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Maine Lobstermen's Community Alliance

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LANDINGS

News & Views from Maine's Lobstering Community

February 2023 | Vol. 31, No. 2

MLA LEGAL APPEAL ARGUES NMFS DID NOT FOLLOW THE LAW

By MLA Staff

On January 10, the Maine Lobstermen's Association (MLA) and its supporting intervenors filed final briefs in the U.S. Court of Appeals for the District of Columbia Circuit. The MLA is appealing D.C. District Court Judge James Boasberg's September 8, 2022 ruling against the MLA. The MLA's appeal is led by Paul Clement, former U.S. Solicitor General and a leading Supreme Court advocate.

The MLA is continuing its legal challenge to the National Marine Fisheries Service (NMFS) regulations that would erase Maine's traditional lobster fishery. MLA argues that Judge Boasberg's opinion failed to address NMFS's disregard for the law when it used science and assumptions to develop risk reduction mandates for the lobster industry based on worst-case scenarios rather than outcomes that are reasonably certain to occur. NMFS also failed to assess the economic and social costs of its actions.

The MLA's appeal will go before three judges — Judge Katsas, Judge Rao and Judge Ginsburg — who will hear oral arguments on February 24. The MLA is backed by three intervenors (Maine Department of Marine Resources, Massachusetts Lobstermen's Association, and Maine Lobstering Union) and two Amicus Curiae (Maine State Chamber of Commerce and state of New Hampshire). On the opposing side, NMFS is supported by three non-

governmental group intervenors (Center for Biological Diversity, Defenders of Wildlife and Conservation Law Foundation).

As stated in the MLA's January brief, "NMFS found its draconian conservation framework necessary only because it repeatedly applied a thumb on the scale in favor of the species (rather than looking at the data objectively) and selected worst-case (rather than realistic) scenarios that are concededly unlikely. The

statute does not support that approach, and the mere fact that "scientific data" were considered as part of this skewed and misguided inquiry does not suffice."

The MLA's brief goes on to argue that the ten-year conservation framework that would reduce the risk of whale entanglement from lobster gear by 98% is not supported by the Endangered Species Act. "Instead, under the statute as written, if there is a clear threat of jeopardy to the species (based on an objective assessment of the action's likely effects), the proper course is for NMFS to propose "reasonable and prudent alternatives," which the agency must test for economic viability. If no such alternatives exist, either NMFS or another party can seek an exemption from the Endangered Species Committee, which has the inestimable advantage of bringing the judgment of politically account-

able officials to bear before an industry — and, here, an entire way of life — is eviscerated."

Continued on page 20



A six-year delay in whale regulations does not eliminate the threat to the Maine lobster fishery. NOAA photo.

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MAINE FISHERMEN'S FORUM IS BACK!



Spirits run high at the Forum's Friday night auction. M. Young photo.

By MLA staff

Get ready for the Maine Fishermen's Forum, live and in-person, from March 2 to 4 at the Samoset Resort in Rockport!

Returning for the first time in three years, the Maine Fishermen's Forum will bring together the men and women of Maine and New England's commercial fisheries, as well as scientists, state and federal officials, politicians and students for three days of seminars, workshops and events. This year's seminar topics range from Management Actions Affecting Gillnet Fisheries, Plastic Aquaculture Gear,

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COASTAL OUTLOOK *Thoughts from MLCA President Patrice McCarron*

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February marks the depth of winter here in Maine and yet at the same time the days are growing ever so slightly longer. There's also been a slight shift in perspective among the state's lobstermen and lobstering communities, toward hope.

At the close of 2022, Congress passed a six-year pause in implementation of new right whale conservation measures for the lobster industry. This means that the next round of punitive measures that would essentially gut the Maine lobster fishery are pushed back to the end of 2028, instead of 2024. This gives the lobster industry the gift of time to address the vast array of problems with the current regulatory process. Critical among those is for the Maine Lobstermen's Association (MLA) court case, which strikes at the core of the National Marine Fisheries Service's (NMFS) science and assumptions about right whales and lobstermen, to make its way through the courts. If the MLA is successful, NMFS will have to reconsider its entire stance on the risk the lobster fishery poses to the right whale population.

In this issue, *Landings* updates readers on the MLA court case. Oral arguments in the MLA's appeal to the D.C. Appellate court will be heard on February 24. The MLA is backed by three intervenors (Maine Department of Marine Resources, Massachusetts Lobstermen's Association, and Maine Lobstering Union) and two *Amicus Curiae* (Maine State Chamber of Commerce and state of New Hampshire). At its core, the MLA's case argues that "...the National Marine Fisheries Service (NMFS) mistakenly believes that it must regulate the lobster industry out of existence no matter the economic or cultural toll," which contravenes Congress's intent in passing the Endangered Species Act.

Maine businesses and individuals continue to provide much-needed financial support for the MLA's legal efforts. An array of donations, large and small, to the MLA's *Save Maine Lobstermen* campaign keep the fight against these whale regulations afloat. Individual towns, restaurants, even sporting goods stores have held fundraisers or offered goods to keep the money flowing to *Save Maine Lobstermen*. This month *Landings* recognizes the many people, communities and businesses that contributed in 2022.

Landings also provides a preview of the upcoming Maine Fishermen's Forum, which will be held in-person again from March 2 to 4 at the Samoset Resort in Rockport. After a two-year hiatus, the Forum is roaring back again, promising three days of seminars, meetings, trade show vendors

and more to fishermen and their families. It's an opportunity for fishermen to meet and talk with scientists, government officials, non-governmental organization staff and each other, an educational and social event that has been sorely missed during the Covid pandemic.

A person who will be sorely missed after the close of this year's Forum will be its coordinator Chilloa Young, who is retiring from her position. Chilloa has been the face of the Forum for 25 years, pulling together the myriad details of the three-day event with great skill and enthusiasm. With her husband Mike, who for many years has photographed every element of the Forum, Chilloa has seen the Forum evolve with great calm and kindness. She truly will be missed.

We hear from Department of Marine Resources (DMR) Commissioner Patrick Keliher in this issue on the topic of 100% reporting. Prior to 2023, only 10% of Maine lobstermen were required to provide reports on their lobstering activity each year, unlike every other lobster fishing state. Beginning in January, all commercial lobstermen, including students, are required to report where they fish, when they fish, and how they fish, among other data. The requirement, part of the Atlantic States Marine Fisheries Commission's 2018 Addendum XXVI to the lobster management plan, gave states five years to comply. As Commissioner Keliher

writes, "All of this is vital to understanding the real footprint of the fishery, to make sure that if and when future management measures are developed, they can be targeted appropriately."

The University of Maine recently received funds for a three-year collaborative research study of the link between changes in the Arctic and New England and Atlantic Canada lobster stocks. The study brings together physical oceanographers, marine ecosystem and fishery scientists, economists and social scientists from UMaine, the Gulf of Maine Research Institute, Columbia University, Florida State University and Memorial University of Newfoundland, along with fishing industry and government staff. The scope of the new study is unusual. "It's pushing the envelope to a new larger scale. I'm excited, and humbled to be collaborating with such a diverse group of talented scientists at in this more global context," lead researcher Rick Wahle, University of Maine professor and director of the Lobster Institute, said.


We hope you enjoy this issue and look forward to suggestions for future editions.

Patrice



There's a little bit of light shining on Maine's lobster fishery for the moment. MLA photo.

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GUEST COLUMN: *100% reporting now in place for all Maine lobstermen*

By Patrick Keliher

As we start the new year, I wanted to send a reminder that 2023 marks the transition to mandatory 100% electronic harvester reporting for all commercial lobster license holders (including student license holders).

DMR has sent a number of communications on this topic, but I wanted to follow up with some further explanation of why this is happening. I know it isn't popular, but it's an important piece of securing the best data possible to understand effort in Maine's lobster industry. Having this information should improve management in a number of ways, including when it comes to both whales, and the lobster resource.

As you are probably aware, up until now Maine has had 10% harvester reporting, and 100% dealer reporting. Maine has been the only state without 100% harvester reporting. While the dealer reports give us the total landings of the fishery, they don't give us any information on where harvesters are fishing, how many traps they are hauling, or how many endlines they are using. All of this is vital to understanding the real footprint of the fishery, to make sure that if and when future management measures are developed, they can be targeted appropriately. Without that information, management measures end up being much broader than necessary, because we don't have that fine-scale information.

As we've previously explained, Maine does not have a choice about implementing 100% electronic harvester reporting, because it required for compliance with Addendum XXVI to the ASMFC Lobster Management Plan. While we have been under a lot of pressure to move to 100% harvester reporting, we were able to push it back several years to give us time to find the funds needed to cover the cost associated with increased reporting so that we didn't need to pass it along to harvesters in the form of increased license costs.

Like with all new things, I am committed to doing whatever DMR can to help smooth this transition. In preparation for this new requirement, DMR has developed a new app (VESL) that allows harvesters to report using a smartphone. All the information about how to obtain and use VESL is available here: <https://www.maine.gov/dmr/fisheries/commercial/landings-data/reporting-forms>.

Alternatively, harvesters can report on a computer using LEEDS. All the information about how to report through LEEDS is available here: <https://www.maine.gov/dmr/fisheries/commercial/landings-data/on-line-harvester-catch-landings-reporting>.

If you run into any issues using VESL or LEEDS, you can always contact DMR Landings Program staff for further, one-on-one assistance. Staff can walk you through the steps to obtain and use VESL or LEEDS to meet the requirements. They can be reached from 8 a.m.–4:30 p.m. Monday-Friday by calling 633-9414 or by sending an email to landings.dmr@maine.gov.

Landings Program staff will also be planning in-person meetings to demonstrate how to use both electronic reporting options, and will also be available for all three days at the 2023 Maine Fishermen's Forum, to provide hands-on assistance to anyone who needs it.



Patrick Keliher is the Commissioner of the Department of Marine Resources. DMR photo.

... as I mentioned in the notice about the 6-year "pause" on additional whale regulations, there is a lot of work that needs to be done between now and 2028, and this information is a critical piece of that work.

Given the large number of lobster license holders, we are trying to target those individuals who are currently fishing. If you will not start fishing until later in the year, please feel free to wait until you start fishing and then submit your reports.

Again, I know that many of you would prefer if this change wasn't happening. But as I mentioned in the notice about the 6-year "pause" on additional whale regulations, there is a lot of work that needs to be done between now and 2028, and this information is a critical piece of that work. This is just one example of how the Department and the industry must work together proactively to strengthen our position in management discussions going forward.

I hope this provides useful context for this change, and I wish you a safe and productive 2023.

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GUEST COLUMN: *Controlling your fishing data equals power*

By Fiona Hogan

The installation of offshore wind energy (OSW) facilities is fast becoming one of the biggest concerns for the fishing industry throughout the nation. The Bureau of Ocean Energy Management (BOEM) has leased over 3,500 square miles of sea-floor off New England, the Mid-Atlantic, and California, with the potential for additional leases totaling 2,700 square miles off Oregon and the Mid-Atlantic. Within a few short years, BOEM plans to hold OSW auctions for waters in the Gulf of Maine, Gulf of Mexico, and Hawaii. Multiple aspects of these projects pose a risk to fishing operations, including construction of the turbines, installation of cables, vessel traffic, and induced environmental changes.

It is imperative for the fishing industry to be well represented by data to identify potential conflicts and to assist in the design of OSW mitigation measures. Fishermen hold extensive knowledge about marine ecosystems as well as valuable confidential business information, but translating this into “data” to inform the government raises multiple challenges. Some of these include lack of standardization, limited opportunities to assist with data interpretation (i.e. to provide input or explain fishing patterns), risk of government misuse, and low spatial resolution of federally mandated data.

The Responsible Offshore Development Alliance (RODA) was established in 2018 by fishing industry leaders from Maine to North Carolina. We are a broad membership-based coalition of fishing industry associations and fishing companies committed to improving the compatibility of new offshore development with their businesses. Our membership has grown to over 200 members who make their living from the harvesting and shoreside components of seafood production.

RODA created the Fisheries Knowledge Trust (Trust) in 2020. The Trust’s objective is to enable fishermen to use their information to participate in regulatory processes by providing researchers with trusted access to confidential information collected by the fishing industry.

By streamlining the way members of the fishery manage their data and by maintaining explicit control over its use, the Trust makes it possible for researchers, policy makers, and fishing industry leaders to access crowd-sourced datasets and qualitative insights they need to answer some of the hardest questions about our changing oceans. A critical feature of the Trust is its governance

structure, which ensures any fishing industry participant that has incorporated data into the Trust maintains control over that data.

The Trust recently completed a series of pilot projects funded by the New York State Energy Research and Development Authority. These studies collected fishery-dependent data from members of the herring, mackerel, surf-clam, and ocean quahog fisheries and successfully incorporated them into an independent, standardized database of participants’ vessel trip report, vessel monitoring system, dealer, and observer data. Fleet participants were able to explore overlap of their operations with proposed OSW development.

The Trust will next work on an additional pilot project focused on the Maine lobster fishery. Given the lack of fine-scale spatial data, the lobster project will focus on developing a standardized procedure for constructing accurate spatial and temporal representations of the Maine lobster fishery using the data and knowledge of individual fishermen. The proof of concept will be developed through direct collaboration with lobstermen in partnership with the Maine Lobstermen’s Association and UMaine’s Lobster Institute, and under the governance structures of the Trust.

This project will assess Olex and Time Zero navigation system formats, collect data from volunteer lobstermen, collaboratively develop data product models, anonymize individual fisherman’s data, and develop and evaluate data aggregations at different levels of spatial and temporal granularity. This project is in the beginning phase and is expected to be completed next year.

RODA’s intention is to ensure the longevity of the Trust and make it an essential tool available for all aspects of fisheries management. Once fishermen’s data are incorporated into the Trust, it can be analyzed (with permission) as part of stock assessments, fishery management decisions, and OSW planning and impacts.



Fiona Hogan is RODA’s research director.

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MAINE LOBSTERMEN'S ASSOCIATION UPDATE

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STEAMING AHEAD

"The Final Rule amending the regulations implementing the Atlantic Large Whale Take Reduction Plan shall be deemed sufficient to ensure that the continued Federal and State authorizations of the American lobster and Jonah crab fisheries are in full compliance with the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973."

United States Congress, December 2022

Maine lobstermen welcomed 2023 with a renewed sense of hope. With Congress's historic action in December, the lobster industry will not be subject to any new whale regulations until December 2028. This is an extraordinary accomplishment and there is no doubt that the Maine delegation's outrage over NMFS's mismanagement of the regulatory process and their passion to preserve Maine's lobster fishery are what made this historic action possible. As Senator Collins pointedly stated, "I've never seen a worse case of regulatory overreach to address a problem and blame an industry that is not at all responsible for a problem."

The MLA is incredibly grateful to the Maine delegation, Governor Mills and the Department of Marine Resources, all of whom worked tirelessly to make this happen. Maine's political leaders stood together to persuade Congress to provide the time and resources necessary to obtain data critical to ensuring a fair regulatory process. Importantly, they crafted the legislation to ensure that the Maine lobster fishery continues while this broken regulatory process is fixed. The MLA was proud to be a part of this remarkable effort.

As the news spread, you could feel the collective sigh of relief from lobstermen as they realized the massive risk reduction scheduled to take effect in 2024 was on hold. The bill passed just as NMFS was about to go behind closed doors for the next twelve months to draft a Proposed Rule that would force a 90% risk reduction on the lobster fishery through massive trap reductions, additional weak buoy lines and massive closures.

While the relief is real, the crisis facing the lobster industry is far from over. I believe this issue is more urgent than ever. The Congressional action did not actually solve any of the problems. NMFS's ten-year whale conservation framework, which mandates a 98% risk reduction for the lobster fishery, remains as much a threat now as it did on the day it was released. As long as NMFS is misusing data and assuming only worst-case scenarios to over-regulate the lobster fishery, our lobstering heritage remains on the cusp of slipping away forever.

The urgency is that we have only six years to fix a broken regulatory process and find a way to keep Maine's lobster industry alive before the federal government moves forward with its plan to dismantle the fishery in a misguided attempt to recover North Atlantic right whales. If we do not make tangible progress during that time, Maine's lobster fishery could be eliminated.

We know that the Maine lobster fishery is not driving the right whale population decline. We know that right whales cannot be saved by unlawfully overregulating a fishery that, according to federal data, has never been linked with a right whale death. Fortunately, Congress gave us many of the tools that we need to reverse the trajectory NMFS has set into motion.

For starters, Congress has validated lobstermen's concerns about NMFS's regulatory process. It is one thing for the MLA and a bunch of lobstermen to argue that the government is not doing its job, as we have been doing for years. We were shot down at every turn, which is why the MLA

took the extraordinary action of suing NMFS in 2021. After so many have continually dismissed our concerns — including a federal judge — it is surreal to have Congress recognize that the federal rulemaking process to protect right whales is broken.

Second, Congress has given the lobster industry the gift of time. They did not change federal law so that we could all sit back and hope the whale issue magically resolves itself. Congress took this extraordinary action to provide time to fix a broken regulatory process. For the MLA's part, we now have six years to actually solve some of these problems.

The MLA's lawsuit is a critical tool that could transform how NMFS treats the fishing industry as it crafts its whale regulations. The lawsuit now has time to work its way through the courts before new regulations are proposed. We have hired the best lawyers in the country to ensure that we have the greatest chance of success at each phase of our legal challenge. If the MLA is successful, the court will direct NMFS to revise its use of data and assumptions to comply with the law. That would require NMFS to look beyond its doom-and-gloom scenarios about right whales and the lobster fishery and analyze scenarios that are reasonably certain to occur.

Third, Congress has appropriated more than \$50 million in new funding for much-needed scientific research that will

better inform future whale rules and ensure that this process is driven by good science rather than the political interests of national advocacy groups.

As part of this effort, Congress has built in measures to hold NMFS accountable for implementing right whale conservation measures as required by law. NMFS has been directed to respond to the MLA's 2021 petition alleging the agency used flawed data in violation of the Information Quality Act. It also encourages NMFS to revisit its right whale risk assessment models using scenarios that are

reasonably certain to occur rather than worse-case scenarios. NMFS is also directed to continue to work with Canada to develop risk reduction measures that are comparable in effectiveness and to incorporate risk reductions achieved by Canada in the U.S. risk assessment models.

This Congressional support to fill data gaps and demand accountability from NMFS is critical to right many of the wrongs that NMFS has created in its regulatory process. But it is not enough to solve the fundamental issue on its own.

Before Congress acted, the MLA could only execute a legal 'Hail Mary' as we raced against the clock to do whatever we could to prevent our fishery from being eliminated. Now the MLA can take a breath, evaluate its options, and strategically move forward to address the most pressing deficiencies in NMFS's actions.

We have less than six years to bring real solutions to the table — through the courts, through the regulatory system, through new scientific analysis, through the development of gear innovations that will work for fishermen, and by educating the public on the successful stewardship practices Maine lobstermen practice every day to protect right whales.

We cannot do this without your continued help. Supporting MLA's *Save Maine Lobstermen* campaign remains as critical as ever.

As always, stay safe on the water.

Patrice



We have only six years to find a way to save the lobster industry before NMFS systematically dismantles it.
Foster's Daily Democrat photo.



MAINE LOBSTERMEN'S ASSOCIATION UPDATE

MLA ANNUAL MEETING, FRIDAY MARCH 3

The Maine Lobstermen's Association (MLA) will be back at the Forum for our 69th Annual Meeting! The Annual Meeting will update members on the progress of MLA's Save Maine Lobstermen campaign. The Save Maine Lobstermen campaign supports the MLA's aggressive four-pronged strategy, which includes 1) legal and policy solutions related to right whale protections, 2) ensuring that the best available science is used in decision-making, 3) innovating effective conservation strategies to work for whales and fishermen, and 4) educating the public about the industry's long-term commitment to right whale conservation.

Join the MLA in welcoming members of our talented legal team who will update attendees on the status of the MLA's appeal. MLA's lawsuit seeks to end government over-reach and hold NMFS accountable as Congress intended. MLA's legal team will also provide updates on other court cases that threaten the future of Maine's lobster industry. There will be plenty of time to for discussion and for Q&A. As always, MLA members will conduct the annual board member election. MLA members, family and the public are encouraged to attend to and share questions and ideas.

CONGRESS HITS THE PAUSE BUTTON ON NEW WHALE RULES

The following is an excerpt of Commissioner Keliher's December 23, 2022, update to lobstermen:

"Finally, some good news for Maine's lobster industry. Congress's budget package includes a six-year pause on new federal whale regulations, money to gather needed data including the presence of whales and phytoplankton, and funding for the development of innovative gear technology that will keep the fleet fishing.

Here are the major provisions:

- Postpones implementation the next phase of federal rulemaking for the lobster fishery under the Atlantic Large Whale Take Reduction Plan (ALWTRP) for six years... until December 31, 2028.
- Provides \$2,000,000 for partnerships to address American lobster research to explore the impact of whale protection measures on the resource and the fishery.

- Provides \$6,000,000 for North Atlantic Right Whale (NARW)-related research, monitoring, enforcement, and conservation efforts. At least half of this funding will be used for vessel surveys, passive acoustic monitoring, habitat and plankton monitoring, habitat modeling, and potentially whale tagging in the Gulf of Maine.
- Provides \$1,500,000 to support development of ropeless gear technologies focusing on issues important to industry such as gear location, gear conflict avoidance, and enforcement.
- Provides \$26,000,000 through the Atlantic States Marine Fisheries Commission which can be used for offsetting costs of compliance with the 2021 rule and electronic monitoring requirements, or research to inform future regulatory actions, including development of a dynamic management program or new gear technologies.
- Provides \$20,000,000 for Fiscal Year 2023 for a new grant program for R&D of new gear technology that will reduce lethal and sub-lethal effects of human activities on right whales, development of dynamic management approaches, and training on how to use newly developed technologies.
- Directs NOAA to work with States and other stakeholders to improve the Decision Support Tool (DST) to reduce the uncertainty that has hampered its effectiveness in determining risk.
- Encourages NOAA to revise whale population models using "most reasonably certain to occur" rather than "worst case" scenarios and assumptions, and to incorporate better data that allows more accurate predictions of future NARW populations before issuing any new regulations.

Thanks to the extraordinary efforts by Senator Collins, Senator King and Representatives Pingree and Golden, who coordinated closely with Governor Mills to accomplish this legislative action. I need to give special thanks to the staff of our congressional offices..., MLA's Patrice McCarron and MLU's Ginny Olsen who made themselves available, day and night... I would also be remiss if I didn't thank DMR staff, most notably Deputy Commissioner Meredith Mendelson, who was working with me on this during every waking hour.

This Congressional action does not mean that this is the end of our work in the courts. What it does mean is that now we have the time we've needed to work on the future of the fishery. We cannot sit back and wait for things to change – we must actively work on gathering data, challenging the science, improving the models and developing gear that works.

Yes, there is much work to do over the coming months and years– we can't rest yet. The federal laws will still be used to develop rules that will be implemented in 2028 and beyond, so in the meantime we must ALL WORK TOGETHER and determine the path forward.

I will continue to provide updates as these issues progress, but I'm happy to be able finally to share good news with you as we head into the holidays. I look forward to seeing you in the new year and in the meantime wish you a healthy and safe 2023!"

NMFS ADDRESSES NEXT STEPS FOR WHALE REGULATIONS

On January 8, NMFS administrator Janet Coit sent a letter to Take Reduction Team (TRT) members explaining how the six-year pause will impact the TRT's work and NMFS's rulemaking process. Coit writes, "The Consolidated Appropriations Act 2023 that was passed in December included a mandate that, with limited exceptions, the 2021 Atlantic Large Whale Take Reduction Plan (ALWTRP) amendments 'shall be deemed sufficient to ensure that the continued Federal and State authorizations of the American lobster and Jonah crab fisheries are in full compliance' with the Endangered Species Act and Marine Mammal Protection Act until December 31, 2028. The Act also prescribes and provides increased appropriations that support further development and implementation of innovative gear technologies, monitoring in the Gulf of Maine, and for other purposes." She assured TRT members that the agency will use input from its recent deliberations to guide changes to federal whale rules over the next few years.

"In the short term, we anticipate moving forward with an extension of the emergency rule closing the 'wedge' area surrounded by the Massachusetts Restricted Area. We also anticipate a proposed rule modifying the gillnet and other trap/pot fisheries," she wrote. Coit further explained that NMFS "will continue working diligently to develop and expand use of on-demand fishing and other gear modifications."

NMFS "plan[s] to shift our energy into developing the next set of rules, as opposed to convening and managing the Team. Regardless, over the next year, we anticipate providing regular email and webinar updates on various topics of particular interest to the Team, such as the Decision Support Tool peer review results, abundance and trends, status of the NARW UME [Unusual Mortality Event], and news on other recovery actions (e.g., vessel speed regulations) to keep you apprised of new information as it arises."

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

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MAINE LOBSTERMEN'S ASSOCIATION UPDATE

MAINE LEGISLATURE BACK IN SESSION

The Maine 131st Legislature is back in session. There are many new faces on the Marine Resources Committee. The Marine Resources Committee is comprised of 13 members: Sen. Cameron Reny (D) Lincoln – Chair, Sen. Anne Beebe-Center (D) Knox, Sen. Marianne Moore (R) Washington, Rep. Allison Hepler (D) Woolwich – Chair, Rep. Lydia Crafts (D) Newcastle, Rep. Kenneth Davis (R) East Machias, Rep. Jim Dill (D) Old Town, Rep. Victoria Doudera (D) Camden, Rep. Holly Eaton (D) Deer Isle, Rep. Irene Gifford (R) Lincoln, Rep. Scott Landry (D) Farmington, Rep. Tiffany Strout (R) Harrington, and Rep. Jim Thorne (R) Carmel.

The 131st Legislature will be returning to in-person committee meetings, however online options will still be offered. To receive weekly scheduling updates, contact Linda LaCroix at MAR@legislature.gov or 207-287-1337, or sign up online at <https://lists.legislature.maine.gov/sympa/info/mar-ip>.

The following is a partial list of bill titles submitted. These are not yet printed so there are no details on what these bills propose.

LR 1417 An Act to Create a Restricted Senior Lobster and Crab Fishing License, sponsored by Rep. Perkins of Dover-Foxcroft.

LR 1544 An Act to Allow Lobster Fishing in Federal Waters Under the Federal Endangered Species Act of 1973, sponsored by Rep. Adams Lebanon.

LR 1880 An Act to Fund the Lobster Legal Defense Fund, sponsored by Rep. Faulkingham of Winter Harbor.

LR 2356 An Act to Create the Lobster Industry Working Group, sponsored by Rep. Golek Harpswell.

LR 171 An Act to Defend Maine's Lobster Industry and Protect the Industry's Future, sponsored by Sen. Vitelli Sagadahoc.

LR 1793 An Act to Assist Lobster Fishing Apprentices to Obtain a License Within 5 Years, sponsored by Rep. Collamore Clint of Waldoboro.

LR 1821 An Act to Protect Marine Resources in Maine, sponsored by Sen. Reny of Lincoln.

LR 2020 An Act to Divest State Pension Funds from Companies Boycotting Maine Lobster, sponsored by Sen. Brakey of Androscoggin

LR 1895 An Act to Prohibit Offshore Wind Energy Development, sponsored by Rep. Strout of Harrington.

LR 1481 An Act to Require Federal Offshore Wind Development to Benefit Maine Communities, sponsored by Rep. Gere of Kennebunkport.

LR 741 An Act Regarding the Procurement of Energy from Offshore Wind Resources, sponsored by Sen. Lawrence of York.

DECISION SUPPORT TOOL (DST) PEER REVIEW

NMFS has scheduled a three-day peer review of the computer model used to assess the risk of U.S. commercial fixed gear to right whales, known as the Decision Support Tool (DST). The review will take place online from January 30 through February 1. The peer review is being coordinated by the Atlantic Scientific Review Group (ASRG). Scientific Review Groups advise NOAA Fisheries and the U.S. Fish and Wildlife Service on the status of marine mammal stocks under Section 117 of the Marine Mammal Protection Act.

The Decision Support Tool peer review panel includes Richard Merrick (chair) from the ASRG; Erin Summers from Maine Department of Marine Resources and ASRG; Tim Tinker, from the U.S. Geological Survey, Western Ecological Research Center; Dewayne Fox from Delaware State University; Rebecca Lewison from San Diego State University; and Genevieve Nesslage from the University of Maryland.

According to NMFS, the team will review whether the tool:

- Incorporates the U.S. lobster, gillnet, and other trap/pot commercial fishery data sets necessary to determine fishing effort and distribution
- Incorporates relevant estimates of right whale distribution and densities
- Uses appropriate entanglement risk coefficients by gear type
- Incorporates appropriate approaches to applying these coefficients to estimate relative risk (and risk uncertainty) of large whales encountering gear
- Provides appropriate estimates of risk reduction of large whales encountering gear, using the fishing effort and right whale density data reviewed under the first two bullets, above.

Information on the peer review is located at <https://www.fisheries.noaa.gov/event/peer-review-right-whale-decision-support-tool-0>.

MAINE RESEARCH ARRAY MOVES FORWARD

BOEM announced its “Determination of No Competitive Interest” for the research lease proposed by the State of Maine. BOEM’s determination means that it will process the state’s research application. The project is designed to inform any future commercial offshore wind developments in the Gulf of Maine. The determination of no competitive interest does not guarantee that the State of Maine will receive a research lease. The next step for processing the research application is to conduct an Environmental Assessment (EA) of potential impacts from offshore wind leasing activities associated with the research lease. The draft EA will be available for public comment. Once this is completed BOEM may execute the Research Lease. These activities should be completed in 2023.

BOEM MOVING FORWARD ON OFFSHORE WIND LEASES IN THE GOM

In August 2022, BOEM published a Request for Interest (RFI) for the Gulf of Maine to identify the offshore locations that appear most suitable for offshore wind development, taking into consideration potential impacts to resources and ocean users. This is the first step in BOEM’s offshore wind commercial planning and leasing process.

The purpose of the RFI was to gauge interest in the development of commercial wind energy leases within the RFI Area, which consists of 13,713,825 acres in the Gulf of Maine. Five offshore wind developers expressed interest and have been legally, technically and financially qualified. None of the developers proposed to locate offshore wind projects within 20 miles from shore in the Gulf of Maine. The companies expressing interest are:

- Avangrid Renewables, LLC
- Hexicon USA, LLC
- Pine Tree Offshore Wind, LLC (Diamond/RWE Renewables)
- TotalEnergies SBE US, LLC
- US Mainstream Renewable Power Inc.

On January 19, BOEM held an informational meeting in Portland to solicit input from the public on selecting a “draft call area” to site potential future offshore wind development in the Gulf of Maine. The draft call area proposed by BOEM excludes offshore wind development within 20 miles from shore and in several areas such as groundfish closed areas identified through public comments.

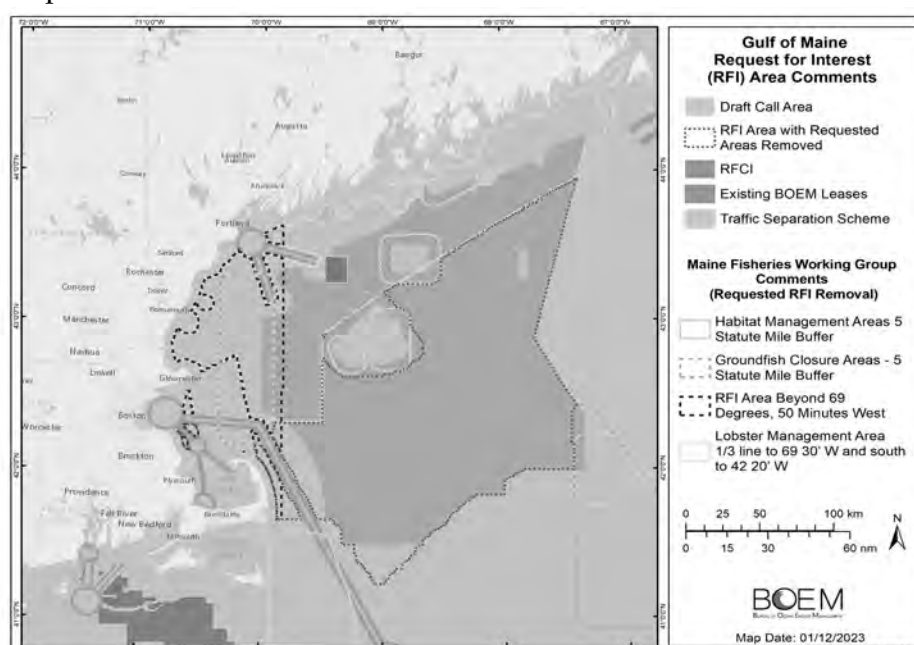
The final call area will be published early in 2023. BOEM will designate Wind Energy Areas (WEA) near the end of 2023 and hold a lease auction in 2024.

BOEM MEETS WITH MAINE FISHING INDUSTRY TO DISCUSS CONCERNS

BOEM officials, including BOEM’s Office of Renewable Energy Programs (OREP) chief Karen Baker, met with Maine fishing industry leaders in January to discuss the recommendations of the state’s Fisheries Working Group and its concerns over offshore wind development in the Gulf of Maine.

The Maine Fisheries Working Group proposed that no offshore wind should be sited in the Gulf of Maine shoreward of the Area 1/3 Lobster Management line to 69° 30’ W and south to 42° 20’ W. BOEM has been reviewing the industry’s request and prepared a chart for discussion.

The industry stressed that this siting recommendation is a compromise and would eliminate economic harm to the majority of commercial fishing operations in the Gulf of Maine. It would also significantly minimize conflict with the developers and facilitate less controversy when offshore wind developments are planned in the Gulf of Maine.



Maine Fisheries Working Group proposal to prohibit OSW development inside Area 1.



Thank you to all who donated in 2022.

**If you donated by December 31, 2022, you'll be listed here.
Look for 2023 donors beginning in the March issue.**

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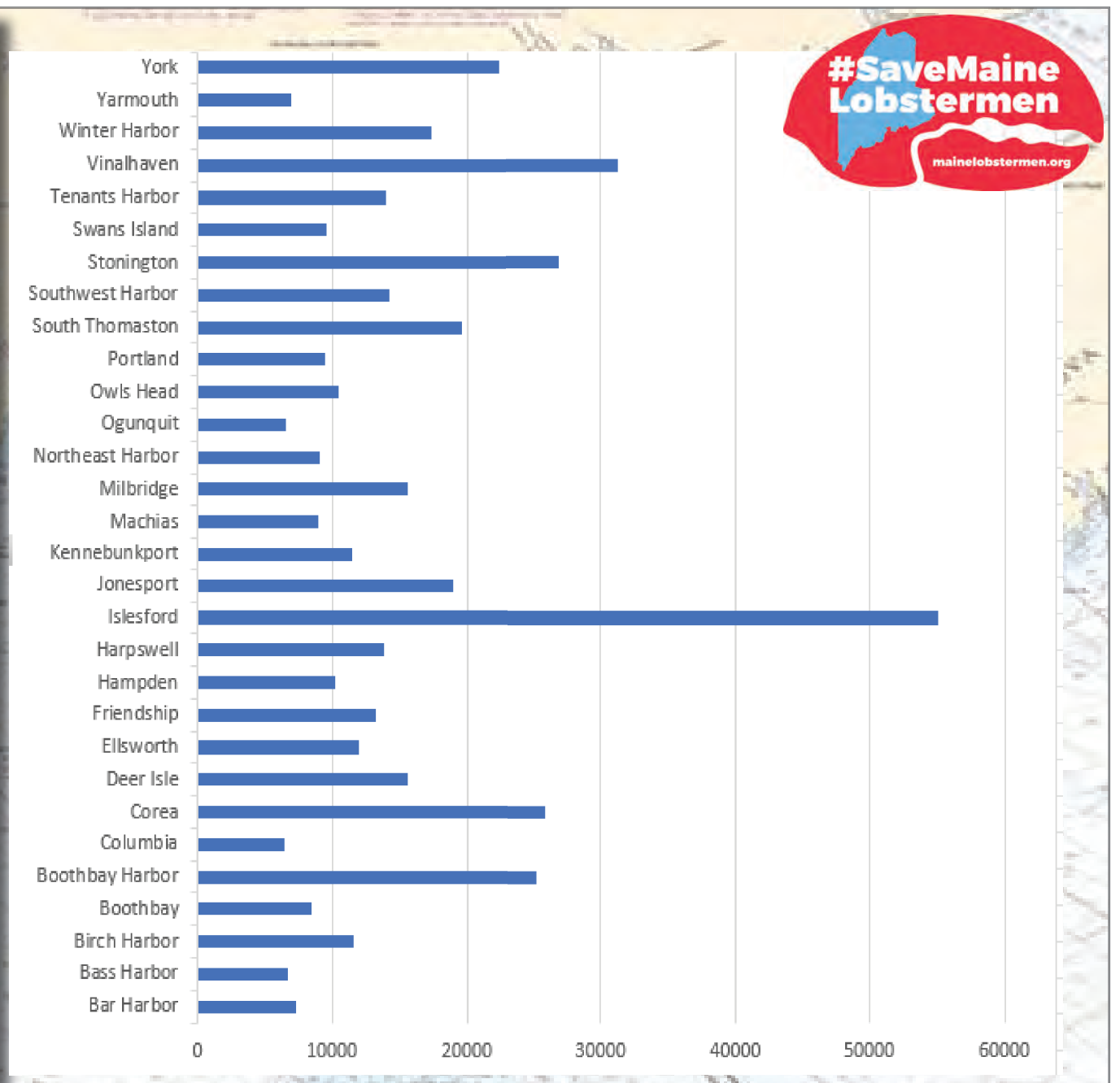
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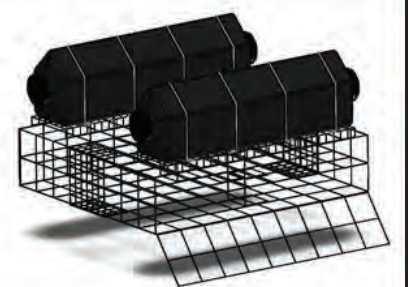
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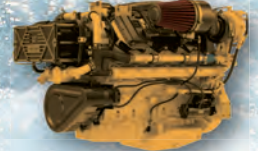
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MARKETING UPDATES

The MLMC's marketing plan for 2023 focuses on protecting the brand reputation of Maine Lobster and promoting the product to increase consumer demand. This year's plan is designed to be flexible and can be adjusted based on market conditions as the year progresses. Key highlights include:

- Protecting the brand with public relations outreach, educational materials like fact sheets, digital advertising, promotion of positive articles and videos, and conducting a consumer survey to gauge changes in purchase intent amongst consumers
- Continuing to promote the product by bringing potential wholesale customers to Maine for a Lobster familiarization tour, sharing new uses for Maine Lobster through product innovation, and running Maine Lobster Week promotions through digital marketing and media outreach
- Building new partnerships with key online food retailers, like Gold Belly, to move Maine Lobster products at crucial times throughout the year and partnering with dealers to run promotions at chain restaurants and retailers to spark demand



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TWENTY-FIVE YEARS AND A LIFETIME OF MEMORIES

By Melissa Waterman

You see her everywhere and anywhere during the three days of the Maine Fishermen's Forum: Chilloa Young, a fast-moving figure darting through the halls of the Samoset Resort, making sure that the many parts of the Forum come together smoothly. But, after 25 years of coordinating the popular event, Young will be stepping down from her position this year.

Her love of the Fishermen's Forum is evident in every sentence Young speaks. She first served on the Forum's board of directors for more than two years before taking over as Forum coordinator in 1998 from Belinda Doliber, who had held the position for ten years. With her husband, Mike, she has been at full-speed-ahead ever since.

"I remember I got the job, showed up on Friday morning with Mike, who came to help me set up. By the end of the day he had shin splints, he walked so much!" Young remembers.

The Forum, which began in 1976 and was incorporated as a non-profit organization in 1984, has grown in scope over the decades. "We have a minimum of 3,000 people now during the three-day period," Young said. "Some years it's 5,000. It's going to be a big year this year. All the rooms in the Samoset sold out in less than 12 days."

Having served on the Forum board, Young understood just how complicated an event the Forum was. Today she values even more the effort board members put in each year to make the increasingly sophisticated educational event work. "Now there's a real mix of people from different organizations, different walks of life on the board. These guys all have full time jobs and they work hard to pull this off each year. It's very impressive!" she said.



Young's husband Mike is known to many, along with the late Mark Wells, as one of the "Seafood Guys." Forum photo.

Young helps each board member as he or she organizes seminars for the Forum, assembling the all-important seminar sheets which detail the topic, the moderator, speakers and speaker information. Then she acts as the liaison between the Forum and the Samoset Resort, which has been the site of the Forum for decades. "We have to give the Samoset a detailed list of everything — the speakers, audio-visual needs for each, meals, equipment, everything. There's a lot of typing in my job," Young laughed.

In addition, Young sells every one of the 133 spaces in the popular

Trade Show. Once every space is sold, she double and triple checks all the de-

Forum continued from page 1

Economics of the Lobster Fleet, the annual Department of Marine Resources Lobster Science Update, Gulf of Maine Scallop Fishery, and a Seafood Cooking Demonstration, to name a few.

The Maine Lobstermen's Association will hold its annual meeting, in person for the first time in two years, on Friday, March 3, at 9 a.m.

This year's event features the largest trade show in the history of the Forum, with exhibitors featuring lobster traps, marine electronics, new fishing gear, boat-builders and more. A Coast Guard-approved ASHI First Aid/CPR training course will be offered on Thursday, March 2 at the Samoset to just 10 applicants for a \$50 fee (applications are available online at www.maine fishermen forum.org).

As ever, there will be plenty of opportunity to socialize and have fun with friends. Thursday night's Seafood Reception highlights the wide variety of Maine's marine species. The Friday evening Fish Dinner, sponsored by the Portland Fish Exchange, will be followed by the exciting live auction which benefits the Forum's scholarship fund. Saturday night's banquet and dance will bring the annual Forum to a close.

The Friday scholarship auction and silent auction raises funds for Forum scholarships, which are awarded Saturday night. All money brought in for the scholarships goes directly to the recipients. To date, the Forum has awarded over \$587,000 in scholarships to students from families involved in Maine's fisheries. In addition, due to a donation from an anonymous fisherman, two students will each win an \$8,000 scholarship as well.

tails to make sure that vendors have what they need.

Sometimes all does not go smoothly. "One year a guy showed up with a boat engine. He had registered for the Trade Show but hadn't paid. They brought it in on the forklift and he said, 'Where's my booth?' Well, I had to tell him he didn't have a booth," she said. But in the end, knowing that this was a product important to fishermen, "we made him a space," Young recalled.

In Young's view, the Forum is all about the fishermen and their families. Many come to the Trade Show thinking about buying a boat, upgrading an engine, or purchasing new electronic equipment and perhaps most of all, to talk to people from the companies that sell what they need.

Over time, the Forum has shifted emphasis in response to changes in the larger fishing world. Seminars are fewer in number to reduce the risk of overlapping important topics. The all-day workshop held on Thursday allows a focus on one fishery or subject without distractions. The Trade Show is larger and encompasses both commercial fishing and aquaculture. Yet the Forum continues to be an annual ritual for many, where families come for a brief vacation and to catch up friends, where scientists, politicians, state and federal officials and fisher-

men get to rub shoulders and talk.

"Fishermen really appreciate the opportunity to meet politicians and scientists face-to-face. The Forum offers them neutral territory," Young said. "It's a good place to make yourself heard."

The Forum is known for its convivial atmosphere plus a certain amount of partying. Young is discrete about raucous elements from the past but she does recall one incident with a chuckle. "I remember one fisherman. He'd had a good time at the auction [on Friday night] and bought a box of sardines. He was headed back to his room and on the way he decided to give away the sardines. He put them on shelves, handed them to people. He finally put one can in the DMR sea life exhibit!"

One element of the Forum close to Young's heart is the annual scholarship awards for children of parents in the fishing industry. Throughout the year the Forum board solicits financial support for the scholarships, then holds a silent and live auction during the Forum. The live auction is a high-spirited evening when common objects may suddenly rise to unheard-of values, all in support of the scholarship fund. Typically approximately 20 students will receive scholarship awards each year.

In recent years a fisherman and his wife have contributed thousands of dollars to a new scholarship raffle. "I am in awe of how wonderful he and his wife are," said Young. "He looked around at different organizations to give money to and thought the Forum scholarship fund was the best. Last year he gave \$15,000 for three \$5,000 scholarships. This year he's giving \$16,000 for two \$8,000 scholarships," Young explained.

Young knows the names, the stories, the high and lows of so many fishermen and their families, stories that she will keep as treasures in the future. One stands out in particular. The late Arnie Gamage, Maine Lobstermen's Association board member and well-known fisherman from South Bristol, attended the last in-person Forum in March 2020. Young remembers the moment clearly. "Arnie checked in at the Samoset front desk and then turned around toward us at the registration table. He swung his arms out and said 'Now I'm happy. I'm at the Forum!'" It was a bittersweet memory; sadly, Gamage suffered a heart attack and passed away later that day.

The Forum's camaraderie will stay with Young long after she leaves her position. She recalls many examples of people gathering together at the Forum by the Samoset's fireplace early in the day just to catch up on the previous year's news and watching each other's children grow up over the years. The Forum is a special occasion for so many and Chilloa Young has been a huge part of what makes the event so special.



Chilloa Young, left, with Gov. Janet Mills at the 2019 Forum. M. Young photo.



Over the years hundreds of children have been introduced to DMR's touch tank at the Forum. M. Young photo.



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TO YOUR HEALTH: *Symptoms of a heart attack*

By Melissa Waterman

It's midnight and you are sitting bolt upright in bed. There's a painful sensation in your chest and a sour taste in your mouth. Maybe you feel a little nauseous, maybe there's some pain in your shoulder and neck. Are you feeling the effects of that last trap you hauled and the cheeseburger and onion rings you had for supper? Or is it something more worrisome, like a heart attack?

February is American Heart Month, a perfect time to ask yourself, "Would I know what to do in the event of a heart attack?" According to the Centers for Disease Control, someone in the U.S. has a heart attack every 40 seconds. Annually 605,000 people suffer their first heart attack. Sometimes they don't even know they have had a heart attack: 1 in 5 heart attacks are silent meaning damage is done to the heart, but the person is not aware of it.

A heart attack occurs when the flow of blood to the heart is severely reduced or blocked. A blockage can be due to the buildup of fat, cholesterol and other substances in the heart arteries, known as plaques. A plaque can rupture and form a clot in the artery which then blocks blood flow to the heart muscle.

The signs of heartburn are not the same as a heart attack. Heartburn triggers a

burning pain in the chest, just behind the breastbone. The pain is often worse after eating, in the evening, or when lying down or bending over. Heartburn does not cause neck and shoulder pain.

Symptoms of a heart attack may include discomfort in the center of the chest which may last for a few moments or go away and come back again. The discomfort may feel like uncomfortable pressure, squeezing, fullness or just plain pain.

There might also be pain or discomfort in one or both arms, the back, neck, jaw or stomach. You may also have shortness of breath, nausea, cold sweats and lightheadedness.

Heart attacks look and feel different in women than they do in men. Both men and women may feel chest pain when having a heart attack, but women are more likely to also experience shortness of breath, nausea or vomiting, and pain in the back, neck, or jaw. Common among women's symptoms, however, is a feeling of fatigue that may last for days prior to the heart attack.

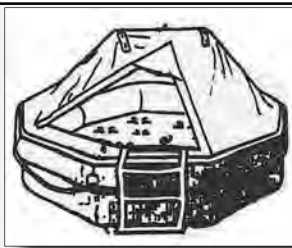
Many heart attacks start slowly with relatively mild pain. Because it is mild, people may hesitate to call 911 as soon as they should. Know the signs of a heart attack and don't hesitate: acting fast can save a life.



What to do if you or someone else show signs of a heart attack

- Call 911 or your local emergency number. Don't ignore the symptoms of a heart attack. If you can't get an ambulance or emergency vehicle to come to you, have a neighbor or a friend drive you to the nearest hospital. Drive yourself only if you have no other option. Because your condition can worsen, driving yourself puts you and others at risk.
- Chew and swallow an aspirin while waiting for emergency help. Aspirin helps keep your blood from clotting. When taken during a heart attack, it could reduce heart damage. Don't take aspirin if you are allergic to it or have been told by your health care provider never to take aspirin.
- Take nitroglycerin, if prescribed. If you think you're having a heart attack and your health care provider has previously prescribed nitroglycerin for you, take it as directed while waiting for emergency medical help.
- Begin CPR if the person is unconscious. If the person isn't breathing or you don't find a pulse, begin CPR to keep blood flowing after you call for emergency medical help. Push hard and fast on the center of the person's chest in a fairly rapid rhythm — about 100 to 120 compressions a minute.
- If an automated external defibrillator (AED) is immediately available and the person is unconscious, follow the device instructions for using it.

Source: Mayo Clinic



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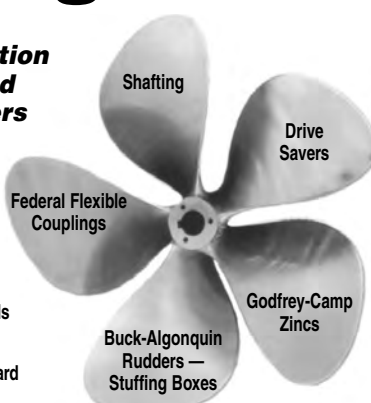
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AMBITIOUS UMAINE STUDY EXAMINES LINK BETWEEN ARCTIC MELTING AND LOBSTER STOCKS

By Melissa Waterman

The University of Maine is leading a \$3 million award from the National Science Foundation's Navigating the New Arctic Program (NNA) in a three-year collaborative research study on the connection between the warming Arctic Ocean and the rapid changes in New England's and Atlantic Canada's lobster fisheries. The project launched on January 1st. In recent years, the Labrador Current, which moves cold, oxygen-rich water from the Arctic southward along the Nova Scotian coast and into the Gulf of Maine, has wavered in its intensity due to increased melting of Arctic sea ice and the Greenland ice sheet. The study hopes to better understand the current and future effects of these changes on the Northwest Atlantic marine ecosystem, the lobster fisheries and the communities that depend on them.

"It's a big project," said Rick Wahle, executive director of UMaine's Lobster Institute and professor in the School of Marine Sciences. "It'll allow us to connect the dots between the rapid changes we're seeing in the Arctic and changes witnessed at the mid-latitudes of the Gulf of Maine and Gulf of St. Lawrence." The study brings together physical oceanographers, marine ecosystem and fishery scientists, economists and social scientists from UMaine, the Gulf of Maine Research Institute, Columbia University, Florida State University and Memorial University of Newfoundland, along with fishing industry and government agency personnel from the U.S. and Canada.

The project will build on existing computer models that incorporate current oceanographic data to predict altered circulation patterns in the Labrador Sea and Northwest Atlantic. As the influence of the Labrador Current diminishes, Gulf Stream water, which is warmer, saltier and nutrient-poor, is being felt more strongly, altering the productivity of the Gulf of Maine ecosystem. Marine ecosystem scientists will model the consequences of those changes as they percolate up the food chain. Already well documented is a dramatic ecosystem regime shift since 2010 triggered by these changes: the weakening influence of the northern currents has resulted in a decline of the tiny phytoplankton at the base of the food web, and in turn, a diminished supply of zooplankton that feed everything from herring to the North Atlantic right whale, and even lobster larvae.

Fisheries scientists will explore how those changes could influence the life history of lobsters and how different management strategies could help keep the fishery sustainable. Economists and social scientists will evaluate the consequences of different scenarios on the lobster fishery and communities that depend upon it.



Melting ice in the Arctic has already had an effect on Gulf of Maine oceanography. What does the future hold for its lobster stocks? WHOI photo.

The scope of the new study is unusual. "It's pushing the envelope to a new larger scale. I'm excited and humbled to be collaborating with such a diverse group of talented scientists at in this more global context," Wahle said.

The project draws on decades of cross-border collaboration among researchers, many of whom have been taking part in long-standing monitoring programs such as the American Lobster Settlement Index (ALSI), and the Environmental Monitoring on Lobster Traps (eMolt) program. "It's that network of collaboration that allows us to move forward with this study," Wahle said.

Wahle hopes that the project ultimately will help improve the economic resilience of coastal communities who depend so heavily on lobster fishing. "Lobster represents about 80% of commercial fisheries value in Maine. We're perilously dependent on this single species. A collapse could have devastating effects," Wahle said. "Developing accurate forecasts gives us the lead time to consider our choices." The models also allow the team to study "what if" scenarios – for example, how does a one degree increase in water temperature, or a change in legal size, affect the sustainability of the lobster fishery, and in turn, the economic well-being of a coastal community in the, and how does that differ under in the U.S. versus the Canadian lobster management regime.


"It's really gratifying that NSF sees this as a worthy project. Most of the other projects funded through this program take place in the Arctic. We're the single project looking at Arctic impacts to fisheries at lower latitudes," Wahle said. "They are excited to see what we produce."

MLA appeal continued from page 1

The MLA reply brief also notes that the six-year pause before any new federal whale protection measures can be implemented that was passed by Congress as part of the Omnibus Budget Act in December 2022, does not diminish the urgency to correct NMFS's serious errors.

"To be sure, the recent legislation only delays NMFS' efforts to follow through on its "commitment" to impose additional restrictions on the lobster fishery, and it does not address the underlying biological opinion or NMFS' final rule implementing the conservation framework's first phase. This litigation thus remains necessary to address the underlying errors and permanently resolve all of MLA's objections to the framework (and permanently eliminate the misguided worst-case-scenario mode of analysis that has infected the entire process)."

The briefs submitted by the MLA and its intervenors are available at www.savemainelobstermen.org.



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SAVE MAINE LOBSTERMEN THANKS ALL WHO CONTRIBUTED IN 2022

By Kevin Kelley, MLA director of advancement

As we wrap up one full year of our “Save Maine Lobstermen” fundraising campaign, and look ahead to a new year, it’s a good time to reflect on our successes and the ongoing strategy to overcome the challenges that continue to face Maine’s lobster industry and threaten our lobstering heritage.

In November 2021, the Maine Lobstermen’s Association (MLA) launched a three-year, \$10 million fundraising campaign. This was an unprecedented effort for our organization, but we knew that to support the lawsuit that the MLA filed in September 2021 and to continue our fight to preserve Maine’s lobstering heritage, we would need tremendous financial support to remain on the offense.

So many of you have answered the call!

We will forever be grateful for a strong and early commitment from Donald Sussman who helped kick start our early fundraising in 2020 with a \$100,000 donation, and to John and Brendan Ready, who have each donated \$125,000 to the campaign. This robust support was the building block of all our fundraising efforts.

This fall, local financial institutions heeded our call for help with Machias Savings Bank, Bar Harbor Bank & Trust, First National Bank, Camden National Bank, and Partners Bank combined pledging more than \$1 million in support. Their funds, combined with a \$100,000 donation from Governor Mills’ Governor’s Contingency Fund, provided the MLA with renewed financial confidence heading into 2023.

We could not be where we are today, however, without the amazing support we continue to receive from MLA members and lobstermen, from Kittery to

Cutler and just about every coastal community in between. Hundreds of working lobstermen donated their state license and trap tag reimbursement checks to our campaign last summer — even at a time when prices were low, and they were facing the high costs of bait and fuel and labor shortages that made the summer of 2022 one of the toughest in recent memory.

We’re also grateful for the several municipalities who have contributed to our fund to date, including Kittery, York, Cranberry Isles, South Thomaston, Long Island, Tremont, Georgetown, Vinalhaven, Stonington, Machiasport, Friendship, Ellsworth, Boothbay, and Jonesport. The MLA is asking other communities all around the state to stand with us as we work to ensure a future for our children that includes a proud, vibrant lobster industry. If your town isn’t on this list, let’s work together to encourage town officials to step up.

These efforts, combined with local fundraisers at places like Brady’s in Boothbay Harbor, Jonathan’s in Ogunquit, Red’s Eats in Wiscasset, East Wind Inn in Tenants Harbor, and the Upper Deck in Southwest Harbor, as well as community fundraisers in places like Islesford, Vinalhaven, and Bailey Island, have helped buoy our confidence and, perhaps more importantly, brought communities together.

While big fundraising events are appreciated, so are the small gifts that randomly show up in the mail. Donations such as \$10 from an elderly woman who wrote a note proclaiming her support for Maine lobstermen and wishing she could afford to donate more! And we are incredibly fortunate to have the support of so many small businesses who have offered to donate a portion of their proceeds to our campaign. They are too many to name, but you can check out www.savemainelobstermen.org/shop-to-support to see a few – and to all, thank you! These not only bolster our financial stability but are heartwarming gestures that demonstrate just how important this industry is to the identity of our state.

Even with all the success we saw in 2022, we know it is just the foundation on which we must continue to build if we are to remain in the driver’s seat. As the MLA lawsuit proceeds in 2023, so will our fundraising efforts. While we begin 2023 with encouraging news at the federal level and a glimmer of hope that we have not had in a long time, we know we continue to face an uphill battle. The MLA remains grateful for your strong support, and we ask that you continue to work with us on ways to support the lobster industry.

SEAFOOD EXPO NORTH AMERICA, MARCH 12-14

By MLA staff

On March 12 to 14 Seafood Expo North America returns again to the Boston Convention and Exposition Center. The gathering brings together seafood and food industry representatives from around the world. The Maine Lobstermen’s Association is hosting a *free* bus trip and entry to the Expo for MLA members and supporters on Monday, March 13. To register for the bus trip, visit www.maine lobstermen.org or call 207-967-4555 and ask for Andi Pelletier.

This exposition features seafood suppliers from 50 countries showcasing their products to North America’s seafood buyers. Exhibitors offer nearly every type of fish, seafood, and seafood-related product and services in demand in the North American market. Attendees also can take part in the Expo’s conference program, which addresses current issues, new regulations, innovations and trends, and explore the new product showcase.

Many Maine seafood companies will be exhibiting at the Expo this year, including Cozy Harbor, Luke’s Lobster, Bean Maine Lobster, DC Air & Seafood, Greenhead Lobster, Inland Seafood, East Coast and Westmorland.

The Maine Lobster Marketing Collaborative (MLMC) will have a booth at the show. In addition, the MLMC is partnering with the Maine Center for Entrepreneurs to host a Maine Lobster and Seafood Reception on Monday, March 13 at the Exchange Conference Center. All Maine lobster exhibitors, dealers, lobstermen, buyers and industry members are invited to attend. A group of international buyers, who are visiting the show as part of a buyers’ mission hosted by Food Export Northeast, also will attend. The social event will feature innovative lobster dishes as well as select seafood products including an oyster bar.



Peter Miller, Ryan McPherson and Merritt Carey at the Expo. MLA photo.

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In the NEWS

MASS. MOVING TOWARD ENERGY EFFICIENT FISHERIES

A new Massachusetts program to promote low- and zero-emissions energy technology for the Massachusetts fishing industry received nearly \$2 million as part of the federal Omnibus Appropriations Act for 2023. Energy Efficient Fisheries (EEF) aims to ensure that fishing vessels and fish plants of all sizes in every port in Massachusetts become more efficient in their energy use. EEF projects will include a fishing and seafood industry baseline and energy needs assessment, fishing vessel energy audits, professional development for advanced technology installation and service for specialized marine applications, and consultancy services for business owners seeking to access low-cost capital and grant funding for fuel efficiency investments. Many Massachusetts fishing vessels are more than 40 to 50 years old and could benefit from newer, more fuel-efficient and eco-friendly propulsion systems as well as more fuel-efficient gear that creates less drag and less stress on an engine.

DMR SHELLFISH MANAGEMENT PROGRAM CHARTS A NEW COURSE

The Maine Department of Marine Resources (DMR) has renamed its Shellfish Management Program and expanded its mission. The program, now known as the Nearshore Marine Resources Program, will be headed by Meredith White. Its team of four scientists will address new and future challenges that climate change brings to coastal waters, particularly at the local level. The Nearshore Marine Resources Program will begin an intertidal monitoring program at about 10 sites throughout the state. The goal is to collect long-term data on trends in the ecosystem, including species abundance and diversity, invasive species, predation effects and recruitment of young animals. White most recently was interim director of hatchery operations and director of research and development for Mook Sea Farm, a visiting assistant professor in Bowdoin College's Department of Earth and Oceanographic Sciences and as postdoctoral research scientist at the Bigelow Laboratory for Ocean Sciences.



Meredith White.

CAN GULF OF MAINE COD STOCKS BE REVIVED?

The New England Fishery Management Council (NEFMC) has approved a new fishing management plan that it says provides a chance to rebuild the New England cod stock. The NEFMC said its strategy has a 70% chance of rebuilding the stock by 2033. The proposal would use 10 years of low catch limits to try to rebuild the cod population in the Gulf of Maine. U.S. fishermen caught more than 100 million pounds of cod per year in the early 1980s, but that number fell to about 1.3 million in 2021, the lowest amount in recorded history. The new plan will lower the fishing mortality rate for the fish over the next decade to "offer more protection for Gulf of Maine cod and give the stock a better chance of rebuilding," according to the Council.

CANADA DELAYS WHALE MEASURES ONCE AGAIN

The Canadian Department of Fisheries and Oceans (DFO) has again extended the deadline until 2024 for lobstermen to use modified fishing gear to reduce the risk of entangling right whales. Lobstermen next year will be required to use gear designed to break under 1,700 pounds of pressure. The new requirements were originally supposed to be in place by 2022. But implementation that was delayed by a year because of COVID-19. DFO has announced that the deadline would be extended again for fisheries in Atlantic Canada and Quebec.


MAINE LEGISLATURE BACK IN SESSION

The Marine Resources Committee will be chaired by Senator Reny of Lincoln and Representative Hepler of Woolwich. The Committee will meet on Tuesday and Thursday afternoons in person, but meetings will be available online through the Legislature's streaming service (<https://legislature.maine.gov/Calendar/>). There are several bills that impact the lobster industry before the Committee, including changes to licensing and bills to address federal whale rules and offshore wind development. To receive weekly updates of the Marine Resources Committee schedule, email Linda LaCroix at MAR@legislature.maine.gov or call 207-287-1338.

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Events Calendar

More details on all of these events can be found online at www.mainelobstermen.org

February 3-4

Lobster Institute Town Meeting, Hilton Garden Inn, Portland, ME. FMI: <https://umaine.edu/lobsterinstitute>.

February 6-7

Maine Sea Grant American Lobster Initiative Regional Lobster Research and Outreach Summit, Holiday Inn By the Bay, Portland. FMI: <https://seagrant.umaine.edu/extension/american-lobster-initiative/events/american-lobster-initiatives-regional-summit>.

February 7

Aquaculture Public Hearing - Tim Johnson, 4 p.m., Curtis Memorial Library, 23 Pleasant Street, Brunswick.

February 8

Chapter 32: 2023 Elver Season Public Hearing, Remote and In-Person, 5 p.m., DMR office building, room 118, Augusta.

March 2-4

Maine Fishermen's Forum, Rockland, ME. FMI: www.mainefishermensforum.org.

March 3

Maine Lobstermen's Association 69th annual meeting, 9 a.m., Samoset Resort, Rockport.

March 12-14

Seafood Expo North America, Boston Convention and Exhibition Center. FMI: <https://www.seafoodexpo.com/north-america>.

March 13

MLA Bus to Seafood Expo North America. FMI: contact andi@mainelobstermen.org.

March 23-26

Massachusetts Lobstermen's Association Annual Weekend & Industry Trade Show, Hyannis Resort and Conference Center, Hyannis, MA 02601. FMI: <https://lobstermen.com/annual-weekend>.

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#SaveMaine Lobstermen

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SAVE THE DATE!

69th annual meeting of the Maine Lobstermen's Association

9 a.m.

Friday, March 3

Samoset Resort, Rockport.



MLA

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Bath, ME 04530
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2023 SCHOLARSHIP APPLICATION

The Maine Fishermen's Forum Board of Directors offers a scholarship fund to benefit children or grandchildren or a legal dependent of someone actively involved in harvesting wild caught or farmed Maine seafood or a Maine based resource law enforcement officer regardless of financial need or academic achievement.

Applications will be accepted through March 2, 2023. Please note that previous winners are not eligible.

Scholarships will be awarded by a random drawing to be held on Friday, March 3, 2023.

You qualify for the scholarship drawing ONLY IF you check all 4 items below.

Do you qualify? (Both questions must be answered YES to qualify)

- Are you in College now, as a sophomore, junior or senior? You must be at least a sophomore in college or be in at least the second semester of a Certificate Program to apply.
- Are you a child, grandchild or legal dependent of someone participating in Maine's seafood industry?

What is required? (Both of these items are required to be a valid candidate)

- Did you send an official transcript or Registrar's letter of standing with your application?
- Did you complete this application and send it to the address at the top of this letter?

Undergraduates attending a two or four year college who are in at least the second year of their program or students who are in at least the second semester of their Certificate Program will be eligible.

STUDENT INFORMATION

Student Name _____

Mailing Address _____ Home Phone _____

City _____ State _____ Zip Code _____ Email: _____

SCHOOL INFORMATION (High School Students are NOT eligible)

College/University Name _____ Expected Year of Graduation _____

Location of College _____ Your Major _____

**COLLEGE Standing as of Sept 2022 (circle one) Freshman Sophomore Junior Senior

MAINE SEAFOOD INDUSTRY FAMILY MEMBER INFORMATION

Name _____ Relationship _____

Street/Mailing Address _____ Phone _____

City _____ State _____ Zip Code _____ Email: _____

Vessel Name or Commercial License Number _____

Describe participation in the Maine seafood industry _____

Thank you to all who donated to the Maine Lobstermen's Community Alliance in 2022

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Donations to the Lobstermen's Relief Fund

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Gifts to the MLCA benefit programs in education, charity and scientific research as well as leadership and conservation. We are grateful to those who share our affinity for Maine's historic lobster fishery and its people.

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