglements is 8.6 per year. If we assume that all mortalities and serious injuries occur incidental to U.S. fisheries (4.3), mortality and serious injury would have to be reduced by about 80% in U.S. fisheries to get below the stock’s PBR of 0.9.

Canada implemented static and dynamic closures in 2018 that appeared to effectively prevent mortalities in the Gulf of St. Lawrence trap/pot fisheries last year. They have announced more focused measures in 2019 that we hope will be similarly effective. The MLA will continue to collaborate with Canada through ongoing bilateral discussions to ensure that take reduction efforts throughout the right whale’s range.

We know this target is daunting, but it is necessary to ensure the recovery of the North Atlantic right whale population. We hope that your creative ideas and willingness to continue to collaborate with each other at our upcoming meeting will generate recommended measures that will be meaningful to the population’s recovery and manageable for the fishing industry. We remain committed to working closely with you throughout this process.

MLA UPDATE ON LARGE WHALE TAKE REDUCTION TEAM

Letter from Patrice McCarron to MLA members via email on April 9 following the TRT meeting.

After a long and difficult week, the Take Reduction Team (TRT) concluded its meeting and the Maine lobster fishery now has a sense of what the new rules to protect right whales will mean for us. There were some hard-fought battles along the way aimed at ensuring a viable Maine lobster fishery both for today’s lobstermen and for future generations.

On day three of the TRT meeting, NMFS Deputy Assistant Administrator Sam Rauch addressed TRT members. He did not mince words in stating that the TRT’s job is to identify measures to reduce right whale serious injury and mortality from lobster gear by 60%-80%. He was clear that the TRT meeting gave the fishing industry its opportunity to shape how that reduction is achieved. Failing that task, NMFS would begin rulemaking without our advice and decide for us.

After days of considering a variety of alternatives, Maine agreed to reduce its risk to right whales by 60% as long as other states and lobster fishing areas agreed to do the same. To achieve this, Maine has committed to a 50% reduction in vertical lines. Additional elements of Maine’s plan will include fishing tippers on buoy lines (stronger rope on bottom, weaker rope on top), unique colors and patterns of Maine’s lobster lines, and that States and lobster fishing areas will devise their own plans to meet this 60% risk reduction.

Our biggest accomplishment during this week is removing ropeless fishing from this round of whale rules. The conservation community was clear that ropeless fishing was their goal. While this strategy should be explored as a solution for areas where large aggregations of whales overlap with important fishing grounds, such as the Gulf of Maine, along the west coast of the U.S., Maine has chosen not to pursue areas like Maine where whale sightings are rare. There is no feasible economic or operational model for ropeless fishing in Maine.

Maine now understands exactly what the lobster fishery has to do to comply with NMFS’ goal. The MLA will work with DMR and lobstermen on how best to remove 50% of our vertical lines from the water. The cuts are deep and the work will be extremely challenging. It will require us to rethink much of how our fishery is executed. But this approach gives lobstermen some flexibility to develop a broad set of techniques so that Maine’s diverse lobstering operations, both large and small, can remain viable.

By making these changes, in combination with new gear marking and reporting requirements, Maine will be able to credibly establish the extent to which Maine lobster gear is — and is not — involved in harming whales. Maine will confirm that its lobster fishery is a safe fishery for right whales. In doing so, it is our hope that we will continue to have a strong fishery to pass on to our children.

Many thanks to lobstermen Kristan Porter, Dwight Carver, Mike Sargent, John Rauch addressed TRT members. He did not mince words in stating that the TRT’s job is to identify measures to reduce right whale serious injury and mortality from lobster gear by 60%-80%. He was clear that the TRT meeting gave the fishing industry its opportunity to shape how that reduction is achieved. Failing that task, NMFS would begin rulemaking without our advice and decide for us.

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Many thanks to lobstermen Kristan Porter, Dwight Carver, Mike Sargent, John Williams, and DMR’s Erin Summers for your passion and energy in fighting to maintain a bright future for Maine’s lobstermen at the TRT meeting.

NOTICE FROM COMMISSIONER KELIHIER ON FEDERAL WHALE RULES

Sent to the lobster industry on May 2 via email.

As many of you know, the National Marine Fisheries Service’s Atlantic Large Whale Take Reduction Team (TRT) met last week and recommended broad

Continued on page 8
MAINE LOBSTERMEN’S ASSOCIATION UPDATE

Continued from page 7

measures that included a target to remove 50 percent of endliners from the Gulf of Maine. The remaining endliners will also need to be made safer so that, if a whale does come in contact with a line, the rope will break.

The outcome for Maine’s lobster industry could have been far worse. Many TRT participants did push for a phase-in of ropeless fishing over five or ten years, large scale closed areas (including two in Maine), and weak rope across the entire fishery. In the end, Maine delegates were successful in pushing back on those proposals, and the final recommendations did not include approaches that were either unproven (ropeless) or shown not to be warranted (closures and weak rope all the way to the bottom or in areas with low risk).

Maine’s TRT delegates have also been clear from the beginning that trap cuts do not result in significant conservation benefits for right whales, so the TRT did not focus on proposals that included trap cuts. I will be working with my staff over the coming weeks to consider a range of draft options to achieve the target reductions that may work for Maine fishermen.

I realize that these measures will still have a sizable impact on your businesses, but the lobster fishery continues to face pressure from several environmental non-governmental organizations that don’t believe that these reductions go far enough. Just this week, the Ellsworth American reported on the TRT results and the following quote certainly makes clear their position. "Reducing and weakening the lines in the water is a start, but we need to go much further, much faster." Erica Fuller, senior staff attorney at CLF. "Appropriate closures and ropeless fishing need to be part of the solution."

The Atlantic States Marine Fisheries Commission (ASMFC) has also been looking at this issue with the possibility of implementing additional protections. However, due to the significant conservation benefits likely to be achieved by the measures the TRT has proposed, ASMFC has tabled any action and will wait to see if the risk to right whales has been fully addressed.

So where does this leave us? I plan to use the Zone Councils and Lobster Advisory Council to vet draft proposals that the department will develop to achieve the 50% reduction in endliners. We will also discuss other measures, including the recommendation to weaken the top 75% of endliners in federal waters, as well as new gear marking schemes and reporting requirements. I will be scheduling meetings, likely in June, to incorporate industry input on how the objectives outlined by the TRT can be achieved. I strongly believe that the best plans will be informed by input from industry. These conversations will be difficult and sacrifices will be necessary. But I am confident that your input will result in a plan that accomplishes the necessary conservation objectives and sustains Maine’s vital lobster industry.

As for the 2019 fishing year nothing has changed regarding laws or regulations. At this time, I’m not anticipating the federal agency making final decisions that will affect your operations for another year. I will continue to provide updates as additional information is available.

MLA CONCERNS OVER WHALE RULES PROCESS, TIMELINE

MLA wrote this letter on April 22 to Michael Pentony, head of NMFS GARFO office, copied to the Maine delegation.

I am writing to share the Maine Lobstermen’s Association’s perspective and concerns regarding the ongoing process to identify and implement conservation measures to protect right whales. The MLA has been involved with the Atlantic Large Whale Take Reduction Team (TRT) since its inception and remains committed to working with your agency through this process.

The MLA is deeply disturbed by the timing of NMFS’s release of new information to guide discussions at this week’s TRT meeting. Our last TRT meeting was six months ago. NMFS only announced the Take Reduction Target and presented a draft of the Decision Support Tool in recent days. Given NMFS’s directive to begin rulemaking at the conclusion of the meeting, the MLA is extremely frustrated to receive such critical and complex information just days before.

TRT members are unrealistically expected to reach consensus on management alternatives before the Team has had any input on the Take Reduction Target itself or had adequate time to evaluate and grasp the implications of the new information presented.

NMFS announced the Take Reduction Target of 60% to 80% on April 5 via email with no opportunity for discussion by any TRT member. The MLA communicated our concerns to NMFS staff during the past month about the approach used to set the Take Reduction Target, however staff has been unwilling to adjust the timetable or process in any way in order to preserve the goal of a collaborative, evidence based stakeholder process that can achieve consensus on effective management alternatives.

Shared responsibility between U.S. and Canada

The MLA has also pointed out to NMFS staff a critical flaw in the current path the agency is following. The best available information about current risks to the right whale population indicate PBR will never be achieved with management measures implemented unilaterally by U.S. fisheries. The evidence indicates Canadian fisheries are playing an increasingly large role in right whale serious injury and mortality. NMFS has effectively ignored this evidence as it formulated the Take Reduction Target and, in the process, has made no apparent effort to allocate risk to Canadian fisheries in proportion to the significant role they are now playing.

In particular, the MLA has strong reservations about any methodology that attributes serious injury and mortality from unknown gear equally between the two countries as though, counterfactually, the risk from fishing practices in the two countries were equal. Using NMFS’s most recent data, serious injury and mortality from 2014 to 2018 is 6:2, with 1.6 confirmed to Canada, 0.2 confirmed to U.S. gear. Furthermore, the majority of rope removed from whales in recent years is larger rope, not consistent with nearshore U.S. gear which makes the majority of gear fished in U.S. waters.

While Canada has done an admirable job recently implementing whale protection measures in the Gulf of St. Lawrence, there has been little discussion of the amount of directed effort in the snow crab fishery from year to year. This year the Gulf of St. Lawrence snow crab quota will increase by 32% compared to last year. Canada has also not implemented whale protection measures in fisheries outside of that region even though right whales continue to use habitats that overlap with many Canadian lobster and snow crab fisheries. Unless the risk from Canadian lobster and snow crab fisheries is accurately reflected in the proposals presented to the TRT, any resulting management measures in U.S. waters cannot credibly be relied on to achieve PBR for the endangered whale population. The MLA also strongly disagrees that U.S. fisheries should be held accountable for the estimated unobserved serious injuries and mortalities, for which there are no data, under the Take Reduction Plan.

Decision Support Tool

NMFS presented its nascent Decision Support Tool, still under development, to the TRT on April 16, just one week before the meeting. The information was presented via webinar and allotted only 30 minutes for questions from team members. While the MLA supports development of this tool to assess management alternatives, we have serious reservations because the tool is still under development and has not yet been adequately vetted or peer reviewed. Based on the tool’s preliminary results produced during the webinar, the MLA is concerned that it will generate unrealistic management alternatives during the TRT meeting, thus undermining the ability of TRT members to reach consensus on critical management issues.

It is our sincere hope that, when completed, the management advice produced by the Decision Support Tool will assist the TRT to identify approaches that will translate into real protections for right whales. As with any modeling effort, it is important that the model utilize the best available information on whales, fishing effort and risk of fishing gear so that its output reflects our general understanding of how these elements interact. Based on the MLA’s first look at the tool last week, it did not achieve this.

In order for the TRT process to be successful, stakeholders must have confidence in the analytical tools if we are to make decisions based on its assessment of alternatives. The MLA has numerous concerns regarding the assumptions and data streams used in the tool. We believe other TRT members are likely to have similar reservations about the quality of inputs to the tool. While we are confident that these concerns can be addressed, it is important that they be resolved before the tool is employed in the TRT process. As has often been the case in the past, management advice based on a model’s output could change significantly as the model is further refined.

The model uses three inputs: whale density, gear density and severity to determine risk. The model assumes equal weight for these inputs in producing a
MAINE LOBSTERMEN’S ASSOCIATION UPDATE

risk score. The MLA is concerned that equal weighting of these inputs does not produce an assessment that reflects our current knowledge of whales and the risks posed by fishing gear.

Based on the initial demonstration of the tool, the equal weighting of these inputs will always produce the same outcome: areas with the most gear pose the highest risk. Since the scale of gear density is exponentially higher than whale density, the gear signal swamps the other indicators. In some cases, this is likely an accurate reflection of risk. But in other cases, the tool may predict a higher risk for densely fished areas with little history of whale sightings compared to areas with fishing gear set around feeding aggregations of right whales, or to areas fished with larger, heavy gear often linked to serious injury and mortality.

We request that NMFS and the TRT explore options to add a weighting to the whale inputs based on habitat use, life history, and recent whale distribution shifts. Further, the whale data must be expanded beyond standardized tracks in order to adequately reflect the recent shift of right whales out of the Gulf of Maine and into new habitats, as noted in the published literature. The MLA also requests that NMFS and the TRT explore options to refine the rankings in the severity tool to incorporate data on known serious injury and mortality as it relates to gear type. These issues require further discussion and problem-solving cooperatively in order to realistically address the level of risk associated with whale behavior and recent changes in distribution. The MLA is ready to share ideas on how to improve the model with relevant NMFS staff.

Whale conservation cannot happen without input and cooperation from fishermen. Fishermen must understand the justification for each management measure and how implementation will benefit whale conservation goals. With a common understanding, fishermen can be trusted to adopt the new management plan and maintain their historically high compliance levels. Achieving high compliance is unrealistic if proposed measures have uncertain efficacy and cannot credibly be relied on to reduce risk for whales. The MLA remains committed to the TRT process and to identifying conservation measures to improve protections for right whales. It is crucially important that those who will be affected by the results of the TRT process are in full support of the methodology and tools used in that process. Before the agency initiates rulemaking, it is imperative that the Decision Support Tool receive thorough consideration by the TRT and undergo a peer review before any management decisions are made. We urge NMFS to schedule a follow-up TRT meeting once the model is refined and a peer review of the tool completed. In the meantime, the MLA will continue to offer constructive feedback and engage our fishermen on the progress of the TRT. Thank you for your consideration.

MLA BRINGS CONCERNS OVER WHALE RULES TO MAINE DELEGATION

MLA Executive Director Patrice McCarron met with members of the Maine Congressional delegation and staff on April 30 to update them on the outcome of the Take Reduction Team meeting and discuss MLA concerns. Maine’s delegation is extremely concerned about the process and release of critical information leading up to the TRT, the timing of the meeting, and the expedited schedule to initiate federal rulemaking. Delegation members also expressed concern over how Maine will achieve a 50% reduction in vertical lines and the potential economic, safety and operational impacts of this reduction. The delegation pledged to work together to advocate for Maine’s lobster fishery and seek accountability from NMFS as development of new whale rules moves forward. The MLA will continue to work closely with the delegation as this process unfolds.

BAIT UPDATES

<table>
<thead>
<tr>
<th>2019 Atlantic Herring Landings</th>
<th>For data through April 25</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
<td>2019 Quota</td>
</tr>
<tr>
<td>1A*</td>
<td>4,354</td>
</tr>
<tr>
<td>1B</td>
<td>647</td>
</tr>
<tr>
<td>2</td>
<td>4,062</td>
</tr>
<tr>
<td>3</td>
<td>5,700</td>
</tr>
<tr>
<td>Total</td>
<td>15,065</td>
</tr>
</tbody>
</table>

New England Fishery Management Council

2020 and 2021 Herring Catch Limits: The New England Fishery Management Council is working on setting annual catch limits for the 2020 and 2021 fishing season, as well as developing a new overfishing definition for Atlantic herring. The fishing quotas for 2019 are in place already. While the Council will decide the 2020 and 2021 catch limits in June, the 2021 numbers likely will be revised following the stock assessment which is scheduled for spring 2020. The Atlantic Herring Benchmark Stock Assessment will be updated to incorporate 2018 and 2019 resource survey and fishery catch data. The Council approved additional specifications on management uncertainty, border transfer, U.S. at-sea processing and area sub-allocations that will impact the catch limits set for the 2020 and 2021 fishing season.

Management Uncertainty Buffer: Before U.S. catch limits are set, the Allowable Biological Catch (ABC) is reduced to account for potential harvest in the New Brunswick, Canada wefishery and other potential sources. In recent years, the Council has subtracted 6,200 mt as a management uncertainty buffer. For the 2020 and 2021 catch limits, the Council will consider three alternatives based on updated three-year, five-year, and 10-year averages of New Brunswick weir catch. These averages totaled 5,888 mt, 3,992 mt, and 4,560 mt respectively. The Council decided that 1,000 mt of the management uncertainty buffer would continue to “roll back” into the Area 1A catch limit on October 1 if the New Brunswick weir fishery has not landed the majority of the uncertainty buffer at that point.

Border Transfer: The Council will consider two alternatives (0 mt and 250 mt) for border transfers of U.S. caught fish that is transshipped to Canada via Canadian carrier vessels and used for human consumption. The Council will be able to select a number anywhere between 0 and 250 when it takes final action in June.

U.S. At-Sea Processing (USAP): The Council agreed to set USAP at 0 mt. This specification, when allocated, applies to U.S. vessels that want to process herring at sea but do not meet the vessel size limit.

Sub-Annual Catch Limits (Sub-ACLs): The Council agreed to make no changes to the current sub-ACLs split between management areas, which now is set at: Area 1A = 28.9%, Area 1B = 4.3%, Area 2 = 27.8%, and Area 3 = 39%.

Seasonal Sub-ACLs: The Council voted to maintain the same seasonal sub-ACL divisions for Area 1A and 1B that currently are in place. These are: Area 1A January through May – 0%; Area 1A June through December – 100%; Area 1B January through April – 0%; Area 1B May through December – 100%.

Fixed Gear Set-Aside: The Council voted to set the fixed gear set-aside at a level that is equivalent to the same proportional reduction from 2019 to 2020 as the total fishery reduction. The set-aside applies to fixed gear fishermen west of Cutler, ME and is removed from the Area 1A sub-ACL. It’s returned to the Area 1A sub-ACL if not used by November 1.

Atlantic States Marine Fisheries Commission

Herring Days Out: ASMFC’s Herring Board met on April 3 to set effort control measures for the 2019 Area 1A (inshore Gulf of Maine) fishery for Period 1 (June), Period 2 (July and August), and the September portion of Period 3. The 2019 Area 1A sub-anual catch limit (sub-ACL) is 3,850 metric tons (mt) after adjusting for the research set-aside, the 39 mt fixed gear set-aside, and the 8% buffer (Area 1A closes at 92% of the sub-ACL). Additionally, the Area 1A sub-ACL is allocated between the Periods as follows: Period 1 – June (16.1%); Period 2 – July-August (40.1%); Period 3 – September-October (34.0%); and Period 4 – November-December (9.5%).

2019 Atlantic Herring Area 1A Quota (in mt) Allocation by Quota Periods

<table>
<thead>
<tr>
<th>Period</th>
<th>1A Quota</th>
<th>1A Quota Adjusted for Period 1 Closure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Period 1: June</td>
<td>631 mt</td>
<td>631 mt</td>
</tr>
<tr>
<td>Period 2: July-August</td>
<td>1,544 mt</td>
<td>2,175 mt</td>
</tr>
<tr>
<td>Period 3: September-October</td>
<td>1,309 mt</td>
<td>1,309 mt</td>
</tr>
<tr>
<td>Period 4: November-December</td>
<td>366 mt</td>
<td>366 mt</td>
</tr>
</tbody>
</table>

For period 1 (June 2019), there will be zero landing days. Fishermen are prohibited from landing more than 2,000 pounds of Atlantic herring per trip from Area 1A until July 15, 2019. The quota from Period 1 will be rolled into Period 2 resulting in a new Period 2 quota of 2,175 mt.

For Period 2 (July and August) and Period 3 (September), the fishery will start on July 14 in Maine. Vessels with an Atlantic herring Limited Access Category A permit that have declared into the Area 1A fishery may land herring for four consecutive days each week with one landing per 24 hour period. Vessels are prohibited from landing or possessing herring caught from Area 1A during a day out of the fishery. Landings days in Maine begin on Sunday of each week at 6:00 a.m., starting July 14. Small mesh bottom trawl vessels with an Atlantic herring Limited Access Category C or Open Access D permit that have declared into the fishery may land herring five (5) consecutive days a week.

There is a weekly landing limit. Vessels with a herring Category A permit may harvest up to 160,000 lbs (4 trucks) per harvester vessel, per week. At-sea transfer restrictions apply to harvester vessels with an Atlantic herring Category A...
Maine Lobstermen Mike Sargent and Dustin Delano provided an educational program for top chefs from around the country during the Chefs Feed Indie Week event held in Washington D.C. last month.

In addition to the formal program, the lobstermen spent time talking to the chefs one-on-one over the course of the weekend. They also introduced Maine Lobster to a group of 120 consumers at a dinner open to the public.

This year, MLMC is targeting supply chain customers as well as end-users. Digital advertising will be a key component to reaching this target audience. The first wave of paid advertising launched around Seafood Expo North America, resulting in strong engagement rates with curated content, including the list of Maine exhibitors. Short-format video content proved to be the most compelling advertising format for this audience.
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“I have been fishing there for 60 years (Maquoit Bay) and it’s a good spot right there.” — Donald Ulrickson

“My son and I have caught stripers in Maquoit Bay and the impact of the proposed factory is too big on too many people.” — Andrew Washburn

“If this lease goes through you will ruin this spot for fisherman and it will impact our revenue. We can’t allow this to create winners and losers — the ocean belongs to everyone not just two people who want to start an oyster farm.” — Tom Santaguida

Protect the rights of commercial fishermen to access public waters and stop aquaculture leases that benefit the applicant at the expense of others. Let your voice be heard. Contact the Department of Marine Resources Commissioner Patrick Keliher and let him know the ocean belongs to all of us.

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Boat Name: _________________________________________
License Number: ___________________________

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☐ Sr/Jr Harvester     $125 (over 65 or under 18)
☐ Harvester Family    $325 Names: __________________________

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Lacroix continued from page 1

Lacroix began work in the advertising field in Boston soon after she graduated from college. She eventually moved to Portland to continue her career. Later she worked for herself doing freelance marketing and consulting, during which time she became connected to the Lobster Promotion Council.

During her thirteen-year tenure with the Council and Collaborative, Lacroix has experienced the ups and downs of the lobster fishery. “A truly challenging time was in 2012 and 2013, when I was interim director,” she said. “It was a transition internally from the Council to the Collaborative and also there was great turmoil in the industry.” In 2012, unusually warm water caused an early start to the lobster molting season. Prices plummeted and both lobstermen and lobster dealers felt the economic shock. That disruption led in part to the Maine Legislature creating the Collaborative, whose budget is funded by a fee placed on the licenses of commercial lobstermen and seafood processors.

“At the Collaborative it’s been the first time that there’s been a consistent marketing strategy for Maine lobster,” Lacroix noted. “I think it’s made a big difference. While in the past we’ve been reactive, now we have a proactive approach.”

Cornish continued from page 3

What these men all have in common, according to Cornish, is a deep reverence. While in the past we’ve been reactive, now we have a proactive approach. “Under the Collaborative it’s been the first time that there’s been a consistent approach,” Cornish said. “People wanted to know the story from a real Maine lobsterman. I think that’s when we realized that we really had something here.” The Collaborative capitalized on that interest by staging “Maine at Midnight” events around the country where celebrity chefs and others could meet Maine lobstermen, sample soft shell lobster dishes and learn more about Maine’s signature seafood.

The Collaborative, which was reauthorized for three years by the Legislature in 2018, contracted with Weber Shandwick, a public relations firm in Boston, to conduct a coordinated marketing plan for Maine lobster, concentrating on educating influential chefs and food writers. Since then, “we’ve created a marketing foundation on the web, in social media and the press,” Lacroix said. “It’s a strong public relations campaign that both promotes and protects the brand.”

The notion of the Maine lobster brand is key to the Collaborative’s strategy. “Make it Maine, Make it New Shell” is the slogan used by the organization to promote the state’s soft shell lobster, which make up the majority of its annual landings. “It’s been exciting to make that connection between chefs and lobstermen,” Lacroix said. “And it’s a great time to be doing this. When chefs connect with lobstermen, they are so excited because it’s a sustainable fishery with an authentic story line.”

She recalled a time several years ago when she and Board chair Frank Gotwals, a Cranberry Isles lobsterman, traveled to California’s Napa Valley for a California Culinary Institute of America gathering of executive chefs. “A chef was doing a presentation about Maine lobster. Frank was there and was called up to be with the chef. He was mobbed with questions then and for the entire time afterward,” she said. “People wanted to know the story from a real Maine lobsterman. I think that’s when we realized that we really had something here.” The Collaborative capitalized on that interest by staging “Maine at Midnight” events around the country where celebrity chefs and others could meet Maine lobstermen, sample soft shell lobster dishes and learn more about Maine’s signature seafood.

Overseen the prosecution on many violations related to lobster fishing, everything from molesting traps to harvesting hundreds of female lobsters. He recognizes that most lobstermen appreciate the Bureau’s efforts to punish those who break the rules, keeping the playing field as even as possible for everyone. “Most officers understand that they are overseeing people’s livelihoods. They take it seriously. After all, we are public servants,” he said.

Cornish has no definitive plans for the future, other than to enjoy the Maine summer. “I have a lot of confidence in my successors. We have great people here. I have a lot of confidence in my successor for the future. Other than to enjoy the Maine summer. ‘I have a lot of confidence in my successors. We have great people here. It’s important that the Bureau continue to grow and lead in the right direction.”

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For those who spend their time working on the water with strenuous activity and extended workdays, an injury that reduces range of motion or strength can be a serious threat to their livelihood. Whether hauling traps, loading gear, or offloading product, a lobsterman’s normal tasks place a high amount of stress on his or her body. Knees, hips, back, and shoulders are all areas that feel pressure from the demands of the work. Whether it is chronic or acute, a physical injury can decrease efficiency and increase the risk of an accident.

Bobby Ingalls, a long-time Bucks Harbor lobsterman, started going to physical therapy after having surgery on both knees. He has kept going to a physical therapist for knee, hip, and back issues since then, experiencing a variety of approaches including deep tissue massage and dry needling — a technique where electrical impulses are used to stimulate the muscles. Ingalls found that physical therapy helped reduce a lot of his soreness and made it so that he doesn’t have to take medication. “It’s not a cure-all, but it is a help and keeps you going,” Ingalls said during a phone interview. “More people should take advantage of this.”

Physical therapists can also provide suggestions for simple changes to boat structure and organization to reduce repetitive stress and likelihood of injury. Heather Beal Anderson, owner of Coastal Physical Therapy Services in Harrington, grew up lobstering with her dad. Additionally, all four of her employees grew up in the community and three of them are from lobstering families themselves.

As a young woman, Anderson noticed the repetitive movements used on a lobster boat and how those could lead to neck and shoulder pain, especially on the right side of his body due to the set-up of his boat. “I lay down on the floor and stretch every morning,” Beal said. To recover. “[I] lay down on the floor and stretch every morning,” Beal said. Ingalls believes that more people should take advantage of physical therapy. “I’m happy to see that over the past year more of them are seeking preventative treatment as well,” she noted. Shoulder pain and upper extremity conditions are the most common injuries that Oliver treats because of repetitive movements, but chronic low back pain is also prevalent.

Sonny Beal is a lobsterman who has been experiencing nerve pain and has been going to physical therapy on and off for a few years. Beal noticed that most of the strain happened to the right side of his body due to the set-up of his boat and knows that many other lobstermen experience the same. In addition to physical therapy, Beal recommends “plenty of stretching before and after [fishing]” in order to loosen up your muscles and make it easier for your body to recover. “[I] lay down on the floor and stretch every morning,” Beal said.

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

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Dr. Hollan Oliver, owner of Coastaline Physical Therapy and Performance in Deer Isle, also found her background in the industry helpful when communicating with lobstermen. “It really helps when you’re educating fishermen about ergonomics and work-related activities. It’s great to be able to tell a lobsterman that they’re suffering from a mechanical shoulder injury, but its so much more beneficial if you can talk about how they’re picking lobster, or how they’re breaking traps,” she said.

Oliver said that she sees a lot of lobstermen in her practice. “When I first opened my practice two years ago I was seeing a lot of lobstermen for chronic injuries. I’m happy to see that over the past year more of them are seeking preventative treatment as well,” she noted. Shoulder pain and upper extremity conditions are the most common injuries that Oliver treats because of repetitive movements, but chronic low back pain is also prevalent.

Sonny Beal is a lobsterman who has been experiencing nerve pain and has been going to physical therapy on and off for a few years. Beal noticed that most of the strain happened to the right side of his body due to the set-up of his boat and knows that many other lobstermen experience the same. In addition to physical therapy, Beal recommends “plenty of stretching before and after [fishing]” in order to loosen up your muscles and make it easier for your body to recover. “[I] lay down on the floor and stretch every morning,” Beal said.

Ingalls believes that more people should take advantage of physical therapy. He suggested going on a regular basis and “do the exercises that you are supposed to because it helps a lot more.” When asked if he had advice for other lobstermen, Ingalls said, “What have you got to lose?”

MAPLE-SH SPRING TRAWL SURVEY UNDERWAY from DMR

The Spring ME-NH trawl survey conducted by the State of Maine, Department of Marine Resources began on April 29 in New Hampshire and is working east to Lubec. The vessel is a white fiberglass Northeast 54’, the F/V Robert Michael of Portland, captained by Rob Tetrault.

The more information DMR has regarding our fisheries, the better equipped we are to sustain these resources and your livelihood. The ME-NH trawl survey provides valuable information for the management of important commercially harvested species. Gear in the path of scheduled tows can cause delays or cancelation and could jeopardize the use of the data for state and federal lobster and fish management.

To support this important research effort, we are asking you to move any gear that is set within the area of the tows. Please make sure that all gear is removed from an area 1/8th mile on either side of each 1 nautical mile towline on the day of the tow.

Latitude/Longitude and TD coordinates for tow locations (pair of dots with a line on the chart mark each tow) and schedules can be found at www.maine.gov/dmr/science-research/projects/trawlsurvey/sp19/index.html. You can also view an interactive chart of the tow routes at www.maine.gov/dmr/science-research/projects/trawlsurvey/sp19/chart.html.

For more detailed charts, please call Rebecca Peters at the office 207-633-9530, or by cell 207-557-5276, or email (Rebecca.J.Peters@maine.gov)

Tow schedule and updates are available via boat contacts. F/V Robert Michael monitors Channels 16 and 13; Boat cell phone 557-5276 (Chief Scientist, Rebecca Peters).
permit and carrier vessels landing herring caught in Area 1A to a Maine, New Hampshire, or Massachusetts port. A harvester vessel can transfer herring at sea to another harvester vessel but may not make an at-sea transfer to a carrier vessel. Carrier vessels are defined as a vessel with no gear on board capable of catching or processing fish, while a harvester vessel is defined as a vessel that is required to report the catch it has aboard as the harvesting vessel on the federal Vessel Trip Report. Landings will be closely monitored and the fishery will be adjusted to zero landing days when the period quota is projected to be reached.

Lobster Control Date Set: The American Lobster Management Board reviewed a number of issues, including the recommendations of the Atlantic Large Whale Take Reduction Team (ALWTRT); progress on Draft Addendum XXVIII; an update on the implementation of Jonah crab regulations; and an update on the lobster benchmark stock assessment.

Colleen Coogan from NOAA Fisheries presented a summary of the April 2019 meeting. The ALWTRT met to identify and recommend modifications to the ALWTRT Plan to further reduce impacts of U.S. fixed gear fisheries on large whales and reduce mortality and serious injury to below the potential biological removal (PBR) for right whales. The ALWTRT was tasked with developing consensus recommendations on a suite of measures that would achieve a 60 to 80% reduction in mortality and serious injury of right whales in U.S. fisheries to support NMFS rulemaking that will be initiated in May 2019. At the ALWTRT meeting, a NOAA-developed risk reduction decision support tool was used to provide insight on the potential impacts proposed management options would have on whales. The ALWTRT came to near consensus to achieve an approximate 60% reduction in mortality and serious injury risk to right whales through vertical line reductions and weak rope requirements. NOAA will work with the states to determine the best method to implement ALWTRT recommended measures.

In light of the future actions, responding to the ALWTRT recommendations, the Board established a lobster and Jonah crab fishery control date of April 29, 2019 for LCMA 1. The intention of the control date is to notify current state and federal permit holders and any potential new entrants to the fishery that eligibility to participate in the commercial fishery in the future may be affected by the person’s or vessel’s past participation and associated documentation of landings, effort, and/or gear configuration prior to the control date. The Commission will recommend NOAA Fisheries establish the same control date for federal waters of LCMA 1.

In February, the Board initiated Draft Addendum XXVIII to reduce the number of vertical lines in the lobster fishery. The Board addressed the need to respond proactively to the growing challenges facing the lobster fishery and right whale recovery in order to ensure effective conservation measures can occur in a manner that preserves, to the extent practicable, the lobster fishery and its culture. The Plan Development Team (PDT) was tasked with completing a draft addendum for public comment for Board review in May. The PDT has made significant progress, however, due to the timing of data and the decision support tool delivery, the PDT was unable to present a document for Board review at the Commission’s meeting. When the Board initiated the Draft Addendum, it did not anticipate the ALWTRT would bring forward vertical line reductions. Given the significant conservation benefits expected from the recommended ALWTRT measures, the Board decided to pause further development of the Draft Addendum until NOAA has determined if a jeopardy finding will be avoided by the ALWTRT actions.

The Board also received updates on the implementation of Jonah crab regulations in New York and Delaware. Finally, Jeff Kipp provided a progress update on the 2020 Lobster Benchmark Stock Assessment. The Stock Assessment Subcommittee will assess the current timeline due to some delays in supporting analyses and determine next steps. A second Assessment Workshop, scheduled for this fall, will focus on finalizing the base run of the model.

Herring Board: The ASMFC’s Atlantic Herring Management Board approved an addendum to strengthen spawning protections in Area 1A (inshore Gulf of Maine) by initiating a closure when a lower percentage of the population is spawning (from approximately 25% to 20%), and extending the closure for a longer time (from four to six weeks). ASMFC also modified the trigger level necessary to reclose the fishery, with the fishery reclosing when 20% or more of the sampled herring are mature but have not yet spawned. These changes to spawning protections are in response to the results of the 2018 Benchmark Stock Assessment which showed reduced levels of recruitment and spawning stock biomass over the past five years, with 2016 recruitment levels the lowest on record. ASMFC uses a series of closures to protect spawning aggregations in the Gulf of Maine. Biological samples are used to annually project the start of the spawn- • PSS Mechanical Seals • Sierra Engine Parts • Duramax-Cutless Bearings • Fuel Tanks Fabricated to order • 3D Computerized Scanning and Dynamic Balancing • Fast Turnaround Fabricated to USCG Sasen & Dura-Coastless Bearings • Sierra Engine Parts • PSD Mechanical Seals

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The Life Jackets for Lobstermen program was created by researchers at the Northeast Center for Occupational Health and Safety and partner organizations to address a perplexing problem: lobstermen often do not wear life jackets while working.

As part of the program, this spring two Life Jacket vans are travelling the coast in Maine and Massachusetts to offer lobstermen a chance to try on a life jacket, learn about additional technology that can improve chances of survival if they fall overboard, and receive a one-time discount on their purchases.

Rebecca Weil, research coordinator for the project, said in early May that more than 150 PFDs have been sold in less than a month.

"The word is spreading rapidly. We have fishermen coming to the ports specifically because the vans are there or chasing the van to the next port if they missed it, " she said. "Captains are bringing their whole crew to outfit them. Fishermen are calling to make ‘reservations’ at the van. They are buying a wide range of devices, showing us again that personal choice and a range of choice is important."

You can contact the program through www.facebook.com/LifejacketsforLobstermen or call 800-343-7527.

Douglas Carter picked up a new PFD at the Life Jacket Van when it visited Boothbay Harbor recently. NCOHF photo.

NEW MARINE PATROL BOAT BEARS FAMILIAR NAME

The latest addition to the Maine Marine Patrol fleet has been christened and is now officially underway. The Sergeant, a 46-foot Wesmac Super Wide will be based in Southwest Harbor and provide Marine Patrol a much-needed platform for off-shore details.

"As more lobster fishing activity occurs off-shore, we needed a boat that we could use to safely get to and from gear that is as far as 50-60 miles from shore," said Marine Patrol Sergeant Troy Dow.

The name Sergeant is a nod to Stanley "Cappy" Sargent, a commercial fisherman from Milbridge who was well known and liked by industry, and who collaborated on many projects with DMR science and policy staff. Built by the Surry-based Wesmac Custom Boats, the Sergeant is equipped with an 803 horsepower Caterpillar diesel engine, a hydraulic lobster trap hauler and a cradle for a rigid hull inflatable. With a beam of 17 feet 1 inch, it is 3 feet wider than the standard 46-footer.

The christening took place in Southwest Harbor with Cappy’s widow Tina breaking the ceremonial bottle across the bow. Friends and family including Justin Richard, Bill Sargent, Denise Sargent, Whitney Sargent, Joan Height, Tina Sargent, Willy Sargent, and Mike Sargent were on-board for the maiden voyage up Somes Sound. Also on-hand were Wesmac Custom Boats owners Linda Greenlaw Wessel and Steve Wessel. "The Sergeant not only honors a special person to DMR and Maine’s fishing community, it reflects the hard work and dedication to excellence of Wesmac Custom Boats," said DMR Commissioner Patrick Keliher

BRINGING LIFESAVING WEAR DIRECTLY TO THE DOCK

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Douglas Carter picked up a new PFD at the Life Jacket Van when it visited Boothbay Harbor recently. NCOHF photo.

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Nothing will make a lobsterman wince more quickly than the words “herring shortage.” Unfortunately, that is what Maine lobstermen are facing this summer, due to a dramatic reduction by the National Marine Fisheries Service (NMFS) in the 2019 herring quota.

The bait shortage — nearly 77 million pounds of herring — can’t be made up from any one single source, leaving bait dealers scrambling to find alternative baits prior to the start of the lobstering season. One possible source, silver and bighead carp from the Illinois River, is under evaluation by the Department of Marine Resources. Results of that evaluation are due in May.

The Illinois River has a problem. Back in the early 1900s, the Chicago Sanitary and Ship Canal was constructed to convey sewage and ships between the Great Lakes and Mississippi River Valley, two previously distinct ecological regions. Asian carp entered the picture when catfish aquaculturists later brought the fish into the country to clean the ponds in which the catfish were raised. The carp are voracious plankton feeders, well suited to the task. Flooding and accidental releases, however, allowed these fish to escape into the Mississippi River system and migrate into the Missouri and Illinois rivers. And there they reproduced.

Silver and bighead carp are big fish, growing to more than four feet long. They have no natural predators in the Illinois River; the fear is that the fish will ultimately reach the Great Lakes and devastate the food web there.

Which leads to an opportunity. The Maine Department of Marine Resources (DMR) has been working with the State of Illinois and the U.S. Fish and Wildlife Service to determine if silver and bighead carp harbor any pathogens or parasites that could harm marine species in the Gulf of Maine. If not, a new and abundant source of lobster bait may become available.

“We are testing carp from the Illinois River upstream of where commercial fishing takes place to determine if they are without disease. We are concerned about the connection of the Great Lakes to the Illinois River in terms of diseases,” explained Nicholas Popoff, resource coordinator at DMR. “If the fish are free of disease, then we need to establish a chain of custody [for the fish] — where it was caught, where processed, where it was shipped from.” The objective of all this scrutiny is to make sure that any bait brought into Maine for the lobster fishery does not have a negative impact on lobster or any other marine species.

Illinois is keen to provide incentives to businesses in order to motivate a commercial fishery. Popoff noted that a recent report from the state estimated that 20 to 50 million pounds of fish could be harvested annually. The Illinois Department of Natural Resources announced earlier this year a new Asian Carp Market Value Program, which offers grants of up to $8,000 to help companies market their Asian carp products. The program will provide grants to cover costs of attending trade shows and conferences related to market development and sales of Asian carp products.

Currently there’s a limited market for the fish as food, although in China, where the fish is a common food item, the populations of silver and bighead carp have declined sharply due to a combination of overfishing, pollution and hydroelectric dams. Although commercial fishermen on the Illinois River receive approximately 10 cents per pound at the moment, if a bait market for silver and bighead carp does develop in Maine, “it could be a win/win,” Popoff noted.

After the results of testing are received, DMR Commissioner Patrick Keliher will meet with staff to discuss the results. Commissioner Keliher will then announce if the fish will be included in the department’s list of approved lobster and crab baits.

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The city of Portland is looking to prohibit new restaurants and retail stores on piers along its working waterfront and reduce the area along the water side of Commercial Street where non-water-dependent development can occur. The proposal was presented to the city’s Planning Board in late April, which will make a recommendation to the City Council. The proposal is the product of four months of meetings among city officials, pier owners and commercial fishermen—a stakeholder group that was formed in response to a referendum drive to greatly increase protections within the Waterfront Central Zone, which runs from the Maine State Pier to the International Marine Terminal.

Bill Needelman, the city’s waterfront coordinator, said he hopes the proposal can be quickly enacted, before a moratorium on development along the waterfront expires on June 15.

CONSERVING HEAT CAN IMPROVE BOTTOM LINE

A Canadian lobster processing plant is hoping to reduce its oil bill and its carbon footprint, thanks to a device designed by students at the University of Prince Edward Island to recover some of the energy used to cook lobster. “It takes a lot of energy, we’re cooking anywhere from 35- to 40-thousand pounds of lobsters per day,” said Andy Garbo, owner of Acadian Supreme in Abrams-Village, P.E.I. “We have to bring it from 12 degrees C to 97 degrees, so it takes a tremendous amount of energy to do that.” Company officials approached the faculty of sustainable design engineering for ideas on how to recover some of the heat energy from the boiling water used to cook the lobster, instead of just pouring it down the drain.

ATLANTIC SEISMIC TESTING PERMITS STILL UNDER REVIEW

The U.S. Interior Department is still processing permit applications for companies to conduct seismic testing in the Atlantic—a precursor to drilling—arguing the surveys hurt marine life, such as the endangered North Atlantic right whale. The Department of Interior’s Bureau of Ocean Energy Management, which is responsible for managing energy development on the Outer Continental Shelf, continues to review the applications of a half-dozen seismic testing companies awaiting permits to test for oil and gas drilling potential on the Atlantic Ocean floor.

UNE, MOROCCO SIGN AQUACULTURE STUDIES AGREEMENT

A new collaborative agreement between the University of New England’s School of Marine programs, Morocco’s National Agency for the Development of Aquaculture and the Maritime Fisheries Chamber of the Mediterranean is expected to boost opportunities for UNE students and faculty members to discover, explore and contribute to the development of aquaculture and marine sciences in Morocco. UNE would engage in innovation, research, technological development, knowledge transfer, and training and technical advice to colleagues and investors in order to support Morocco’s goal of becoming a major aquaculture site. The agreement will allow UNE students the opportunity of working in a different fisheries environment and give them a chance to explore the fishing situation of the southern shore of the Mediterranean.

COULD SALMON RACKS BE MAINE’S NEW LOBSTER BAIT?

Nordic Aquafarms, which is currently working on a land-based aquaculture facility in Belfast, Maine, is hoping that the state approves a regulation change that would allow heads and racks from their facilities to be used as lobster bait. The issue is that DMR Regulations Chapter 24.23 “prohibits the introduction of any dead salmonid fish species or salmon remains, parts or viscera to coastal waters of Maine.” In response to a letter that Nordic Aquafarms submitted to Maine DMR this past March, Commissioner Patrick Keliher said that he is “interested in exploring all options for the safe introduction of alternative bait sources.” He intends to open the regulations to “make the necessary regulatory changes.” However, “The biosecurity practices at the aquaculture facilities from which salmonid waste would be sourced will need to be evaluated and a risk assessment to wild and farmed marine resources conducted,” Keliher stated.

GARBO TO EXPAND MAINE OPERATIONS

Garbo Lobster has announced plans to expand operations at the company facility in Hancock, Maine, which will see an expansion of its workforce at the site over a period of several years. Garbo explained the move would enable the firm to benefit from the “geographical advantage in the heart of Maine’s supply chain.” The firm said it intends to shift production from other states.

The plans follow those of its parent company, Massachusetts-based seafood firm East Coast Seafood Group, which in January said it is shuttering a Connecticut plant and shifting operations to plants in Maine and New Bedford. Among plans are enhancing the use of a 10-acre natural live lobster pounds and packing operation at the Hancock site, it said. The Hancock facility can currently hold 800,000 pounds of lobster. According to Garbo, the move would enhance its “large vertically integrated network along the North Atlantic coast.” In 2018, the company injected more than $100 million into the Maine economy, enhancing its “large vertically integrated network along the North Atlantic coast.”

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vertical lines from the water, which, in combination with using toppers on buoy lines (stronger rope on bottom, weaker rope on top), reached the risk reduction goal. While there was widespread disapproval amongst TRT members on the benefits of many management approaches (such as weak line or targeted closures), none could argue with the benefits of taking rope out of the water. Maine's pledge to make these changes is contingent upon other states and lobster fishing areas providing equal risk reduction for right whales. All participants in the lobster fishery will share equally. "Th e outcome for Maine's lobster industry could have been far worse, " DMR Commissioner Patrick Keliher wrote in a subsequent letter to Maine's commercial lobstermen. "In the end, Maine del-

Yet any in the environmental community do not believe this goes far enough. Erica Fuller, senior staff attorney at Conservation Law Foundation, recently stated that "Reducing and weakening the lines in the water is a start, but we need to go much further, much faster. Appropriate closures and ropeless fishing need to be part of the solution."

The next steps will be taken by DMR, which will meet with lobstermen in June to talk about the ways the 50% reduction can be achieved. Meanwhile, NMFS will be improving the decision support tool, based on feedback from the TRT. Finetuning the model may make it more reflective of the current movements of whales in the Gulf of Maine, particularly along the Maine coast. "It's a moving target," MLA president Porter said. "The most important thing is that whatever we do, we make sure that it affects all lob-

Keliher noted in his letter that nothing will change during the 2019 fishing year. Implementation of Maine's measures through NMFS rulemaking likely will not take place until 2021.
JAMBALAYA, LIVELY TUNES SPICE UP MLA FUNDRAISER

By MLA staff

Bowen's Tavern in Belfast was the destination for lobstermen and lobster lovers on Saturday April 6th for an evening to raise money for the Maine Lobstermen's Association (MLA) Legal Defense Fund. A crowd of hungry people turned up for some Louisiana-style jambalaya cooked by Belfast's own John McMillan. McMillan runs McMillan Offshore Survival Training, which offers Coast Guard-approved survival classes to those who work on the water. McMillan and his small crew mixed up the savory stew in huge cooking pots just outside the Tavern's back door. Hamburgers and hot dogs were also available along with homemade desserts and Moxie. All the food was free, with donations accepted.

Indoors, the bluegrass band The Itinerant Visitors, led by Maine Center for Coastal Fisheries director Paul Anderson, kept toes tapping and people on the dance floor. Anderson encouraged the audience to take part in the business raffle, whose proceeds also benefited the Legal Defense Fund. Local businesses donated items ranging from fishing gear to gift certificates for local restaurants. By the end of the evening, donations and the raffle raised almost $2,000 for the Fund.

The MLA Legal Defense Fund allows the MLA to take part in a legal battle against proposed changes to the federal whale rules, changes which are likely to severe impact on the state's lobster fishery. The MLA is currently an intervenor in a court case brought by several environmental groups against the National Marine Fisheries Service pushing for stronger whale protection measures.

Maine lobstermen landed nearly 120 million pounds of lobster last year, with a landed value of more than $484 million. Those millions of dollars form the foundation of the economy in small towns throughout the coast. "We are very aware that Maine lobstermen are not the cause of whale entanglements, however, there is no denying we have a lot of rope in the water. At this point we know that the law is clear that lobstermen will be required to do something, and it is our job to fight for a fair resolution that will allow our industry to remain economically viable," said Patrice McCarron, executive director of the MLA. Downeast Lobstermen's Association President Sheila Dassatt helped organize the event and readily understands the importance of all lobstermen and organizations working together this year. "We've got to stand together," she said. "Otherwise we don't stand a chance."

To learn more about the MLA and its stance on right whale regulations, visit www.mainelobstermen.org. If you would like to donate to the MLA Legal Defense Fund, visit https://mainelobstermen.org/projects/legal-defense-fund.