GOVERNOR ANNOUNCES INTENT TO DEVELOP OFFSHORE WIND OFF SOUTHERN MAINE

Press Release, Office of the Governor

To solidify Maine’s leadership in floating offshore wind energy and collaborate with Maine’s fisheries on the industry’s development, Governor Janet Mills today announced the State’s plan to create the country’s first floating offshore wind research array in the Gulf of Maine.

With some of the highest sustained wind speeds in the world, the Outer Continental Shelf of the Gulf of Maine has great potential for generating clean energy and economic opportunity for Maine, as offshore wind investment in the U.S. is estimated to top $70 billion through 2030.

Due to its deep waters, generating wind energy in the Gulf of Maine will likely come from floating offshore wind turbines, a technology still under development in the US which requires additional scientific study about its potential effects on fisheries and the marine environment.

Designating a small-scale research array in the Gulf of Maine represents a measured, deliberate approach that allows the State to engage the fishing industry’s expertise to minimize potential harms and maximize the benefits to Maine people from offshore wind.

“I believe Maine can lead the country in floating offshore wind technology,” said Governor Mills. “But it must be done in partnership with Maine’s fishermen, to form a science-based mutual understanding of how best to design and operate floating wind turbines in the precious Gulf of Maine. A research area is a prudent step toward securing our state’s leadership position, working collaboratively with fishermen and scientists, and developing offshore wind to realize the significant energy, economic and climate benefits it stands to offer our state.”

The research array is part of the ongoing Maine Offshore Wind Initiative announced by Governor Mills in 2019. In October, the State received a grant from the U.S. Economic Development Agency for the Initiative to support long-term planning for offshore wind with fishery, business, environmental and science representatives, as well as assessing port and infrastructure needs and evaluating the supply chain, manufacturing, and workforce opportunities.

The state intends to file an application for the research array with the Bureau of Ocean Energy Management, which oversees renewable energy development in federal waters, which begin more than three miles off the coast.

As envisioned, the research array would be located some 20 to 40 miles offshore.

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An end comes to all good things and fortunately, to bad things as well. One would be hard-pressed to call 2020 a good year, even with the worldwide pandemic, a contentious presidential election, economic distress, unprecedented wildfires, nationwide social unrest and of course, a few powerful hurricanes to top it off. It was a hard year and one for the record books.

This month in Landings we look at an issue facing Maine fishermen that has been simmering just below the surface, unrelated to COVID-19. As detailed in previous issues, offshore wind developments have been popping up along the Eastern seaboard fueled by the ambitious goals of individual states to develop new sources of renewable energy. Offshore wind leases have largely occurred in near-shore waters, where wind turbines can be built on fixed foundations. No lease applications had been tendered for the offshore waters of the Gulf of Maine since Stat Oil secured a lease in 2012 and then gave it up due to the policies of the LePage administration. That is set to change: Governor Janet Mills announced on November 20 her administration’s intention to secure a wind research lease in the offshore waters off southern Maine.

The project, termed an offshore wind research array, would be located from 20 to 40 miles offshore and would connect to the mainland electric grid in the southern half of the state. The research array would be approximately 16 square miles and is expected to contain up to 12 wind turbines. The administration informed fishing industry leaders of this plan less than two days before the announcement.

Since 2018 the Responsible Offshore Development Alliance (RODA) has been marshalling science and research to support fisherman’s concerns about offshore wind energy projects. RODA, comprising fishermen, fishing industry groups and fishing companies, works to improve the fishery data used by developers and federal regulators, and advocates to ensure fisheries interests are fully considered in offshore wind development projects. The presence of the group in the wind power arena is critical. “It’s really all hands on deck now. RODA will do all we can do to make sure that fishermen can contribute to the process as easily as possible. It’s not just that fishermen have to be in the room, it’s that their being in the room has to mean something,” said RODA executive director Annie Hawkins.

Meanwhile, the convoluted legal case brought by whale activist Max Strahan against the Maine Department of Marine Resources (DMR) and the National Marine Fisheries Service (NMFS) in 2019 came to a temporary halt last month. Strahan has sued DMR and NMFS using the same argument that he had successfully pursued in Massachusetts — that by permitting the use of vertical lines in the lobster and gill net fisheries, the two agencies were violating the Endangered Species Act by threatening North Atlantic right whales.

In November, Judge Lance Walker of the U.S. District Court in Bangor issued a temporary stay to the case, noting that the issue was due to be resolved by May 31, 2021, when NMFS must implement a final Biological Opinion on the lobster fishery, implement new whale rules and issue a valid incidental take statement consistent with the Endangered Species Act and the Marine Mammal Protection Act. Strahan’s behavior before the Bangor court was noted by Judge Walker in his November decision: “a cynical person might infer that he filed this action for no other reason than to distract, harass, and annoy the Defendants, who are at present defending (or are intervenors in) another action in the District of Columbia that involves the very same concerns raised in this action by Mr. Strahan.”

Strahan has been successful, however, in Massachusetts. In April the court there ordered Massachusetts Division of Marine Fisheries (DMF) to apply to NMFS for an Incidental Take Permit (ITP) for the state’s lobster fishery within 90 days. To comply with the court order, DMF began work to submit its ITP application, which must include the steps that will be taken to mitigate and mitigate impacts lobster fishing could have on right whales. DMF has announced public hearings on a plan to implement those steps, which includes expansion of the state’s Large Whale Seasonal Trap Gear Closure (north and east of Cape Cod), which runs from February 1 to April 30 each year, to all state waters. The state also proposes to require 1,700-pound breaking strength buoy line and that those lines be no greater than 3/8” in diameter.

This month Landings also highlights some upbeat stories from the Maine coast. In Boothbay Harbor, a dedicated group of individuals and businesses have made a bold statement about the importance of a working waterfront to their town. The Boothbay Region Maritime Foundation purchased two properties on the east side of the harbor last year in order to preserve those parcels as working waterfront. Now the nonprofit organization is moving forward with its plan to rebuild the old Sea Pier wharf (now known as Carter’s Wharf) to ensure its continued use by local lobstermen. In addition, a waterfront park will be created, allowing residents and visitors to connect to the harbor’s maritime heritage.

Dwindling lobster bait supply spawned a bright idea by two men down in Kennebunk. While on a fishing trip, they began considering the fact that lobstermen were having a hard time affording herring. It got them thinking about the many catfish farms in their part of the country. Catfish are homely creatures — their heads comprise 20% of their bodies. And those heads had very little use — until Baron Huber had a bright idea. Huber and his fishing buddy, Maine native Mike Sielicki, tested the catfish heads as bait and found something to bring cheer at the darkest time of the year. Catfish bait is now supplied to all state waters. The state also proposes to require 1,700-pound breaking strength buoy line and that those lines be no greater than 3/8” in diameter.
As we approach the end of 2020, a year most of us are glad to see go, it’s a good time to review the results of the Maine lobster marketing program. As background, the Maine Lobster Marketing Collaborative (MLMC) has a mandate to promote and actively market Maine lobster, identifying marketing areas that will provide the greatest return on investment. A board of directors, nominated by industry and appointed by the Department of Marine Resources Commissioner, oversees the MLMC. The Program is funded by license assessment fees.

Over the seven years since the Collaborative was formed, the marketing program has targeted all levels of the supply chain, from wholesale buyers to chefs to consumers. We have focused on the key messages of our lobster’s sweet flavor, Maine origin and new-shell seasonality.

From our measurement metrics, we know that we have generated considerable awareness of Maine lobster, increased understanding of our key messages and driven potential customers to take actions toward purchasing Maine lobster. As importantly, we also provide one big voice for Maine lobster in an industry made up of thousands of individuals and small businesses. This can be important both in promoting and protecting the reputation of Maine lobster.

At the broadest end of the measurement spectrum, we look at basic marketing metrics that show if we’re creating more awareness of Maine lobster. Our marketing program generated over 9 billion media impressions, reaching the same number of people as if we had run 81 Super Bowl ads. Our program actually was more efficient at reaching our target audience, since Super Bowl ads would have cost about $41 million to run.

Measurement tools also evaluate how well our target audience understands Maine lobster and our key marketing messages. To measure this, we look at the 3 million people who visited our website to view recipes, “how to” videos, fact sheets or other industry data. Another good indicator is that 348,000 people visited the “buyer lobster” section of our website to get information on suppliers.

Most importantly, we see whether people took any action towards buying Maine lobster. Since the Collaborative represents over 5,000 individual fishermen, dealers and processors, we aren’t able to link marketing directly to sales, as you would with a private company. However, we do know that wholesale buyers are 43% more likely to buy Maine lobster after seeing our ads. This number is significant since we have reached 83% of the U.S. wholesale seafood industry with our ad campaign.

Measuring consumer demand, we have found 580,000 consumers are more likely to buy Maine lobster after seeing our ad campaign in 2020 alone. We also know that we drove over 100,000 potential customers directly to websites for Maine lobster dealers.

Reputation management for the Maine lobster brand is a key part of our program but one that is difficult to measure. Success can be preventing a damaging story from being published or turning a potentially negative storyline into one that is more beneficial to the brand. In 2020, the issue on everyone’s mind is right whales. The Collaborative has produced videos, social media content and fact sheets that educate people on the good work done by the lobster fishery to protect right whales over the years. We also surveyed consumers to see if there are any concerns about purchasing Maine lobster because of the issue. Fortunately, Maine lobster purchases have not been affected even among those who are aware of the issue. We will continue to monitor consumer sentiments and scale our outreach accordingly, providing key messages to the right audience at the right time.

As we plan for 2021, we know we’re facing another year filled with changes and uncertainty. Our Board of Directors is working with advisory councils and industry groups to make sure that the Maine lobster marketing program will support and enhance industry priorities. We will share a full marketing plan for 2021 in the new year, and we are excited about some new opportunities.

In our efforts to drive awareness, understanding and action around Maine lobster, we are looking at creating new products with Maine lobster that can be marketed to food manufacturers, driving demand through grocery store promotions, gaining a better understanding of consumer opportunities through research and playing a larger role in maintaining sustainability certifications that are critical to retail sales worldwide.
MAINE RIGHT WHALE COURT CASE ON HOLD UNTIL MAY

By Mary Anne Mason

On November 16, 2020, Judge Lance Walker ordered a temporary stay in the lawsuit led by Max Strahan, aka Man Against Extinction, in September 2019 in U.S. District court in Bangor. Strahan had brought suit against the Maine Department of Marine Resources (DMR) and National Marine Fisheries Service (NMFS) for authorizing the use of vertical lines in Maine’s state and federal lobster and gillnet fisheries. The Maine Lobstermen’s Association (MLA) was granted intervenor status in the case. Man Against Extinction v. Commissioner of Maine Department of Resources and Assistant Administrator of National Marine Fisheries Service in July 2020.

Judge Walker’s order for a temporary stay means that this case has been put on hold pending the final outcome of the court case before Judge Boasberg in U.S. District court in Washington, D.C. (the Ross case). Judge Walker writes, “The Ross case is at the remedy stage, whereas this case has not yet emerged from the pleadings stage. Any injunctive relief and/or further administrative action that arises as a result of the Ross litigation will have implications for the Maine lobster fishery, which is operating pursuant to the same set of North Atlantic fisheries rules under review in Ross. It is not apparent to me that anything will be gained through this action in the meantime, given Mr. Strahan’s past approach to the conduct of this case, which has involved filings designed predominantly to ridicule and insult his adversaries while proclaiming his own grandiosity.”

Judge Walker has ordered NMFS and DMR to provide an update to the court summarizing the status reports required in Judge Boasberg’s case on or before May 31, 2021, the deadline established by Judge Boasberg for NMFS to issue a final Biological Opinion, implement new whale rules and issue a valid incidental take statement consistent with the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). Walker writes, “Following review of the status report, the Court will determine the future course of proceedings in Maine.”

Judge Walker’s stay will allow the Take Reduction Team stakeholder process and public comment on proposed new whale rules to proceed without the threat of inconsistent legal rulings sought by Strahan.

As an intervenor in the Maine case, MLA’s aim was to ensure a vigorous legal response to Strahan’s lawsuit, which could have resulted in an adverse decision similar to the outcome of a nearly identical case filed by Strahan in Massachusetts. In April 2020, Judge Indira Talwani of the federal district court of Massachusetts concluded that the use of vertical buoy lines by Massachusetts lobstermen and gillnetters violated the ESA because this gear was likely to continue to harm right whales. The Judge did not shut down the fishery, but instead directed the Massachusetts fishery to obtain an Incidental Take Permit within 90 days for the fishery to continue to operate.

In October 2020, Judge Talwani once again denied Strahan’s request for an injunction that would have shut down lobster and gillnet fishing in Massachusetts until a trial takes place. However, the judge was displeased that Massachusetts had not complied with her order to apply for an ESA Incidental Take Permit, stating “I don’t like having an order out there being disobeyed.” She ordered the parties to suggest a trial date and required the state to report back to her on October 15 regarding its progress in applying for the Incidental Take Permit, with a progress report every 30 days. On November 13, the Massachusetts Division of Marine Fisheries announced two public hearings to solicit feedback on new whale protections in state waters, including a statewide lobster fishery closure from February 1 through April 30, capping the diameter of vertical lines at 3/8” and requiring that all vertical lines break at 1,700 pounds, amongst other measures.

Back in Maine, Judge Walker’s order to stay the case until the end of May 2021 followed an intense flurry of legal skirmishes initiated by Strahan. In his November ruling, Judge Walker writes, “Plaintiff’s approach to this litigation is perplexing. As I wrote in a recent order denying a ‘scattershot’ of unproductive motions filed by Plaintiff, it is Plaintiff’s approach to litigation rather than this Court’s administration of the case that explains why the docket in this matter now contains 135 entries even as Plaintiff continues to announce plans to amend, and now partially dismiss, his pleadings.”

In August, the Judge issued an order denying Strahan’s motion for interim injunctive relief which would have barred the licensing of the Maine lobster and gillnet fisheries until the state obtained an Incidental Take Permit. The “scattershot” motions filed by Strahan in the Maine case included an appeal by Strahan to the United States Court of Appeals for the First Circuit to reconsider Judge Walker’s denial of Strahan’s request that the court issue a preliminary injunction against permitting vertical buoy lines in Maine lobster and gillnet fisheries. However, Strahan failed to respond to the appellate court’s request for a brief on why the appeal court would have jurisdiction over the case, and the appeal was dismissed on October 29. The last trailing appeal from Strahan’s barrage of filings is now subject to a similar order stating that if he fails to file a brief by December 4, the remaining appeal will likewise be dismissed.

The dust has settled in the Maine case; it will remain on hold until the Boasberg case is resolved at the end of May. However, it appears that the judge in Maine is losing patience with Strahan. In his November ruling, Judge Walker writes of Strahan’s conduct, “a cynical person might infer that he filed this action for no other reason than to distract, harass, and annoy the Defendants, who are at present defending (or are intervenors in) another action in the District of Columbia that involves the very same concerns raised in this action by Mr. Strahan.”
Development Alliance (RODA). "In the Gulf of Maine, you are now at the point that the Mills administration is saying 'full steam ahead.'"

On November 20 Governor Janet Mills announced on an ambitious plan to develop an offshore wind research array in waters from 20 to 40 miles offshore that would allow connection to the mainland electric grid in the southern half of the state. The research array would be approximately 16 square miles and is expected to contain up to 12 wind turbines. The administration informed fishing industry leaders of this plan less than two days before the announcement.

In the week prior to the announcement, the Maine Lobstermen’s Association (MLA) wrote to the Governor specifically concerning the possibility that unsolicited offshore wind development proposals might be evolving. The MLA was particularly concerned that the state’s fishing industry had not been informed or consulted. RODA has quickly become the voice of diverse fishing interests since its founding in 2018. The membership organization, comprising fishermen, fishing industry organizations and companies, focuses on science, research and policy work related to offshore energy development. A major portion of its work involves conversations related to fisheries used by developers and federal regulators, while remaining sensitive to confidentiality and what fishermen are willing to provide. One effort aims to improve the data contained within the Ocean Data Portal, a digital database unveiled by the Northeast Regional Ocean Council in 2009. The portal has more than 5,000 maps, which show everything from fishing activity and recreational uses to state and federal management boundaries. But the portal does not offer detailed data related to fisheries. For example, the portal shows fishing effort taking place in closed areas. It also misses fishing activity in places where just a few fishermen fish since information specific to individual fishermen can’t be shared due to confidentiality. In addition, it provides little context for interpreting the data in light of regulatory and business conditions that influence fishing behavior.

Another current project is the Fisheries Knowledge Trust, which currently involves the herring and mackerel and surf clam fisheries off New York. In collaboration with Dr. John Manderson of OpenOcean Research, RODA is developing a way to make fishermen’s proprietary data available to decision makers without compromising the original sources. Fishermen can share their knowledge about the oceans in a standardized, accessible repository which will enable consultation and analysis of data that otherwise might be lost to the first-hand knowledge they need. “Fishermen have information in their heads that can fill data gaps. This is a way to aggregate that information and bring it forward as peer-reviewed data,” Hawkins explained.

Another project, conducted with the National Renewable Energy Laboratories in Colorado, focuses on fishery access in fixed wind turbine arrays. "This is about how to minimize the loss of access for fishermen. There are operational factors in fishing that must be accounted for,” Hawkins said.

In 2019 RODA signed a Memorandum of Understanding (MOU) with the National Marine Fisheries Service and BOEM to collaborate on the science and process of offshore wind energy development. This year RODA organized a four-day online workshop entitled “Synthesis of the Science: Fisheries and Offshore Wind.” The well-attended workshop addressed the many social, environmental, and economic issues related to offshore wind projects, allowing a permitting agency to then analyze the maximum impacts that could occur from the range of design parameters, and may result in the approval of a project that is constructed within that range.

Using PDEs may be particularly applicable in the Gulf of Maine, where floating wind turbines are considered the likely design for offshore wind projects. Hawkins, however, is concerned that there isn’t enough data on the impacts such tethered turbines may have. "The scope of the anchoring cables will be quite broad. It’s likely that there will be vastly larger areas due to the cables than from fixed turbines," she said. From Hawkins’ perspective, fishermen in the Gulf of Maine have a good deal to contribute to both the way the administration approaches the legal 'location point,'” she said. "There's going to be a real doubling-down on these things soon. If the new climate bill, 30 by 30, goes through Congress or becomes an Executive Order, that will mean a push to have 30% of our oceans closed to fishing by 2030."

It’s really all hands on deck now. RODA will do all we can to make sure that fishermen can contribute to the process as easily as possible. It’s not just fishermen have to be in the room, it’s that their being in the room has to mean something."

The development of offshore wind represents a significant opportunity for Maine’s energy future and economic recovery from COVID-19, as outlined in the Governor’s 10-year Economic Development Strategy and a recent Clean Energy Economy report from the Governor’s Energy Office. Both encourage the state to set forth a balanced agenda that maximizes economic benefits for Maine people while creating a culture of innovation that creates a foundation for future leadership in this growing industry. Through the Maine Offshore Wind Initiative, Governor Mills in March identified the Port of Searsport as a leading site in Maine to support the transportation, assembly and fabrication of offshore wind turbines and called for a study to analyze this opportunity. That study is expected later this year. Maine is also continuing to work with New Hampshire and Massachusetts on BOEM’s Gulf of Maine Task Force to evaluate commercial scale renewable energy leasing and development on the Outer Continental Shelf.

To read the MLA’s response to Governor Mills’ announcement, please continue to page 21.
In January 2020, Max Strahan, a self-described whale activist, filed suit in the U.S. District Court in Massachusetts against the state. He contended that the Division of Marine Fisheries (DMF) licensing of fixed gear fisheries violated the Endangered Species Act because vertical lines deployed in those fisheries could cause entanglements of endangered right whales and sea turtles.

The court was petitioned by Strahan to halt the further deployment of vertical buoy lines and to require the state apply for an Endangered Species Act Incidental Take Permit (ITP). In April 2020, the Court ordered DMF to apply to NOAA Fisheries for an ITP within 90 days.

In October, Strahan asked the court for a preliminary injunction to stop fixed gear fisheries, since the 90-day period had passed. The judge denied Strahan’s request without prejudice, meaning he could request an injunction again, and gave the state additional time to get the necessary permit. The judge did, however, order Strahan and the state to file suggested schedules for a trial by October 15 and directed the state to file reports with the court every 30 days on its progress beginning October 15.

To comply with this court order, DMF has begun the work to submit an ITP application. An ITP application must include a Habitat Conservation Plan (HCP) which details the steps taken to minimize and mitigate impacts the activity is having on an endangered species. DMF is holding two virtual public hearings on its proposed regulations related to fixed gear fisheries, at 6 p.m. on December 8 and December 9. Written public comment will be accepted through 5 p.m. on December 18.

If approved, these regulations would constitute the foundation of the state’s HCP for right whales.

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**Proposed Massachusetts whale protection regulations**

**Fixed Gear Closures**

**Commercial Trap Gear Closure**

DMF is proposing to extend the existing February 1 – April 30 Large Whale Seasonal Trap Gear Closure (north and east of Cape Cod) to all waters under the jurisdiction of the Commonwealth.

**Gillnet Closure in Cape Cod Bay**

DMF is proposing to extend the existing January 1 – May 15 gillnet closure in Cape Cod Bay to include those waters shoreward of 70°30’ W longitude between 42°00’ N latitude (Gurnet Point) and 42°12’ N latitude (Scituate Harbor).

**Fixed Gear Closure Extensions**

DMF intends to retain the regulatory authority to extend the above described fixed gear closures (#1 and #2), or portions thereof, based on the Director’s assessment of the documented presence of right whales in Massachusetts waters and if reasonably necessary to prevent the entanglement of right whales in commercial trap gear.

**Vertical Buoy Line Maximum Diameter for Commercial Trap Gear**

DMF is proposing that all vertical buoy lines affixed to commercial trap gear have a diameter not greater than 3/8”.

**Vertical Buoy Line Maximum Diameter for Recreational Trap Gear**

DMF is proposing that all vertical buoy lines affixed to recreational lobster and crab trap gear have a diameter not greater than 5/16”.

**Prohibition on Single Lobster Traps for Vessels of a Certain Size**

DMF is proposing to prohibit the fishing of single lobster traps onboard vessels with an overall length of 29’ or greater. These vessels will be required to configure their traps as multi-trap trawls. Vessels with an overall length of less than 29’ may continue to fish single lobster traps where authorized; the setting of single lobster traps by any vessel of any size will remain prohibited north of Cape Cod seaward of the three nautical mile line and the Billingsgate exempted area. DMF is proposing that this regulation go into effect on January 1, 2022.

**Permitting**

**Cap on Issuance of Seasonal Lobster Permits**

DMF is proposing to cap the annual issuance of seasonal lobster permits for vessels of a certain size.
It is no secret that Governor Mills has had an unwaver- ing commitment to aggressively address climate change through an emphasis on renewable energy. She was clear about it throughout her election campaign. After her election, Governor Mills wasted no time in taking action to position Maine to be a player in offshore wind development. She quickly reversed former Governor LePage’s moratorium on wind energy construction in the state. She then turned her attention to the Legislature, working with the staff of the Maine House and Senate, the Maine Climate Council, set aggressive greenhouse gas emission goals, and commit Maine to achieve 80% renewable energy by 2030 and 100% by 2050. She signed into law a requirement that the Public Utilities Commission approve a power contract agreement with New England Aqua Ventus, reversing another LePage-era policy. She established the Maine Offshore Wind Initiative to identify data on offshore opportunities for offshore wind development in the Gulf of Maine. She committed Maine, with New Hampshire and Massachusetts, to become part of a Gulf of Maine Intergovernmental Regional Task Force on offshore wind organized by the Bureau of Ocean Energy Management (BOEM), in order to identify potential opportunities for renewable energy leasing and development in the Gulf. The Governor made it crystal clear that Maine would pursue offshore wind development but in a manner compatible with existing uses, such as Maine’s commercial fishing industry. As these efforts to revive offshore wind as a pillar of Maine’s renewable energy future unfolded last year, the MLA joined the Responsible Offshore Development Alliance (RODA). RODA is a broad coalition of fishing industry associations and businesses that work together to ensure that any new offshore development is compatible with existing fisheries. The MLA recognized that the issue of wind development is too big and complex for individual fisheries and industry associations to tackle on their own. Offshore wind developers have very deep pockets along with significant government support and incentives aimed at promoting their success. No single fishery association could provide the scientific or policy analysis, much less attend all the meetings, required to ensure that the concerns of the fishing industry are prop- erly addressed as wind developments are put forward. Early in 2019 RODA proactively sent a letter to BOEM and the governors of Maine, New Hampshire and Massachusetts asking for a six-month pause in the offshore wind develop- ment process due to the challenges of engaging the fishing industry during the pandemic. The letter asked BOEM to convene a fisheries-driven Gulf of Maine regional working group, and requested the governors to come together to urge BOEM not to consider any unsolicited bids for offshore wind development leases. The letter further called for greater transparency in offshore wind procurement goals and clarification of their context within an overall energy strat- egy. Governor Mills’ response to RODA’s letter reiterated her strong support for “renewable energy as part of the solution to combating climate change and growing Maine’s econo- my,” but also “that we must go at a pace that recognizes the strain being experienced within the fishing industry.” In October, no information had come from the Governor’s office on how the fishing industry would be involved in the Offshore Wind Initiative. In an effort to keep lobster- men informed, Landings interviewed the deputy director of the Governor’s Office of Policy Innovation & the Future (GOPIF), Anthony Ronzio, to clarify, specifically, what ac- tions it would be taking. Landings was not informed of any specific plans to develop offshore projects in the pipeline. Instead, we were told that the state would continue its participation with the BOEM Task Force, was developing an organizational frame- work for the Initiative to include a fisheries working group, and that the state was waiting for a federal grant to be “used to build the inclusive plan to address the concerns for Maine that is collaborative and has a substantial focus on stakeholder engagement, including fisheries.” When asked specifically how the state would work with the fishing industry, Ronzio responded, “We hope to gather input from the fishing industry so that it can inform the state’s par- ticipation in the federal leasing process and ensure that the input from Maine’s fishing industry is considered by BOEM.” In November, Landings reported on the Governor’s Energy Office’s (CEO) plan to award a new federal grant award of $2.166 million to develop a roadmap for offshore wind en- ergy development. “The award is an opportunity for the state and stakeholders to develop a holistic, comprehen- sive road map and plan for advancing offshore wind in the state in compatibility with existing uses,” stated Collin Cunningham, deputy director of GEO and coordinator of the offshore wind development planning project. According to Cunningham, the offshore wind development road map will be determined by those who are involved in the project. “This will be a stakeholder-driven process. The structure also will serve us through the duration of the state’s wind initiative and ensures that stakeholders make the most of the opportunity to provide input in a transparent manner.” Meanwhile, rumors circulated within the fishing industry that the state had plans for an offshore wind development off southern Maine. Concerned by these rumors, the MLA sent a letter to Governor Mills on November 11 emphasizing the need for “clear and transparent communications, a robust stakeholder process, and a commitment to address the lack of data on which projects will mean for mar- ine ecosystems and the many fishing communities along our coast.” The MLA again stressed the need to consult the fishing industry before decisions were made and reiterated that the absence of transparent communications would foster a deep distrust among fishing industry stakeholders which ultimately would hinder the state’s efforts. The MLA also has consistently raised concerns over how offshore wind would figure into Maine’s ambitious renew- able energy portfolio through its position on the Maine Climate Council. The MLA was successful in including language in the Council’s report stating that the fishing in- dustry will be consulted before the state puts forward any proposals to site wind development in the Gulf of Maine. Just a week after sending its letter to the Governor, the MLA was invited to join Mills administration officials and fish- ing industry leaders to discuss the state’s vision for offshore wind development. We quickly learned, however, that we were brought together simply to receive notice of the Governor’s plan to announce (in the next day or two) her intention to apply for an offshore wind research lease with BOEM in early 2021. The lease would be located 20 to 40 miles off southern Maine, be less than 16 square miles in size and deploy up to 12 turbines connected to the main- land power grid. The state already had conducted prelimi- nary siting analyses based on existing data sets but they did not share with us the results of that work. This is a far cry from the promise that the Maine Offshore Wind Initiative would create a fisheries working group as a forum in which to share information and advance ideas or address concerns the fishing industry may have. Instead, we were told that the state had created a plan for how to advance offshore wind in the Gulf of Maine. End of story. Checking a box to indicate that a conversation took place with fish- ing industry representatives is in no way a transparent and meaningful stakeholder process. So now we officially have right whale rules and offshore wind to deal with. What a way to close out 2020! Here’s to a new year, a better year. The MLA promises to work to make 2021 a year in which the concerns of the fish- ing industry are actually heard, a year in which we will de- mand accountability for the promises made to protect our livelihoods. Maine’s fishermen have supported thousands of quality jobs, produced healthy food for our nation, and maintained Maine’s coastal communities, large and small, for hundreds of years. We will not sit idly by and let our liveli- hoods be traded in for the unknown and unproven poten- tial of offshore wind. As always, stay safe on the water.
origin of the gear is unknown. An entangled whale doesn’t die instantly. Many considered life-threatening. Although all five were detected in U.S. waters, the whales were documented carrying gear; four of the five entanglements were necropsy. As most whales were either not retrieved or were too decomposed to perform a necropsy, it is likely that the public comment period may be limited to 45 days. NMFS is providing the court an update on its progress; its next court update is due in early December.

Once the Proposed Rule is published, it is expected that NMFS will conduct up to six regional public presentations via webinar, followed by a similar number of webinars for the public to provide comment. A presentation of the draft Biological Opinion remains on the New England Fishery Management Council (NEFMC) schedule for late January and for the Atlantic States Marine Fisheries Commission (ASMFC) in early February. It is anticipated that the draft Biological Opinion will be released on a similar timeframe with the Proposed Rule and Draft Environmental Impact Statement. The recent Presidential election and change in administration adds to the uncertainty of timing for the Draft Rule’s release. Historically, there has been a freeze on regulatory actions as the government transitions from one administration to another (from December through the end of January). Additionally, there could be another delay in the publication of the rule due to a backlog. For now, we continue to wait. The MLA will be ready to provide comments whenever this Proposed Rule and draft Biological Opinion are made public.

UPDATE ON RIGHT WHALE POPULATION

In late October, the North Atlantic Right Whale Consortium (NARWC) held a virtual version of its annual meeting. Every year, hundreds of researchers, managers, conservationists, students, and educators from the United States and Canada meet to discuss the population status, regulatory efforts and conservation practices. The meeting, as always, began with the release of the annual “report card,” which outlined the status of this critically endangered species. The report card includes a best estimate of the number of whales alive and a recouping, reaching a high of nearly 500 whales in 2010, but the last decade has been dire for the species. Throughout the 1990s and early 2000s, the number of whales appeared to be recouping, reaching a high of nearly 500 whales in 2010, but the last decade has been dire for the species.

In the 2020 calving season, there were 10 calves born, up from seven in the 2019 season. Despite the increase in calves, the species is still endangered. The calving rate is not keeping up with the mortality rate. Female right whales become sexually mature at about age 10. They give birth to a single calf after a year-long pregnancy. Three to four years is considered a normal interval between right whale calving events. But now, on average, females are having calves every 6 to 10 years. In the last three calving seasons (2017-2019) there were only 22 births, which is about one-third of the average annual birth rate.

OFFSHORE WIND FARM PROPOSED OFF SOUTHERN MAINE

On November 20, Governor Mills announced an ambitious plan to develop an offshore wind research array in waters from 20 to 40 miles offshore that would allow connection to the mainland electric grid in the southern half of the state. The research array would be approximately 16 square miles and is expected to contain up to 12 wind turbines. The administration informed fishing industry leaders of this plan less than two days before the announcement. The week prior this announcement, the MLA had written to Governor Mills expressing our strong concern over the potential for offshore wind development and its impacts on fishermen. MLA was particularly concerned that there were rumors that the state had plans for offshore wind but the industry had yet to be informed or consulted. The MLA released a statement in response to the state’s offshore wind announcement stating that this news was not welcomed by the MLA. We reiter-ated the MLA’s disappointment that this project was abruptly announced without adequate consultation from the fishing industry and that we have many, many concerns with the state’s plan.

MLA JOINS COALITION TO OPPOSE MASSIVE FISHERIES CLOSURES IN FEDERAL WATERS

The MLA joined a coalition of more than 800 members of the U.S. seafood industry in signing a letter opposing a bill introduced into Congress that would undermine the management of U.S. fisheries. The Ocean-Based Climate Solutions Act, introduced into the U.S. House of Representatives in October, proposes to prohibit commercial fishing across at least 30% of U.S. federal waters as part of a system of Marine Protected Areas by 2030. The letter states, “In contrast with many international contexts where MPAs are established to remedy a profoundly broken fisheries management system...
and a degraded marine environment — U.S. fisheries are overwhelmingly sus-
tainable and successfully managed to maximum sustainable yield.” The letter emphasizes that the proposed legislation is counter to the current management process which is based on sound science. The letter notes that “The co-
allition signers want to know: when will proponents of this idea address the concerns of the more than 700,000 men and women who depend on domestic commercial harvesting to provide for their families?”

HERRING MANAGEMENT AREA 1A

The Area 1A directed Atlantic herring fishery closed on November 9, 2020, until further notice, as regu-
lators projected that 92% of the Area 1A quota had been landed. Directed herring vessels traveling through Area 1A must have all fishing gear stowed. During a closure, some vessels may continue to par-
ticipate in the fishery:

- Vessels participating in the herring Research Set-Aside (RSA) Program may land, subject to state landing restrictions, greater than 2,000 pounds of Atlantic herring provided they are on a declared herring RSA trip.
- Vessels participating in other fisheries may re-
tain and land an incidental catch of herring that does not exceed 2,000 pounds per trip or calen-
dar day.
- The fixed gear set-aside of 30 metric tons will continue to be available to fixed gear fishermen operating in Area 1A west of Cutler, Maine through December 31, 2020.

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

DMR UPDATE ON CARES ACT FUNDS

Maine was allocated $20 million CARES Act relief for seafood industry mem-
bers financially affected by the coronavirus (COVID-19) pandemic as part of a
$300 million nationwide seafood relief program.

DMR accepted applications for CARES Act relief for the commercial fishing, aquaculture, for-hire and seafood dealer/processor sectors from October 19
through November 9. Now that the application period has closed, DMR is re-
viewing the application data that was collected to ensure that the agency does
d not have applications from individuals who were not eligible to apply, dupli-
cate applications, or any other irregularities in the data. Once the data have been thoroughly audited, DMR will provide the information to the Atlantic States Marine Fisheries Commission (ASMFC), who will issue the relief checks. Checks will be mailed to applicants to the address they provided in their ap-
lication.

DMR is working toward a goal of mailing checks before the end of the year but will send updates on the exact timing of the mailing to all applicants by email. The exact size of the relief checks is not yet determined, as it will be calculated by dividing the available funds by the final number of eligible applicants. Due to the volume of applications, DMR is not able to address individual requests for updates on payment amounts or timing, but will send emails to all applicants notifying them of progress, and will also post updates on the DMR website.

PAYCHECK PROTECTION PROGRAM LOAN PAYBACK

The US Small Business Administration (SBA) is offering a simplified loan for-
giveness application for Paycheck Protection Program (PPP) loans of $50,000
or less. The PPP Loan Forgiveness Application Form 3508S is available online at www.sba.gov/document/sba-forms-3508s-ppp-loan-forgiveness-form-3508s.

SEAFOOD TRADE RELIEF PROGRAM APPLICATION DEADLINE DECEMBER 14

The application deadline for the Seafood Trade Relief Program (STRP) is December 14. Commercial lobstermen are eligible to apply for funds in the amount of 50 cents per pound for 2019 lobster landings. You must hold a valid state or federal commercial lobster license and your catch must be sold through a legally permitted or licensed seafood dealer. This is not a grant or a loan so it does not need to be paid back. The benefit is taxable income, however.

As of November 20, Maine's FSA offices have received 2,512 applications total-
ing more than $41.2 million. Call your local FSA office for more information on the application process. FSA can mail you the forms or send an email so you can fill them out electronically. Forms are also available on the MLA website.

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

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FISHING TRIP LEADS TO NEW BAIT SOURCE FOR MAINE LOBSTERMEN

By Antonina Pelletier

Eighteen months ago, two guys were on a bass fishing trip in Kentucky, when they heard the problems Asian carp were causing for the bass fishery. Then they heard about a new opportunity for harvesting and selling Asian carp and how that benefited southern lakes and rivers. They heard that Atlantic herring, the fish most commonly used by Maine lobstermen had experienced a huge drop in quota and that Asian carp, the scourge of southern waterways was now providing an alternate bait source for those lobstermen. Upon his return to his home state of Alabama, Baron Huber kept thinking about the Asian carp and bait and opportunity. It was on a trip to a local catfish farm owned by a close family friend that everything clicked.

Across Alabama, Mississippi and Arkansas and Louisiana, catfish farms occupy the land once used by plantations. Ponds 10 to 20 acres in size are built in clay rich soil and filled with freshwater to a depth of four to six feet. Producing over 475 million pounds per year, catfish farms provide a product that enters the market as fresh or frozen usually on Monday with delivery by Friday. "The catfish industry is highly regulated" explains Baron. "It is more regulated than poultry or beef. " It also has a large by-product business.

Catfish by-products are used in fish oil and bone meal but 98% of the by-products end up as animal or pet food. "Catfish heads are 20% of the fish" says Baron, a fact that galvanized him to think about catfish heads as lobster bait. Joining up with his friend Mike Sielicki, a Maine native and bass fishing buddy, Huber and Sielicki hope to do their part in bringing awareness of the benefits of catfish here in Maine. Catfish heads anyone?

Not the prettiest of fish, catfish is now a new source of bait for Maine lobstermen. Photo courtesy of Worldwide Aquaculture.

MLA Seeks Nominations for Board of Directors

MLA Members -- Don’t miss your opportunity to influence the future of your organization and your industry!

Annual Meeting to be announced

Did you know?
• MLA Directors are elected for a 3-year term
• MLA Directors meet monthly (except August)
• Board members expected to attend at least 4 meetings/yr
Overview of MLA Board
• Maximum # of Board members: 21
• Current Board: 20 members
• Number of Directors with Terms expiring: 7
• Average age of MLA Board: 49
• Youngest MLA Board member: 27
• Oldest MLA Board member: 72

MLA Director Nomination Form (detach and return)

Nomination Requirements
• To make a nomination, you must be an MLA member in good standing.
• All nominees must hold a Maine lobster license & be an MLA member in good standing.
• Deadline for nominations: February 5, 2021
• Feel free to nominate yourself, or someone else.

Thank you for helping to keep the MLA strong!

MLA Board representation
- Zone A: 4 (2 expiring)
- Zone B: 3
- Zone C: 3 (2 expiring)
- Zone D: 3 (1 expiring)
- Zone E: 2
- Zone F: 2 (expiring)
- Zone G: 3
- Islands represented: 4

2021 Board Priorities
• Dedicated lobstermen who care about the future of the industry
• Lobstermen who can talk about the industry's needs and priorities
• Balanced industry representation across the state
• Young lobstermen

Nominee Information (must be MLA member)
Name:
Fishing Port:
Zone: , Town of residence:
Please let us know how this nominee could contribute to the MLA Board:

Person submitting nomination (must be MLA member)
Name:
Lobster Lic. #:.

Mail your nomination to the MLA office: MLA, 2 Storer St, Ste 203, Kennebunk, ME 04043
Or feel free to call in your nomination to 967-4555 or email: patrice@mainelobstermen.org.
Smithwick & Mariners Insurance
Falmouth, ME -- Discounted vessel insurance plus 5% discount with proof of CG approved Drill Conductor course w/in the last 3 years. Wooden boat, Builders coverage, no lay up period, discounted electronics deductible, and automatic coverage of researchers and more! Call Scott Smithwick 207-370-1883

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

Fuel

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

Boat Builders/Repairs

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

Bait

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

Penobscot Marine Museum
Searsport, ME -- Free admission for MLA members.

Museums & Entertainment

Deckhand Electronic Logbook
Bellingham WA -- Discounts & Specials for MLA members. Call for more info. 888-210-3117

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

Electronic Equipment

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

Fuel

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

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

Bait

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

New England Propeller Inc
Plymouth, MA -- Discounts on marine propeller, shafting, and related items, sales & repairs. 508-746-8804

Propellers

Wallace Marine
South Portland, ME -- 10% off of all apparel and promotional product orders. 800-560-6090

Gifts

Liferaft Services, LLC
York, ME -- 5% off liferaft repack with proof of MLA membership. CAN be combined with other promotions. 207-363-0220

Lobster & Seafood

Cape Porpoise Lobster
Cape Porpoise, ME -- 10% off picked lobster meat. 800-967-4268

Winter Harbor Fishermen's Coop
Winter Harbor, ME -- 10% off picked lobster meat. 207-963-5857

Newspapers

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

National Fishermen, North Hollywood, CA -- Special annual subscription rate for $12 for 12 issues. 800-939-5073

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

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

Accounting

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

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Boothbay Harbor, ME -- Fuel discount for MLA members. 207-633-2300

Penobscot Marine Museum
Searsport, ME -- Free admission for MLA members.

Museums & Entertainment

Hamilton Marine
Jonesport, Kittery, Portland, Rockland, Searsport, Southwest Harbor, ME -- Discounts available to commercial fishermen.

Fishing, Marine & Industrial

Hampton Inn, Ellsworth -- (Ellsworth, ME)

Hampton Inn, Downtown-Waterfront -- (Portland, ME)

Hampton Inn, Rockland/Thomaston -- (Rockland, ME)

Residence Inn by Marriott - (Scarborough, ME)

Discount: Special rates for MLA members and Business Supporters. Please contact the MLA for booking information, or mention MLA when booking.

Hotels

Liferaft Services, LLC
York, ME -- 5% off liferaft repack with proof of MLA membership. CAN be combined with other promotions. 207-363-0220

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

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

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

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Boothbay Harbor, ME -- Fuel discount for MLA members. 207-633-2300

Penobscot Marine Museum
Searsport, ME -- Free admission for MLA members.

Museums & Entertainment

Maine Maritime Museum
Bath, ME -- Free admission to MLA members.

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

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

Info at www.mainelobstermen.org

Show your MLA card to receive great discounts at these fine businesses!
It may seem that the world is a little grim these days. But in Boothbay Harbor, fishermen and town residents are seeing a bright spot on their horizon. The Boothbay Region Maritime Foundation is closing in on the required permits to revamp the east side of the harbor into a complex designed to preserve the town’s working waterfront and reconnect its citizens to their maritime history.

In 2018 a group of local fishermen, businessmen, and teachers formed the non-profit Foundation in the face of increasing development pressures. The group felt it was important to ensure that viable, commercial properties on the harbor were preserved, not converted to restaurants, hotels and other non-marine uses.

In 2019, the Foundation signed an agreement to purchase Doug Carter’s Sea Pier, one of four lobster buying stations on the east side of the harbor. Businessman Paul Coulombe already had purchased numerous properties in town, including the former Rocktide Restaurant and Inn on the east side, which he turned into the Boothbay Harbor Oceanside Country Club. Coulombe had purchased The Lobster Dock in 2018 and planned to buy another east side property in 2019.

Ultimately, the Foundation was able to buy the Sea Pier in November 2019. Carter, who had owned the property since 1996, wanted to keep it in marine use, in support of the 30 lobstermen who used his wharf. Boothbay Harbor residents Susan and George Craig donated first $1 million to purchase the adjacent Cap’n Fish’s property, also used by commercial fishermen. Contributions totaled $3.22 million, including $500,000 set aside for future maintenance. The Sea Pier, now called Carter’s Wharf, was soon leased by Luke’s Lobster, which continued operating the lobster buying station in 2020.

Carter’s Wharf is in need of extensive renovation as is the adjacent dock, leased from the Catholic Church. The Foundation has plans to rebuild the wharf and ancillary buildings, as well as construct a park along the waterfront for public access. The design calls for housing, a grocery market and an expanded marina with free short-term docking.

The Boothbay harbor planning board reviewed the Foundation’s plans for a new building, pier and series of floats on November 12, noting that it was the most complete application they had seen in a long time. The project has obtained permits from the U.S. Army Corps of Engineers, a letter of no objection from the Maine Historic Preservation Commission and approval from the Federal Emergency Management Agency (FEMA) for flood zone changes. The plan will raise the height of the pier and building to match flood plain requirements by FEMA. Renovations are scheduled to begin in 2022.

A happy tale from a small Maine harbor!
DMR AQUACULTURE

SPECIAL LEARNING SESSION FOR AQUACULTURE LEASE HEARINGS

Maine Sea Grant and DMR are offering learning sessions for members of the public that wish to engage in the aquaculture lease hearing process. Content is specific to lease hearings and how you, the public, can engage in the process. Broader aquaculture topics, individual lease proposals/applications, and any other topics unrelated to the lease hearing process will not be discussed. Three informational sessions are being offered at the dates and times listed below.

The content of each session is the same, so please only register for one day. Each session is limited to the first 40 individuals who register. Additional sessions may be scheduled for a future date(s) depending upon interest.

Thursday, December 10, 5pm-7pm
Friday, December 11, 9:30am-11:30am
Tuesday, December 15, 1pm-3pm

The meeting will be held remotely using Microsoft Teams. Interested persons can participate via computer, smartphone, or telephone. The registration form can be accessed at www.maine.gov/dmr/. If you need assistance completing the form, please call Erin Wilkinson at 207-530-1001.

We recommend registering early for the session that best fits your schedule. After registration, DMR will follow-up with you to confirm your registration status and provide details on how to access the session.

Understand the process! You can make a difference!

LEASE APPLICATION STATUS FOR DECEMBER (as of 11/19/20)

<table>
<thead>
<tr>
<th>Name of Applicant/Company</th>
<th>Site</th>
<th>Town</th>
<th>Size</th>
<th>Product</th>
<th>Duration</th>
<th>Status</th>
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<td>Joan's Pound, Black Duck Cove, Eastern bay</td>
<td>Beals</td>
<td>0.84 acres</td>
<td>Shellfish</td>
<td>5 years</td>
<td>Appl. submitted, comments due 9/11/20</td>
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<td>Downeast Institute</td>
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<td>Beals</td>
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<td>Shellfish</td>
<td>3 years</td>
<td>Appl. submitted, comments due 10/2/20</td>
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<td>Ferda Farms LLC</td>
<td>E Lower Combs Island, New Meadows River</td>
<td>Brunswick</td>
<td>3.86</td>
<td>Shellfish</td>
<td>3 years</td>
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<td>Sea Run Fisheries &amp; Habitat</td>
<td>E of Western Head &amp; Li'l Rvr Island, Cutler Harbor</td>
<td>Cutler</td>
<td>4 acres</td>
<td>Fish</td>
<td>3 years</td>
<td>Site Review Complete 3/20/2020</td>
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<td>Coffin, Chad</td>
<td>W of Moore Pt, NE of Pound of Tea, Harraseeket River</td>
<td>Freeport</td>
<td>1.62</td>
<td>Shellfish</td>
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</tr>
<tr>
<td>Doyle, Victor</td>
<td>E of Bartlet Island, Blue Hill Bay</td>
<td>Mount Desert</td>
<td>1 acre</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>Public Hearing Postponed</td>
</tr>
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<td>Mussel Bound Inc.</td>
<td>Bartlet Narrows, Blue Hill Bay</td>
<td>Mount Desert</td>
<td>3.55 acres</td>
<td>Shellfish</td>
<td>3 yrs</td>
<td>Public Hearing Postponed as of 11/1/19</td>
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<tr>
<td>Dirigo Marine Resources LLC</td>
<td>E of Wolfe's neck, Recompanise Bay</td>
<td>So Freeport</td>
<td>3.85 acres</td>
<td>Shellfish</td>
<td>3 years</td>
<td>appl rec'd, comment period closes 8/2/20</td>
</tr>
</tbody>
</table>

Seabright Ventures LLC | E of Li'l Chebeague, Casco Bay, Long Island | Chebeague Island | 3.79 acres | Marine Algae | 20 yrs | Site Review complete 4/29/20 |

Summit Point LLC | N of Lower Basket ledge | Chebeague Island | 53.38 acres | Marine Algae | 20 yrs | Site Review 11/12/20 6 pm |

Schodric Seafarm LLC | off Long Mill Cove, Gouldsboro Bay | Corea | 2.2 acres | Shellfish | 20 yrs | App rec'd 9/24/20, site review scheduled |

Summit Point LLC | NE of Clubfoot Island, Casco Bay, Falmouth & Cumberland | Cumberland | 100 acres | Marine Algae | 20 yrs | Site Review pending as of 12/2/19 |

Summit Point LLC | S Lower Basket ledge | Cumberland | see above | two locations, one application |

Dickenson, Christopher | 800 ft SW Hog Island, Damariscotta River | Damariscotta | 1 acre | Shellfish | 20 yrs | Site Review complete as of June 18, 2020 |

Spinney Creek Shellfish Inc. | NW of Rt 95 Bridge, Spinney Creek | Eliot | 2.75 acres | Shellfish | 20 yrs | Site Review complete 3/18/20 |

Harraseeket Oyster Co. | S of Bowman Island & Stockbridge P.t, Casco Bay | Freeport | 7 acres | Shellfish | 20 yrs | Site Review complete 9/4/20 |

Love Point Oysters, LLC | SE of Windmill Park, Casco Bay | Freeport | 4.78 acres | Shellfish | 20 yrs | Site Review complete 9/11/2020 |

Love Point Oysters, LLC | S of Crab Island, Casco Bay | Freeport | 4.15 acres | Oysters | 20 yrs | Site review Pending as of 2/20/20 |

Maine Ocean Farms LLC | E of Wolfe's Neck, Recompanise Cove | Freeport | 9.98 acres | Shellfish | 20 yrs | Site Review complete 9/9/20 |

Cildren Point Oyster Co. | West shore, S of Jacks Pt, Damariscotta River | Newcastle | 5.5 acres | Shellfish | 10 yrs | Public Hearing 10/27/20 |

Maine Fresh Sea Farms LLC | Clark Cove, Damariscotta River | Siscob Island | 3.6 | Marine Algae | 20 yrs | Site Review scheduled on 11/12/20 6 pm |

Frankchance Bay Oyster Co. | W & S of Ingalls Island, Sullivan Harbor | Sorrento | 5.85 acres | Shellfish | 20 yrs | Site Review pending as of 10/17/19 |

Deewey's Shellfish, LLC | NW of Peters Island/Damariscotta River | South Bristol | 0.45 | Shellfish | 20 yrs | Scoping Session scheduled 11/19/20 6 pm |

Mooke Shellfish Farms Inc. | S of Wiley Pt & N of Frich Pt, Damarisc. River | South Bristol | 3 acres | Shellfish | 20 yrs | Hearing scheduled 11/16/20, 3 pm |

Harvey, Brian | W of Haynes Point, Goose Cove, Western Bay | Trenton | 6 acres | Shellfish | 20 yrs | Site Review Pending as of 3/27/2020 |

Butterfield, Keith | SE of Little Mothier Island | Yarmouth | 2.72 acres | Shellfish/oysters | 20 yrs | Scoping Session 11/16/20 3 pm |

Hennings, Thomas | Broad Cove, Casco Bay | Yarmouth | 5.9 acres | Shellfish | 20 yrs | Application submitted 7/9/20 |

Maine Source Seafood | E of Lane's Island, Casco Bay | Yarmouth | 3.48 acres | Oysters | 20 yrs | Site Review Complete as of 4/2/20 |

Moore, Amanda | S of Lanes Island, Inner Casco Bay | Yarmouth | 9 acres | Shellfish | 20 yrs | Site Review complete 5/8/20 |

Wolfe Neck Oyster Co. LLC | SE of Lanes Island, Casco Bay | Yarmouth | 8 acres | Shellfish | 10 yrs | Site Review complete 5/22/20 |

Experimental Lease: up to 3 years, 4 acres and is non-renewable Standard Lease: term is up to 20 years, size is up to 20 acres and is renewable
MLA STATEMENT ON GOV. MILLS’ OFFSHORE WIND ANNOUNCEMENT

November 20, 2020

Governor Mills’ announcement that her administration plans to move forward with an offshore wind research array off southern Maine was not welcome news for the Maine Lobstermen’s Association (MLA). The MLA recently wrote to Governor Mills expressing the Association’s concerns about the growing interest in offshore wind development in the Gulf of Maine and its potential to negatively impact Maine’s fishing industry.

In its letter, the MLA wrote, “Prior to any plan for siting offshore wind development or lease solicitation in the Gulf of Maine, it is imperative that the state take action to ensure clear and transparent communications, a robust stakeholder process, and a commitment to address the lack of data on what these projects will mean for marine ecosystems and the many fishing communities along our coast.”

Friday’s abrupt announcement of a plan to apply to Bureau of Ocean Energy Management (BOEM) for a permit for this research array reflects negatively on the Governor’s intentions concerning transparent communication and a truly open stakeholder process.

Further, the MLA has raised concerns over the submission of bids for offshore wind development in the Gulf of Maine that have not been solicited by BOEM, with input from the Gulf of Maine states through the BOEM’s Gulf of Maine Ocean Energy Task Force. The GOM Task Force was formed precisely to allow the states to plan for offshore wind development in the Gulf of Maine. The Governor’s announcement bypasses directly in the face of the Task Force’s purpose.

Maine, New Hampshire and Massachusetts have not yet developed a shared vision and collaborative plan for offshore wind development in the Gulf of Maine. Instead of taking a holistic approach to plan how and where offshore wind projects in the GOM would best be sited, the Governor’s precipitous action will initiate a piecemeal approach among the states, one that will have much greater cumulative impacts on the region’s fishing industry.

Governor Mills’ approach circumvents meaningful engagement with stakeholders, especially the very fishermen whose livelihoods will be directly impacted. “If the state of Maine can apply for a research lease, what is to prevent other states and developers from applying for larger commercial-scale leases in the Gulf of Maine?” asked Patrice McCarron, MLA’s executive director. “In a tightly boxed-in 16 square mile footprint could cause significant economic hardship to many in the Maine fishing industry.

The MLA recognizes the problem of climate change and the need to pursue aggressive solutions. However, offshore wind development is not the panacea for our collective dependence on fossil fuel. In fact, it may very well be a Pandora’s box of ills for the fishing industry. “There is a lot of talk about potential for offshore wind to strengthen Maine’s economy,” noted McCarron. “I certainly hope no one believes that jobs in the renewable energy sector can replace the livelihoods of fishermen in quantity or character. Keep in mind that Maine’s fishing industry has successfully supported thousands of quality jobs, produced healthy food for our nation, and sustained Maine’s coastal communities, large and small, for hundreds of years.”

The MLA stands ready to work with the Mills administration. But first there must be a robust stakeholder process that involves fishermen well before decisions such as this one are made that allows their concerns to be both heard and addressed. This rush to “develop” the Gulf of Maine is preemptory and will not succeed without the input and support of the state’s fishermen.
EU TRADE DEAL ON LOBSTER NEARS IMPLEMENTATION

A key European Parliament committee voted overwhelmingly in November to advance a focused trade deal that would eliminate import duties to Europe on Maine lobster products. The deal, which was agreed to in principle in August, would erase lobster import duties in exchange for the United States halving its tariffs on imported European crystal glassware, propellant powder and cigarette lighters. The deal would be retroactive to August 1 and would place U.S. lobster on equal footing with that of Canada, with which the EU has had a trade agreement since 2017. The vote by the Parliament’s trade committee was 40-2 in favor of accepting the trade deal.

MI’KMAW FIRST NATIONS GAIN OWNERSHIP OF CLEARWATER SEAFOODS

In November international seafood giant Clearwater Seafoods, based in Halifax, Nova Scotia, agreed to sell itself to a partnership between Premium Brands of British Columbia and a coalition of Mi’kmaq First Nations. It is “the single largest investment in the seafood industry by any Indigenous group in Canada,” said a news release jointly issued by the coalition and Clearwater. The coalition will be led by the Membertou band in Cape Breton and Miawpukek in Newfoundland and Labrador. Clearwater is North America’s largest producer of shellfish and holds Canadian harvest licenses for a variety of species including lobster, scallop, crab and clams. It also has harvesting operations in the United Kingdom and South America and a worldwide sales operation.

PLANKTON SURVEY RETURNS

Scientists this winter will revive a long-running survey of plankton in the Gulf of Maine. Plankton, specifically the copepod Calanus finmarchicus, are food for endangered North Atlantic right whales. The Gulf of Maine plankton survey was originally performed from 1961–2017, when it was cancelled by National Oceanic and Atmospheric Administration’s (NOAA). It is returning under a new agreement between the NOAA’s Northeast Fisheries Science Center, the Marine Biological Association in Plymouth, England, and Woods Hole Oceanographic Institution. “Many marine species are shifting their distributions as ocean waters warm,” said Chris Melrose, a research oceanographer at the Northeast Fisheries Science Center’s laboratory in Narragansett, R.I. “Because plankton are an important food source for many species, including the endangered North Atlantic right whale, knowing about changes in the plankton helps us to understand other changes we see in the ecosystem.”

NORDIC AQUAFARMS CLEARS STATE PERMITTING

Nordic Aquafarms Inc., the company planning a large salmon re-circulating aquaculture system in Belfast, has been granted state-level permits by the Maine Board of Environmental Protection (BEP). Aquafarms has gained unanimous approval for four permits: a discharge permit, a site law permit, a natural resources permit, and an air emissions permit, clearing a significant hurdle for the company’s effort to build the facility. The acquisition of state permits is the result of nearly two years of work on the permitting process, which was marked by strong local opposition. Local opponents filed multiple objections to the permitting process before the permits were found to be complete in June 2019. Nordic Aquafarms must still secure local and federal permits before it can commence construction. “Nordic Aquafarms has always been willing to listen to opposing arguments and has gone to great length to address any issue that has come up. During this process though, there have been several attempts on discrediting both the science behind the application and the company,” stated Nordic Aquafarms executive vice president commercial Marianne Naess. “Nordic is encouraged that science prevails in this process.”
The Department of Marine Resources (DMR) Lobster Research Collaborative (LRC) convened virtually for its final meeting on November 9, 2020. The LRC began in 2018 when DMR awarded $340,000 from the Lobster Research, Education, and Development Fund to support six research projects that take a collaborative approach toward improved science for the lobster fishery. The research projects focused on lobster distribution, shifts in lobster habitat and the changing environment.

With revenues from the sale of Maine lobster license plates, the Research Education and Development Board provides funding for projects that support Maine’s lobster industry. Since 2018, the LRC has met quarterly to share research updates and discuss relevant issues of the day. Each meeting attracted over 50 researchers, students, fishery managers, and industry members.

The final meeting featured two-year research project updates, a summary of the 2020 Atlantic States Marine Fisheries Commission stock assessment report, and a session dedicated to discussing and ranking future lobster research priorities. In preparation for this priority-ranking exercise, meeting participants were asked to submit research topics to represent the most pressing lobster research questions and data gaps. During the meeting, participants were then given the chance to rank (low to high priority) all submitted topics and review the results as a group.

The topics that received the highest priority ranking from the LRC were "Foster and provide funding mechanisms for lobstermen-scientists research projects" and "Develop collaborations with industry to design information products, future priorities, and strategies for the fishery." Many of the LRC research projects are still ongoing. The DMR will provide a summary of the project’s findings and the full results of the priority ranking exercise in early 2021.

Research projects funded

University of Maine professor Yong Chen received $190,000 for three projects that built computer simulations to project climate-driven changes in lobster distribution and habitat, evaluate the effectiveness of DMR monitoring programs and predict the effectiveness of conservation measures such as V-notching in warming Gulf of Maine waters.

Gulf of Maine Research Institute scientists Kathy Mills and Andrew Pershing received $80,000 to compile and develop indicators that show how the Gulf of Maine is changing over time and examine how these indicators affect the Gulf of Maine/Georges Bank lobster stock.

Lobster Institute director Rick Wohle received $40,000 to develop computer simulations that will be used to examine the relationship between lobster larvae and their likely zooplankton prey across the Gulf of Maine.

University of Maine scientist Robert Steneck received $10,000 to supplement his work on changes in lobster settlement, keel bed distribution and density of legal and sub-legal lobsters along the coast of Maine over the last few decades.

In addition, the board awarded $5,000 each to Dr. Nick Record, senior research scientist at Bigelow Laboratory for Ocean Sciences; Dr. Jeff Runge, research scientist at GMRI and UMaine; Dr. Eric Amnis, biology professor at Hood College; and Damian Brady, assistant research professor at UMaine. These scientists will contribute their expertise on a broad range of topics and provide data to supplement LRC-funded projects.

LOBSTER STOCK ASSESSMENT GRIM FOR SOUTHERN NEW ENGLAND

By MLA staff

The 2020 American Lobster Benchmark Stock Assessment was released in November by the Atlantic States Marine Fisheries Commission. The study, undertaken every five years, presents contrasting results for the two American lobster stock units, with record high abundance and recruitment in the Gulf of Maine and Georges Bank stock (GOM/GBK) and record low abundance and recruitment in the Southern New England stock (SNE) in recent years. The SNE stock is significantly depleted with poor prospects of recovery.

Stock status was assessed using the University of Maine Stock Assessment Model for American Lobster, a statistical catch-at-length model that tracks the population of lobster by sex, size and season over time. Southern New England lobster stocks, once robust, have declined to record lows in recent years according to scientists and regulators. The assessment found that lobster populations in southern New England have reached their lowest levels on record.

While past assessments have shown a decline in southern New England lobster stocks since the late 1990s, the 2020 report is particularly dire, predicting that the fishery is unlikely to recover as abundance and recruitment in the Gulf of Maine and Georges Bank stock (GOM/GBK) and record low abundance and recruitment in the Southern New England stock (SNE) in recent years. The SNE stock is significantly depleted with poor prospects of recovery.

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"Extensive research has highlighted the influence of the environment on American lobster life history and population dynamics. Among the critical environmental variables, temperature stands out as the primary influence. Further, its range is experiencing changing environmental conditions at some of the fastest rates in the world. Therefore, considering these environmental influences is vital when assessing the lobster stocks and was a focal point of this stock assessment, “ the ASFMC said in a statement.

American fishermen caught more than 126 million pounds of lobster last year. More than 100 million of those pounds came to the docks in Maine. The annual southern New England catch in 2018 was only 2.7 million pounds — about 2% of total U.S. lobster landings.
LOBSTER TRAP TREES
BRIGHTEN THE SEASON

Among New England coastal towns lobster trap trees are a sign that Christmas is on the horizon. The tradition of a Christmas tree built of lobster traps is reported to have begun in 2001 in the town of Gloucester, Massachusetts. The salty town by the sea still builds a 35-foot tree in its downtown each season to honor its lobstermen and the fishery.

The Beals Island lobster trap tree towers on Piero Point. In 2011 lobstermen contributed more than a thousand traps to build a 60 feet tall.

Fox’s Lobster House builds its 15-foot tree from wooden lobster traps. The lobster trap tree’s lights shine brightly against the backdrop of nearby Nubble Light.

In Rockland, the 40-foot tree is erected in a park overlooking the harbor. The 150 traps are donated by Brooks Trap Mill in Thomaston and later raffled off to raise money for Rockland Main Street.

The Beachmere Inn in Ogunquit uses wooden traps to build its vivid lobster trap tree overlooking the sea.