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Maine Lobstermen's Community Alliance

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# LANDINGS

News & Views from Maine's Lobstering Community

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September 2023 | Vol. 31, No. 9

# LOBSTERMEN CHALLENGE BOEM LEASING PROCESS

## By Rebecca Nuzzi, MLA Policy and Advocacy Associate

The Bureau of Offshore Energy Management (BOEM) held outreach meetings in Portland, Ellsworth, and Rockport, as well as in Massachusetts and New Hampshire in late July. The purpose of these meetings was to seek on-the-water knowledge from the Gulf of Maine fishing community to improve the spatial models that will be used to identify draft Wind Energy Areas to site offshore wind. BOEM plans to announce the specific Areas in October or November.

BOEM scheduled these meetings in response to feedback it received during its May Gulf of Maine Intergovernmental Renewable Energy Task Force meeting in Bangor, which offered an in-depth dive into the data used to identify Wind Energy Areas. BOEM's offshore wind leases will be sited within a Wind Energy Area. BOEM also sought knowledge directly from those who know the Gulf of Maine best: the men and women who live and work on the water.

Skeptical members of the fishing community attended the July outreach meetings and listened as BOEM officials walked them through the wind energy leasing process. BOEM also presented a series of spatial modeling maps depicting varying levels of suitability for offshore wind energy development throughout the Gulf of Maine. In each of the Maine meetings, lobstermen said loudly and clearly: no leases in LMA 1.

BOEM staff readily admitted that finding suitable areas for development is a challenging task. "One thing that we knew coming into this, and it's been reiterated many times by folks coming into these meetings, is that there is no place in the Gulf of Maine that's free of conflict. People fish everywhere," Zachary



Jylkka, BOEM project coordinator, said. Nevertheless, BOEM is federally mandated to proceed with the wind energy leasing process using the best available data at its disposal.

Numerous fishermen expressed frustration that BOEM is proceeding in its process to issue offshore wind leases in the Gulf of Maine in late 2024 without the Continued on page 6



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# MAINE ADOPTS NEW LAW TO ADVANCE OFFSHORE WIND Seeks to Protect Fishing Industry

By MLA staff

On July 27, *LD 1895 An Act Regarding the Procurement of Energy from Offshore Wind Resources* became law. This law aims to achieve 3,000 megawatts (3 GW) of installed offshore wind by 2040. According to Governor Mills, the new law allows for critical port development, creates opportunity for Maine workers and businesses in the emerging offshore wind industry, and protects critical lobstering areas from offshore wind development. Maine is the seventh U.S. state to establish a competitive offshore wind energy solicitation process.

LD 1895 met with strong opposition from many in Maine's fishing industry. "The MLA opposes LD 1895 to procure energy from offshore wind resources," testified Kristan Porter, President of the Maine Lobstermen's Association (MLA). "With 20,000 individuals employed aboard Maine's fishing vessels or directly in the seafood supply chain, the productive and fragile waters of the Gulf of Maine should not be used as testing ground for new offshore wind technology or to site large industrial wind farms."

While the fishing industry was not successful in stopping the passage of this bill, many of the industry's concerns were heard. The complex bill was amended several times before the Governor signed it. The new law includes provisions to avoid or minimize impacts of offshore wind development on marine wildlife, fisheries and Maine's coastal communities. It requires developers to invest in research "to better understand how offshore wind power projects can coexist with minimal impact to existing ocean users, wildlife, fisheries and the marine environment" and supports "re-

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# $COASTAL\ OUTLOOK\ \mathit{Thoughts from\ MLCA\ President\ Amber-Jean\ Nickel}$

You are probably noticing a change along the waterfront. With Labor Day behind us, the line of folks waiting for lobster rolls at Red's Eats is shorter. The number of outof-state cars taking all the available parking spots around different harbors is fewer. The sense of crowds everywhere has ebbed, a little. Summer has passed and fall is just around the corner.

But for Maine's lobstermen, this is prime time. The fall season is underway and thus far, seems to be going well. While the weather is always a roll of the dice, September is expected to be a good deal sunnier and drier than the early summer months. But who knows what the Gulf of Maine may come up with?

The Gulf of Maine was the focus of a series of meetings held by the Bureau of Offshore Energy Management (BOEM) in August in Massachusetts, New Hampshire, and Maine. BOEM organized the meetings to hear fishermen's thoughts about the data being used to narrow down areas most suitable for offshore wind development, called draft Wind Energy Areas, in the Gulf. BOEM plans to hold its first wind energy lease auctions in the Gulf in late 2024.

Lobstermen turned out for the three meetings held in Maine, repeatedly saying that the data used by BOEM is incomplete and that no leases should occur in Lobster Management Area 1, regardless of what the federal models indicate. BOEM plans to publish the draft Areas in October or November.

Department of Marine Resources Commissioner Patrick Keliher reflects on the summer in his column this month. The low point of the season was the search for young lob-

sterman Tylar Michaud who was lost at sea in late July. His body was recovered in August. Commissioner Keliher highlights the research efforts underway by the department to further understand the movements of endangered right whales along the coast, and to help lobstermen receive financial aid for gear modifications they have made to date to protect whales.

At this time of the year, lobstermen begin to wor-

ry about having enough bait available until the end of the fishing season. In years past, a lack of fresh and frozen bait combined with a drastic reduction in the herring quota led many to use more menhaden.

This year, as we note in this issue, menhaden are in good supply due to an increase in the state's quota. Herring are not as plentiful; landings have remained low since the season opened July 16. Yet most bait dealers interviewed felt the diverse bait supply is adequate to keep lobstermen fishing throughout the fall and winter.

The push toward ropeless gear (also called on-demand gear) continues to grow. Environmental organizations and the National Marine Fisheries Service (NMFS) continue to advocate the only way to solve whale entanglement is through deployment of ropeless gear. They are encouraging lobstermen to transition to ropeless gear, which uses a buoyant device attached to a lobster trap released either by a time-release mechanism or by acoustic signals transmitted from the surface. But as a new report from the Massachusetts Division of Marine Fisheries shows, the technology could be cost prohibitive.

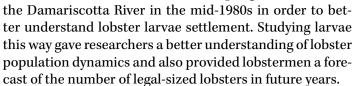
"Estimating the Costs of Using On-demand Gear in Massachusetts Lobster Fisheries" found that if all state and federal commercial lobstermen in the state used ropeless gear last year, their revenues would have dropped by \$40 million in value due to approximately 3.5 million fewer pounds being landed.

Being healthy and staying healthy is a goal for many of us. But what if your job hurts you and you don't have the time, money or access to good medical care? That is the case for many lobstermen and shellfish harvesters in Downeast Maine, according to a study by the Downeast Health Research Collaborative. The Collaborative's research, led by Tora Johnson of the University of Maine at Machias, found that many fishermen in Washington and Hancock Counties suffer injuries while working, and that many do not seek medical attention for those injuries. A certain percentage use opioids, alcohol and other drugs to keep the pain in check while continuing to work. The report gives numerous recommendations to address the causes of this lack of medical care and to correct it.

Two well-known members of the lobstering world are mentioned in this issue. Curt Brown, marine biologist at Ready Seafood in Saco and Cape Elizabeth lobsterman, was selected as one of National Fisherman's 2023 Highliners last month. Highliners are commercial fishermen known for giving back to the fishing industry at the local, national

> or global levels. "I definitely don't deserve any award with the word 'highliner' in it. Any of my sternmen over the years can confirm that!" Brown said, when asked about the award.

Rick Wahle, director of The Lobster Institute at the University of Maine and one of the initiators of the American Lobster Settlement Index, retired from the University at the end of August. Wahle, Robert with Steneck, began suction sampling seafloor off



After fifteen years as a senior research scientist at the Bigelow Laboratory in East Boothbay, Wahle became a professor at the University's School of Marine Sciences before stepping into his current position in 2018. Working with lobstermen back in the 1980s and throughout his career "instilled a huge appreciation in me for this industry. It really gave me a great start here," he said.

We hope you enjoy this issue of Landings and look forward to your comments.





Thank you to all who attended Music Masts & Lobster Traps! Missed it? You can still donate.

Proceeds benefit the Maine Lobstermen's Community Alliance, a 501(c)(3) non-profit organization that is working to support the Maine Lobstermen's Association's efforts to protect Maine's lobstering heritage.

The summer may be fading away, yet for Maine's lobstermen

this remains a busy time of year. MLMC photo.

visit www.mlcalliance.org



# GUEST COLUMN: Recap of the 2023 summer

#### By Patrick Keliher

We've had a summer with more than our fair share of rain and fog, but despite the weather it started on a good note, with the Washington, D.C. Appellate Court ruling that gave hope to the lobster industry. Sadly, however, the summer of 2023 also included a stark reminder of how easily life can be lost, when 18-year-old lobsterman Tylar Michaud's body was recovered from the waters near Addison on August 21st, one month to the day after he was reported missing.

I'm grateful for the tremendous efforts of all who joined in the difficult search. Many agencies and individuals devoted countless hours. It speaks volumes about the profound impact a loss like this can have.

While the recovery brings home the hard reality of the loss of this promising young man, the closure it provides will hopefully help those who have been so deeply touched by this tragedy begin to heal. My deepest condolences go to Tylar's family, friends, and his community.

## Legal Victory

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The June appeals court decision made it clear that the National Marine Fisheries Service (NMFS) can no longer have its thumb on the scale when determining the risk posed by the lobster industry to endangered North Atlantic right whales. However, this victory doesn't mean we can lower our guard. On the contrary, it means we have much more work to do.

As I stated in an earlier message to the industry, I'm proud of the collaboration between the legal teams for the industry and the State. It's rare that government and industry are so aligned, but the facts are now clear; NMFS chose a path that was not supported by law, lacked guaranteed benefits for whales, and completely disregarded the economic devastation it would cause.

The court ordered NMFS to re-do its Biological Opinion using the best available science when determining the risk the lobster industry poses to right whales, not the most pessimistic as it did with the previous version.

The appeals court's decision allows the current regulation to remain in effect but also orders NMFS to develop a new rule by 2028 that doesn't rely on worst-case scenario assumptions, but rather on likely outcomes.

This victory was part of a big win for the Maine lobster industry and complements last year's Congressional win that paused the next phase of rulemaking

until 2028 and provided funding for DMR to monitor right whale presence in the Gulf of Maine. We will now be better positioned to have real data that can be used to avoid further unnecessary damage to the industry by NOAA.

That work will include the use of passive acoustic monitors throughout Maine's portion of LMA1 and parts of LMA3 to detect right whale vocalizations, aerial surveys, boat-based marine mammal surveys, and expanded monitoring of right whale food (zooplankton) in the Gulf of Maine.

The data resulting from that work, combined with harvester reporting and vessel tracking, will support a better understanding of the actual overlap between whales and lobster gear, and a

Patrick Keliher is the

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

more accurate assessment of the risk posed by the lobster industry.

I know that harvester reporting and vessel tracking are not liked by all, but they are necessary to ensure that future NMFS rules are based on real data, not on their "assumptions." We will keep industry updated on this important work as it progresses.

#### Menhaden

This summer also saw Maine begin the menhaden season with a major increase in quota, from 2 million pounds to more than 24 million pounds. That ten-fold increase in state quota has provided both menhaden and lobster harvesters much-needed certainty in their ability to harvest and source bait. By putting controls in place through rulemaking, DMR has managed to stretch that quota through most of the summer. It is my hope that with additional transfers we will avoid even entering the small-scale fishery this year. That of course is dependent on how long fish remain present this fall.

#### Funding for Gear Modification

DMR has also been administering a program over the summer to provide funds appropriated by Congress to state license holders who held a license in 2022 and federal permit holders with EEZ tags in 2022 who incurred expenses asso-

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# GULF OF MAINE ESCAPES "RECORD-BREAKING" NORTHWEST ATLANTIC TEMPERATURES

## By Melissa Waterman

The headlines were designed to shock: "Marine Heat Records Shattered" "Unprecedented Temperatures at Sea" or, as NASA put it, "The Ocean has a Fever." Sea surface temperatures throughout the globe hit high marks this summer, particularly in the Northwest Atlantic.

The Gulf of Maine, however, has had a relatively cool summer, which is odd given that the Gulf has been warming at a rate 3.5 times faster than the global average. In an interview with Boston's WBUR radio station, Dave Reidmiller, director of the climate center at the Gulf of Maine Research Institute (GMRI), succinctly explained the reason. "It was unusually rainy, gray and overcast for much of June and July. This is highly unusual in New England this time of year. And this broader meteorological pattern has basically kept cooler, wetter conditions here," he said.

The damp, cool, overcast and foggy weather that Mainers complained about for most of the summer had the net effect of keeping the Gulf of Maine cooler than it would have been given the overall temperature hike in the Atlantic Ocean this year.

But what effect will the record-breaking heat in the Northwest Atlantic have on the Gulf ecosystem in the future? That depends on how often such heat waves occur, according to GMRI scientist Kathy Mills.

"The Gulf of Maine has been warming for years now [approximately one degree F. each decade since the early 1980s, more rapidly since 2010]. There are short-term marine heat waves that cause short-term

effects," she said. Mills pointed out that in 2012, when Gulf temperatures shot up to record highs during the spring and early summer, longfin squid quickly moved into the Gulf. Researchers think that they may have preyed on the remaining Northern shrimp in the region; other researchers found that squid made up the majority of prey found in the bellies of tuna that season.

From "Enhanced warming of the Northwest Atlantic Ocean under climate change," Vincent Saba.

The long-term consequences of continued warming in the Gulf of Maine have already been seen in shifts among marine species found here. Northern shrimp have sought cooler waters. Cod populations have shifted to the Gulf's cooler easterly waters. New species, such as black sea bass and blue crabs, are now found in areas previously too cold for them to survive.

Something similar could take place in the greater Atlantic Ocean. "If there are repeat patterns of short-term heat events in the Northwest Atlantic, then we will see how the impacts play out among species," Mills said.

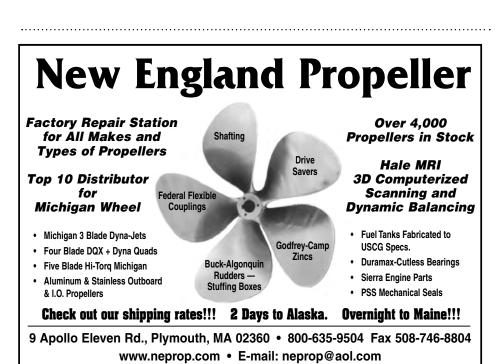
The Labrador Current, which travels south from the Arctic Ocean, and the Gulf Stream, which brings warmth north, influence the temperature in the Gulf of Maine. As the Arctic Ocean continues to warm and melt, the Labrador current has become both warmer and weaker. The Gulf Stream, once a sharply contained river of warm water, now has become a broader, more diffuse current. Its warm water spreads into the Gulf of Maine much more than in years past, adding to the Gulf's temperature change.

"These drivers are not going to reverse any time soon," Mills said.

While the Gulf of Maine has remained relatively cooler this summer than the neighboring Northwest Atlantic due to poor weather, July was still the fourth warmest July on record, according to GMRI data. In addition, the impacts of the developing El Niño weather pattern were not fully in place this summer, noted Mills. "We're just beginning to see El Niño now, not in the early summer. If it persists through next summer, it could be a major shock."







# **BAIT SUPPLY REMAINS STRONG**

#### By Melissa Waterman

The fundamental fact of the lobster fishery is that a lobster trap must have bait in it to catch lobster. What that bait is depends on the preferences of the lobsterman, the availability of different baits and, of course, the price. As Maine lobstermen head into the busy fall months, they keep a close eye on what types of lobster bait are available and in what quantity.

According to Jimmy Wotton, co-owner of Georges River Bait Company in Warren, frozen or "hard" bait is in good supply. "We've got plenty of bait," he said in mid-August, "lot of frozen pogies, redfish, carp, rockfish." The demand for frozen menhaden, or pogies, is low at the moment due to strong landings coming from local boats fishing for the popular fish. Wotton anticipates demand will rise for his frozen pogies when the menhaden schools move off in mid-September.

"We're still waiting for the herring," Wotton continued [the season opened on July 16]. "The fish are in shoal water now and the big boats can't get in. That will change though." In Herring Management Area 1A (inshore), vessels can catch up to 70.8% of the quota allotted to the area between June 1 and September 30; the remaining 27.2% is available from October 1 to December 31. The Area 1A quota this year is 3,315 metric tons (7.3 million pounds).

"We are sitting pretty good [in terms of supply] although prices [for bait] have dropped a bit," he said.

Brandon Lovejoy at J&K bait in Addison says supply and demand are "good overall." Prices for both herring and menhaden are down from last year. Like other bait dealers, he's noticed that the amount of herring coming in is less this year than last summer. "A lot of boats are fishing menhaden so that's strong," he said.

Maine's quota for menhaden jumped sharply this year. Last year the Atlantic States Marine Fisheries Commission (ASMFC) amended the menhaden fishery management plan, increasing the overall quota and changing the allocations to each state. The Total Allowable Catch (TAC) for menhaden in 2023 is 233,550 metric tons, a 20% increase from the previous year. Maine's allocation of the TAC is now 4.80%, or 24,510,314 pounds. In prior years Maine was allowed just a half-percent of the total quota. Maine was only able to exceed that quota by tapping unused quotas from other states allowing the Maine fleet to land at least 20 million pounds in each of the past four years.

Menhaden is flowing into lobster traps in Downeast Maine, according to Ben Durkee, proprietor of Bring It bait in Jonesport. His major problem? "We're competing against guys selling it cheaper," he said. The Department of Marine Resources Marine Patrol Bureau has instigated reports of Maine boats fishing more often and above their weekly quota this summer. "Throughout the coast, we've written plenty of tickets [this season]," said Marine Patrol Colonel Matt Talbot.

Durkee gets his herring from U.S. and Canadian suppliers. "It's still popular and the price is down a little compared to last year," he said. But, like Wotton, he also is waiting for volume to go up. "The boats are sort of struggling this year. They're trying to find where they are," he said.

# Keliher continued from page 3

ciated with complying with the latest federal right whale regulations, including gear marking, weak links, and trawling up.

In June, DMR mailed out letters explaining to each harvester whether they were eligible for a payment under this program or not. Eligibility requirements were outlined in a FAQ document. Harvesters who were deemed ineligible for the funds were given a chance to appeal that decision. We received over 100 appeals and have conducted a thorough review of each one over the past month.

We are submitting the check requests to the Atlantic States Marine Fisheries Commission (ASMFC) for those who were previously determined eligible, plus those whose appeals have been approved. We will notify awardees of the exact timing and amount of the payments when we have information from ASMFC, but we believe it will be sometime in September. It will take several more weeks to deal with some of the other appeals, because we will be collecting additional information as we investigate those claims.

Getting back to whales -- it is nice to have a bit of a break from some of the federal overreach. However, this mess is far from over. DMR is setting up a new science division to work on the issues listed above. We are maintaining our presence in D.C. through our lobbyist because the political pressure to overturn the Congressional action continues. We are also bringing on additional legal help so we are even better prepared for any possible appeals by the federal government or the national environmental groups.

I remain committed to this fight and ask that you don't let your guard down! We will certainly be doing more updates at this fall/winter Lobster Zone meetings.



Maine's increased menhaden quota has stabilized bait supply this year. Island Institute photo.

Lobstermen have learned to adapt to newer baits, such as pig hide, because the supply is steady. According to Durkee, pig hide remains a popular bait among lobstermen in his area, who often combine it with fresh bait. "But the price for it is up this year," Durkee said.

Tom Camino, owner of Nor'east Bait in York, focuses on pig hide bait, although this year he has also begun stocking frozen redfish heads from Iceland and Norway. He found that procuring pig hide from his usual suppliers, large pork manufacturers, has gotten harder since 2020. "The big companies are selling the hides overseas, through the fat trim market, primarily to China," he said. "I've gone to smaller plants but they have labor and product issues. I'll order a full truck and get half."

To ensure he has the variety and amount that his customers need, when they need it, Camino decided in 2021 to stock up on inventory in the winter and, as he put it, "just sit on it. If you don't then you will run out in summer and then when you order, they've raised their prices." He's also noticed this year that with the abundance of pogies, the demand for pig hide has dropped slightly.

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BOEM meetings continued from page 1

benefits of accurate data on lobster fishing activities or an understanding of the environmental impact of the floating turbines.

Currently, best available data do not include adequate fishing records from

Maine lobstermen who began 100% reporting on all trips this year. Maine's federal lobster boats will be subject to mandatory vessel tracking at the end of this year. Those data will not be available until 2024 and 2025 respectively. BOEM's commercial leasing process is occurring at the same time as the agency considers the state of Maine's application for a Research Array that would study the ecological and environmental effects of offshore wind energy and its viability within the Gulf. BOEM is moving forward with its aggressive commercial leasing process without the benefit of critical data that would be collected from the Research Array. A primary purpose of the Research Array is to inform that process.

MLA Board Member Bob Baines questioned how BOEM could come up with an accurate model without critical data

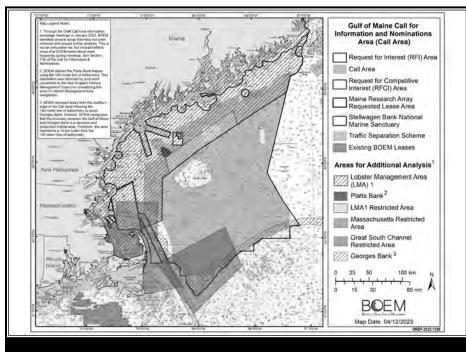
from the lobster industry. "You talk about how this is driven by data. Well, I'll reiterate what's been said. 100% mandatory reporting this year. 100% tracking next year. You've got the cart before the horse, because once this data comes out... this is already going to be a done deal," he said.

"We have a very well-managed, sustainable fishery. And if you put wind turbines out in LMA1 by the hundreds or even thousands... it's going to ruin our fishery. And it would be a shame because so many communities, so many families, depend on this fishery."

"The administration has said that it is our goal to have a lease sale by the end of 2024, but there's still a lot of value in the comments that say you'd like to see further delays in commercial leasing so that lessons can be learned from the research lease," Jylkka said.

BOEM presented the draft results of a spatial modeling analysis, which produced heat maps to depict areas of low, medium, and high areas of suitability, and asked the fishing community for feedback. "You don't have a lot of information from the lobstermen. Your green [medium suitability] areas and your

blue [high suitability] areas — that's where I live. You don't want to put those in my backyard. You want to put them in my living room. It's pretty upsetting," said Aldie Leeman at the Portland meeting.



Gulf of Maine offshore wind lease Call Area.

Others pointed out the migratory nature of lobster, questioning the viability of any such static modeling. An area identified today as an area of low activity might be an area of high activity years down the line. Environmental changes, such as warmer or colder water in a given season, and management changes that lead to greater or lesser fishing effort in specific areas, will influence lobster distribution. Lobstermen also questioned the effect of the turbines themselves on lobster behavior.

"The map is going to alter inevitably when you start destroying the environment," said Swans Island lobsterman and MLA board member Jason Joyce at the Ellsworth meeting. "Environmentally, you're disrupting the habitat. We know disruptions are going to happen."

The leases' duration was another point of concern. The average length of a commercial lease is 33 years, according to BOEM, starting from the point of sale and including one to three years for construction, 20-plus years of operation, and additional time for the decommissioning process, which requires companies to remove all physical structures and cabling and restore the benthic habitat to its original condition.

BOEM emphasized that offshore wind development is coming to the Gulf of Maine. Throughout all the July meetings, BOEM reiterated its desire and commitment to work with the fishing community to minimize the impacts to commercial fishing operations and identify priorities for research and monitoring.

BOEM staff also made clear that the agency understands the importance of LMA 1 to the region and is giving serious consideration to excluding this area from the lease sales. It remains essential for fishermen to continue engaging with BOEM as this process moves forward. Additional information on BOEM's lease development process in the Gulf of Maine is available at <a href="https://www.boem.gov/renewable-energy/state-activities/maine/gulf-maine">https://www.boem.gov/renewable-energy/state-activities/maine/gulf-maine</a>

 ${\it Offshore wind law continued from page 1}$ 

sponsibly sited offshore wind power projects with generation facilities located in areas outside of the area of the Gulf of Maine where the majority of lobster fishing or other significant commercial fishing occurs."

The state of Maine has been exploring offshore wind opportunities since 2008 when the Ocean Energy Task Force was established under the Baldacci Administration. The University of Maine launched a prototype floating offshore wind turbine off Castine in 2013. During this time, Statoil (now Equinor) explored developing an offshore wind pilot project in the waters offshore Boothbay but ultimately withdrew its plan. The University of Maine continues to pursue development of floating platforms for offshore wind turbines.

In 2020, the Mills Administration began pursuing its plan to develop a floating offshore wind research array of up to 12 turbines in waters off southern Maine. The state submitted its lease application to BOEM in October 2021 and currently is awaiting a decision. The Mills Administration published an Offshore Wind Roadmap in February 2023 detailing strategies for Maine to realize economic, energy, and climate benefits from offshore wind.

The new law does not create a specific requirement to develop floating offshore wind technology; Maine could procure offshore wind energy from fixed-wind turbines. This is a departure from earlier versions of the procurement bill.

The new law directs the Governor's Energy Office (GEO) to establish a schedule for the competitive solicitation of offshore wind projects and develop a Request for Proposals (RFP) to meet the state's goal to develop 3 GW of offshore wind by 2040. By January 2026 (or three months after the first BOEM auction for offshore wind leases in the Gulf of Maine), the state's Public Utilities Commission (PUC) must issue an RFP from developers for projects not less than 600 MW for cost-competitive commercial-scale developments.

The PUC must ensure that selected projects will result in contracts that are cost-effective for ratepayers, considering potential economic, environmental, and other benefits to ratepayers. The PUC is further directed to prioritize projects that "have generation facilities located outside of Lobster Management Area 1." The PUC must also prioritize projects that demonstrate an ability to provide in-state economic benefits, provide ratepayer benefits, support fair labor practices, provide employment and contracting opportunities for federally

 $recognized\ Indian\ tribes, workers\ from\ disadvantaged\ communities, and\ certified\ businesses.$ 

The new law further directs the Office of Tax Policy to explore development of a "Fishing Community Protection Tax Incentive Program" and report its findings back to the Legislature by February 2024. The program should include a tax credit of up to \$16 million annually for up to 20 years for qualified investors in offshore wind power projects. The tax credit will be designed to incentivize siting wind projects outside of LMA 1, protect ratepayers from additional costs associated with siting projects outside of LMA 1, and increase Maine's competitiveness in securing offshore wind projects and benefits.

Offshore wind development proposals must include a "Fishing Communities Investment Plan" to provide an annual investment in fishing communities, which may include loans, grants, and subsidized interest rates to support fishermen and fishing-related businesses. Developers must also commit to paying at least \$5,000 per megawatt of offshore wind power to the Offshore Wind Research Consortium Fund. The Fund's research investment will include fisheries research, environmental and wildlife research, monitoring and mitigation, and conservation.

The new law also authorizes the PUC to participate in regional or state-specific transmission procurement and conduct competitive solicitations for the development and construction of offshore wind energy transmission or related infrastructure projects. The PUC may consider proposals for projects that serve to upgrade the existing grid, extend the grid closer to offshore wind projects, upgrade optimal landfall approaches, or provide an interconnection between offshore wind substations.

Correction: The September issue of Landings incorrectly reported that all Senate Democrats supported LD 1895. Senator Grohoski and five House Democrats, Representatives Crafts, Hepler, Milliken, Perry, and Stover opposed the bill. We apologize for the error.

# **#SAVEMAINELOBSTERMEN SUMMER CONTINUES ALONG THE COAST**

By Kevin Kelley, MLA Director of Advancement



The MLA's tent and the cheerful face of office administrator Mindy Coath have been familiar sights along the coast this summer. MLA photo.

When the Maine Lobstermen's Association (MLA) kicked off its #SaveMaineLobstermen campaign in November 2021, one of the things we asked folks to ponder was "what would Maine be without lobster?" This summer, we learned just how much the lobster means to our state as our small team spread out to attend festivals and celebrations up and down the coast.

On Saturday, July 29, we loaded the car with #SaveMaineLobstermen and MLA merchandise and headed to Milbridge for the 2023 Milbridge Days celebration. The theme of this year's festival, celebrating the town's 175th birthday, was "Party like a LobStar!" and they sure did! The weekend festival featured concerts, a grand parade, events for kids, and (of course!) the annual Fire Department Lobster Cookout. We dare say thousands of people filled the streets and stopped by the MLA booth on Main Street to purchase gear, renew their membership, learn about the work MLA is doing, or just say hi. Special thanks to the festival committee and especially Cathy Chipman for inviting MLA to be a part of this wonderful community celebration.

On August 3, the MLA, in collaboration with the Maine Lobstermen's Community Alliance (MLCA), was delighted to announce a partnership with the Maine Lobster Festival in Rockland to raise awareness of the importance of the Maine lobster industry, and the families and communities it supports, through the #SaveMaineLobstermen campaign.

At a news conference announcing the first-ever partnership between our industry advocacy organizations and the popular Lobster Festival, MLA chief operating officer Amber-Jean Nickel, who is also president of the MLCA, thanked Festival Director Shannon Kinney for working with our organizations to help raise awareness and funds with donation buckets around the event.

"The Maine Lobstermen's Community Alliance and the Maine Lobstermen's Association are pleased to be working closely with leadership of the Maine Lobster Festival to not only showcase our state's iconic lobster, but to highlight the generations of hardworking men and women who have dedicated their life to ensuring the future of this sustainable fishery," said Nickel.

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"Now more than ever, it is important that we all raise awareness and show our unwavering support for the Maine lobster industry as they face enormous downward price pressure, lower catches and rising costs, limitations and boycotts related to right whales, and much more. This industry drives our economy here in the Midcoast and throughout Maine and has supported many families here for generations. It is also an industry that takes sustainability and conservation VERY seriously. We need to stand with our lobstermen and women to do all we can to help the cause. The Maine Lobster Festival is proud to be part of the Save Maine Lobstermen campaign and these organizations' important work," said Kinney.

Congresswoman Chellie Pingree and Rockland Mayor Louise MacLellan-Ruf also participated in the news conference.

Both the MLCA and MLA were delighted to be included in this year's Festival and plans are already in the works to have an even bigger presence next year!

We barely had time to restock the shelves of our #SaveMaineLobstermen gear store before we had to pack the car yet again and head on over to Machias for the 46th Annual Machias Wild Blueberry Festival on Saturday, August 19th.

There is no question that both the blueberry and lobster loom large over the economy of Downeast Maine, and MLA was pleased to have a booth in the courthouse lot along with several other local organizations and craftspeople. MLA board president Kristan Porter spent the afternoon selling #SaveMaineLobstermen T-shirts and sweatshirts and talking about the challenges facing the lobster industry to folks from all over the country. No matter where they live, though, they all had one thing in common — their support for Maine's lobster industry. Without fail, everyone who



Kevin Kelley, left, and MLA President Kristan Porter at Helen's Restaurant in Machias. J. Barker photo.

 $Continued\ on\ page\ 22$ 



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# MAINE LOBSTERMEN'S ASSOCIATION UPDATE

# Maine Lobstermen's Association

Advocating for a sustainable lobster resource and the fishermen and communities that depend on it since 1954.

President: Kristan Porter Cutler, 460-0560 Vice-President: Craig Stewart Long Island, 653-6914 Vice-President: Jarod Bray Matinicus, 542-8961 Treasurer: Jim Dow Bass Harbor, 460-2565 Secretary: Chris Welch Kennebunk, 205-2093

#### Directors

Bob Baines, Spruce Head, 596-9121 Joshua Beal, Milbridge, 479-9624 Sonny Beal, Beals Island, 356-1684 Laurin Brooks, Kennebunk, 468-2165 Herman Coombs, Orr's Island, 807-8596 Gerry Cushman, Port Clyde, 372-6429 Dustin Delano, Friendship, 542-7241 Jamien Hallowell, S. Bristol, 380-7976 Robert Ingalls, Bucks Harbor, 271-7199 Jason Joyce, Swan's Island, 526-4109 John McCarthy, Vinalhaven, 863-9984 Jack Merrill, Islesford, 244-7884 Troy Plummer, Boothbay, 350-7280 John Tripp, Spruce Head, 691-9744 Thomas Werner, Cape Elizabeth, 807-1048

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# **STEAMING AHEAD**BY AMBER-JEAN NICKEL, COO

The summer fog lifted (for most of us) and Maine's coast is once again showing off its beauty. It's hard not to notice! It's why you call the coast home, yet it is also something that will never get old.

The MLA has been out of the office as much as possible these past three months, at boat races, festivals and fundraising events, in order to spread the word that the fight against punitive federal regulations targeted at the lobster fishery is ongoing.

While the National Marine Fisheries Service's (NMFS) regulatory sword that was hanging over our heads is gone for the moment, the need for organized resistance built on

sound science and not piein-the-sky assumptions is as strong now as it was six months ago.

Antonina Pelletier, MLA membership director, has trekked the coast with Mindy Coath, our administrator extraordinaire, and Rebecca Nuzzi, our new policy associate, to many of the lobster boat races this summer. They sold MLA swag, talked with anyone and everyone about the MLA's legal efforts, and collected donations.

People gave money but also stayed to chat about why our work is so important to them and their community, what the MLA means to them,

or to tell tales of their lives and the lives of their parents or grandparents on the water. Lobstermen may bicker, we may not see eye-to-eye, but we have proved that we will all join forces to protect what is important for this fishery. So, if you see a #SaveMaineLobstermen hoodie, hat or shirt, thank the person for their support!

Adding to our adventures, MLA staff have spoken at fundraisers and festivals throughout the summer, which have given all of us opportunities to really chat about the details. Yes, the MLA won its court case, remanding NMFS's ill-conceived Biological Opinion back to the lower court. Yes, the lobster fishery continues under the 2021 whale rule. And yes, a lot of money is coming from Congress to evaluate alternative lobster gear and to support research specific to the fishery and North Atlantic right whales.

However, the clock is still ticking. NMFS must revise the Biological Opinion and resulting whale rules in order to comply with the Endangered Species Act after 2028. The MLA must continue to be at the table to ensure that sound science and unbiased assumptions are baked into the Biological Opinion from its inception or we will be in

trouble once again when NMFS is done. We need good science and sound legal representation, both of which require money.

People really are amazed when I tell them how much we've accomplished with such a small staff. There are never enough hours in the day but some how the magic happens. It is not unheard of to start getting texts or emails before breakfast or well into the late night and every hour in between. Our aim is to get lobstermen the information and support and they need to know what is going on at the state and federal levels and what to be prepared for.

 $The \, MLA \, board \, is \, the \, other \, heavy lifter. \, Every board \, member \,$ 

is a lobsterman, lives on the coast and is in the thick of all the same concerns that every MLA member has. So, when the MLA board decides that something needs to be addressed, researched or advocated for, it is because there is a real need. There isn't an ulterior motive or agenda, just a need.

This summer it became clear that the future of Maine's lobstermen is now an issue for many additional organizations besides the MLA. The Maine Lobster Festival did more than ever before to share your stories and remind people

that small actions of support add up to big impacts. The Maine Lobster Marketing Collaborative asked every visitor to Maine to eat lobster (and eat it every chance they could!). A new organization, the New England Fishermen's Stewardship Association, stepped forward a few months ago to join the fight against offshore wind energy development and other activities that threaten the Gulf of Maine and its fishermen.

I truly hope that you look at this time, filled with so many changes and challenges, and recognize that you aren't in it alone. You have a team working behind the scenes who are dedicated to you, your families and Maine's lobster heritage.

Good luck in the fall season and may you stay safe.





By attending summer festivals, like Milbridge's 175th anniversary, the MLA is spreading the word about its work and the challenges ahead for the Maine lobster fishery. MLA photo.





# MAINE LOBSTERMEN'S ASSOCIATION UPDATE

#### MLA DIRECTORS MEETING

The MLA Board did not meet in August. The next Directors' meeting is scheduled for September 13 at Darby's Restaurant in Belfast.

#### RIGHT WHALE UPDATE

#### Three Whale Lawsuits Still Pending

The MLA remains active in three lawsuits related to North Atlantic right whales. The MLA earned its historic victory in June 2023 when the Washington D.C. Appeals Court unanimously ruled that the National Marine Fisheries Service (NMFS) violated the law in issuing its most recent Biological Opinion and whale rule. The win overturned the D.C. District Court's previous ruling. NMFS had until July 31 to challenge the Appeals Court's unanimous ruling but were granted a 30-day extension. The MLA case remains open to challenge until August 31. Once all challenges are resolved, the Appeals Court will order District Court Judge Boasberg to require NMFS to develop and implement a new Biological Opinion which can no longer use worst-case scenarios and pessimistic assumptions as the basis for whale conservation regulations.

In May, the federal government filed a motion to dismiss the environmental groups' lawsuit against NMFS. That case accused NMFS of not making its whale rule stringent enough. The Court will not rule on this motion until the Appeals Court issues an order back to the District Court regarding MLA's lawsuit. The federal government has until August 31 to challenge the Appeals Court's decision

In March 2023, the MLA, along with several other plaintiffs, sued the Monterey Bay Aquarium for defamation over its red listing of Maine lobster. As of August 2023, all parties have filed replies and responses to the original Complaint. Parties are awaiting direction from the court on a timeline for the next phase of this case.

# Right Whale Tagging Workshop

A right whale tagging workshop is scheduled for September "to review and evaluate progress in current telemetry tag attachment technologies for large whales, and to inform potential future tagging of North Atlantic right whales." The three-day workshop is primarily focused on convening experts on telemetry tags, large whales and their health; however, the first day (September 12) will be open to all interested parties via webinar. This will provide the public an opportunity to attend presentations and discussions on right whale conservation research needs, the history of telemetry tag development and use for large whales, the regulatory permitting environment in the United States and Canada and tagging best practices. The workshop has been organized by NOAA Fisheries, the Marine Mammal Commission, and the Office of Naval Research in coordination with the Fisheries and Oceans Canada.

The expert-only sessions will review experiences using different tag types on large whales, review follow-up studies to examine the effects of tagging on baleen whales and discuss the utility of different telemetry tag types with respect to research questions. The results of the workshop will inform U.S. and Canadian regulatory agencies regarding: 1) North Atlantic right whale management questions that could be answered through satellite telemetry, 2) Risks and benefits of each tag type, and 3) Questions or gaps in knowledge to be considered in evaluating proposals to tag North Atlantic right whales.

A workshop summary will be presented at the North Atlantic Right Whale Consortium Meeting in October 2023. The public can register to attend the workshop at <a href="https://www.eventbrite.com/e/narw-tagging-workshop-virtual-attendance-tickets-698581555237?aff=oddtdtcreator">https://www.eventbrite.com/e/narw-tagging-workshop-virtual-attendance-tickets-698581555237?aff=oddtdtcreator</a>.

# $Ropeless\ Consortium\ and\ North\ Atlantic\ Right\ Whale\ Consortium\ Annual\ Meetings$

The Ropeless Consortium's Annual Meeting will take place on October 23; the North Atlantic Right Whale Consortium Meeting will be held October 24-25. Both meetings will be held in Halifax, Nova Scotia and will be offered with an in-person option and a remote participation option. The live meeting will consist of a limited number of live presentations as well as Q&A sessions with presenters (both live and pre-recorded) in each of the topic sessions. Most presentations are pre-recorded and should be viewed in advance of the meeting. Participants will also have an opportunity to submit questions/comments in advance of the meeting as well as during the meeting. The ropeless consortium meeting will feature updates on the latest research regarding ropeless gear, while the right whale consortium meeting will feature updates on the latest research on right whales in the U.S. and Canada. FMI: www.ropeless.org and www.narwc.org.

# On Demand Gear Inter-operability workshop

NOAA Fisheries is hosting an On-Demand Interoperability Workshop from November 28-30 in the Boston area. According to NOAA, collecting, transmitting, and visualizing on-demand gear location information in near real-time is challenging in high density fishing areas. Fishing vessels have different onboard technology, most lack internet connectivity, and there are many companies offering different approaches for deploying, tracking, and retrieving on-demand fishing gear. This workshop seeks to bring together on-demand fishing gear manufacturers, underwater acoustics experts, fishing industry leaders, federal and state fishery managers, and other relevant partners to discuss the development of draft acoustic communication standards, and data specifications, to support the interoperability of on-demand fishing. November 28-29 will focus on the technical components, while November 30 will bring together state and Federal agency managers to discuss future steps for implementing on-demand fishing.

# NEW REPORT DETERMINES ROPELESS FISHING NOT ECONOMICALLY VIABLE

The Massachusetts Division of Marine Fisheries (DMF) completed the second phase of a multi-year project evaluating the operational, technological, and socioeconomic impacts of ropeless lobster gear. The report determined that if ropeless gear had been deployed fleet-wide in Massachusetts last year, the loss of annual revenue was estimated to be \$40 million and the foregone harvest was pegged at 3.5 million pounds less. The findings estimate the changes in costs and operating revenue associated with the use of on-demand gear on a per-trip basis for Massachusetts fishing vessels.

## NMFS PUBLISHES REPORT ON RISK OF KNOTS AS WEAK POINTS

NMFS recently released an August 2022 report that determined that knots should not be approved as weak insertions for buoy lines under the Take Reduction Plan regulations. The report presents advice from the Working Group on Marine Mammal Unusual Mortality Events on the entanglement risk to whales from knots in fixed gear fisheries.

NMFS writes, "Although it is a complex issue, the Working Group agreed that knots in buoy lines could increase the risk of an entanglement. Some knots in buoy lines are inevitable. However, based on the findings from this report, previous concerns raised by members of the Atlantic Large Whale Take Reduction Team about the risk of knots, and additional concerns about the effectiveness and enforceability of knots as weak inserts, are supported." The report is available online at https://repository.library.noaa.gov/view/noaa/51032.

# RIGHT WHALE DEATHS, ENTANGLEMENTS

As of August 28, NMFS has two confirmed right whale deaths. The first was a perinatal mortality observed off of North Carolina, and the second was Right Whale 3343 off of Virginia Beach which is a suspected vessel strike. Four serious injuries have been observed, all from entanglement: Right Whale 4904 off North Carolina (January), Right Whale 1218 (Argo) off North Carolina (January), Right Whale 4545 off Southern Massachusetts (February) and Right Whale 2930 in the Gulf of St. Lawrence (June). The location is where the whale was observed and does not represent the origin of the entangling gear.

NMFS reported a new right whale entanglement (Right Whale 4042, a 13-year-old male) on July 16 in the western part of the Gulf of St. Lawrence. A trailing line was visible but no buoys or traps were seen. This whale was last seen gear free on July 8, 2023 in Canadian waters. This entanglement is currently classified as a non-serious injury because it has non-constricting wrap.

# OFFSHORE WIND UPDATES

LD 1895 An Act Regarding the Procurement of Energy from Offshore Wind Resources was signed into law on July 27. The MLA strongly opposed the offshore wind procurement bill. This law sets a new state goal to achieve 3,000 megawatts (3 GW) of installed offshore wind by 2040. The complex law includes directives for port development, opportunity for Maine workers and businesses in the emerging offshore wind industry, and protections for the lobster industry. The final law includes several provisions aimed at protecting the lobster industry including priority consideration of offshore wind proposals sited outside LMA 1, development of a tax incentive program to offset the cost to developers of siting outside LMA 1, and a requirement that developers invest in research on impacts of offshore wind, among other provisions. A full summary of the new law appears in this issue of Landings.

Correction: The MLA pages in the September issue of Landings incorrectly reported that all Senate Democrats supported LD 1895. Senator Grohoski and five Democrats on the House side (Representatives Crafts, Hepler, Milliken, Perry, and Stover) opposed the bill. The MLA is tremendously grateful for their support and we apologize for the error.

In August, the MLA signed onto a letter organized by New England Fishermen's  $Continued\ on\ page\ 10$ 



# MAINE LOBSTERMEN'S ASSOCIATION UPDATE

MLA Update continued from page 9

Stewardship Association (NEFSA) sent to the New England, New York and New Jersey federal delegations and Governors. The letter highlighted important research findings regarding the impacts of offshore wind on fisheries, and outlined three objectives: 1) rescind the existing Gulf of Maine Call Area; 2) inform commercial-scale leasing with data from the Maine Research Array and only proceed after sufficient research and monitoring has been conducted; and 3) conduct a Programmatic Environmental Review for the Gulf of Maine prior to identifying any commercial wind energy areas. The letter was endorsed by Responsible Offshore Development Alliance (RODA), the MLA, Maine Coast Fishermen's Association, Downeast Lobstermen's Association, Long Island Fishing Association, New England Young Fishermen's Alliance, Maine Lobstering Union, and New Hampshire Commercial Fishing Association.

The MLA submitted comments to BOEM on its draft Environmental Assessment which characterizes the potential environmental impacts of the site assessment activities that are expected to take place should the wind energy lease for the Research Array be issued to the State of Maine. The MLA's overarching concern is that BOEM's conclusions of "minor to negligible" impacts across all categories are questionable because BOEM does not have sufficient data to support them. The MLA also questioned the need for the Research Array if BOEM moves forward with commercial offshore wind development before the project can contribute meaningful data.

#### **BAIT UPDATE**

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## Menhaden

The 2023 Maine Menhaden season opened to pound nets and fish weirs on June 1 and to all other gears on June 19. Maine's allocation of Atlantic menhaden quota is 4.80% of the available 233,550 metric tons, or 24,510,314 lbs. Maine is also permitted to participate in the Episodic Events Fishery Set Aside (EESA) fishery program after the state allocation has been landed, with approximately 5.1 million lbs. for the 2023 season.

<u>State Allocation Fishery:</u> As of August 21, the DMR reported landings of 20,036,403, or 82% of the state menhaden quota.

<u>Episodic Event Fishery:</u> Once the state fulfills its quota under the state allocation fishery, the ASMFC will authorize the opening of the EESA fishery program, which allows for 4,285,786 lbs., with a daily vessel limit of 6,000 lbs., or 17 barrels per vessel, to be harvested on Mondays and Fridays.

<u>Small Scale Fishery:</u> The state opens the small-scale fishery only after full utilization of the State Allocated fishery and EESA. Landings will be limited to Mondays, Wednesdays, and Fridays, with each vessel operating under a daily limit of 6,000 lbs., or 17 barrels. Vessels are not to exceed 18,000 lbs., or 51 barrels, per week.

Throughout the season, pound nets and fish weirs are permitted to land 7 days per week, with a daily limit of 1,050 lbs., or 3 barrels per harvest vessel. Gears include bait gillnets, cast nets, hand seins, and fish traps.

Menhaden Commercial State Allocation Fishery Landings						
As of August 21, 2023						
Quota (lbs)	Reported Landings (lbs)	% Quota Caught	% Quota Remaining			
24,510,314	20,036,403	81.75%	18.25%			
Source: ME DMR						

### Herring

The ASMFC Herring Management Board set the sub-annual catch limit (ACL) for Area 1A, and quota allocation by season. The 2023 Area 1A quota is 3,050 metric tons (mt), after adjusting for overages from 2022, the 30 mt fixed gear set-aside, as well as the fact that Area 1A closes at 92% of the sub-ACL. ASFMC's seasonal allocation for Area 1A is 72.8% from June 1 - September 30, and 27.2% from October 1 - December 31.

The 2023 Area 1A fishery opened on July 16, with fishermen permitted one landing per day, on five consecutive days per week. Atlantic herring Category A permit holders may harvest up to 320,000lbs (or 8 trucks) per harvester vessel. Herring cannot be transferred between harvester and carrier vessels while at sea. *Note: the Area 1A fishery closed on August 26 through September 30.* 

Cumulative Landings Atlantic Herring							
	As of August 25, 2023						
Area	Quota (mt)	<b>Total Catch</b>	% of Annual Catch Limit				
1A	3315	2092.8	63.13%				
1B	555	193.8	34.92%				
2	3589	456.6	12.72%				
3	4806	5140.1	106.95%				
Annual Catch Limit	12287	7177.8	58.40%				
Source: NMFS Atlantic Herring Quota Monitoring							

The Atlantic herring Area 1A (inshore Gulf of Maine) fishery regulations include seasonal spawning closures for portions of state and federal waters in Eastern Maine, Western Maine and Massachusetts/New Hampshire. ASMFC implemented the Eastern Maine spawning closure from August 28 through October 8, 2023. This is the default closure because there were no samples available from the Eastern Maine spawning area to determine spawning condition. If no samples are available for Western Maine or the Massachusetts/New Hampshire spawning areas, the closure will begin on the default date of September 23 for both areas.

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

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Finestkind Scenic Cruises	Maine Sea Grant	South Bristol Fishermen's				
First National Bank	Marine Hydraulic	Cooperative				
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Georgetown Fishermen's	McMillan Offshore	Products				
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Gulf of Maine Lobster	Midcoast Marine Supply	Fishermen's Cooperative				
Foundation	Midcoast Solar LLC	The Clam Shack				

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# NATIONAL SEAFOOD STRATEGY

In August, NOAA Fisheries released its first National Seafood Strategy in response to the unprecedented challenges facing the U.S. seafood industry, including climate change, the coronavirus pandemic, new technologies and other ocean uses, significant labor shortages, and aging infrastructure. The National Seafood Strategy vision is to ensure that U.S. seafood continues to be produced sustainably; the seafood sector contributes to the nation's climate-ready food production and to meeting critical domestic nutritional needs; seafood production increases to support jobs, the economy, and the competitiveness of the U.S. seafood sector; supply chains and infrastructure are modernized with more value-added activity in the United States; and opportunities are expanded for a diverse and growing seafood workforce. The report is available online at <a href="https://www.fisheries.noaa.gov/feature-story/noaa-fisheries-releases-national-seafood-strategy">https://www.fisheries.noaa.gov/feature-story/noaa-fisheries-releases-national-seafood-strategy</a>.



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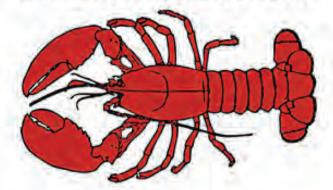
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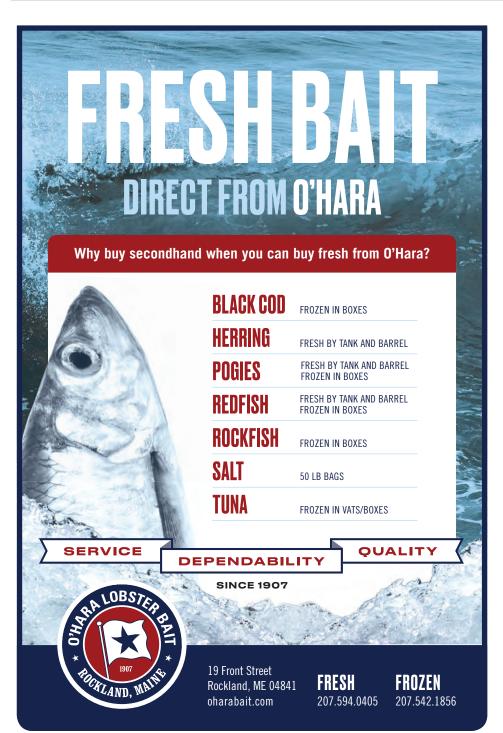
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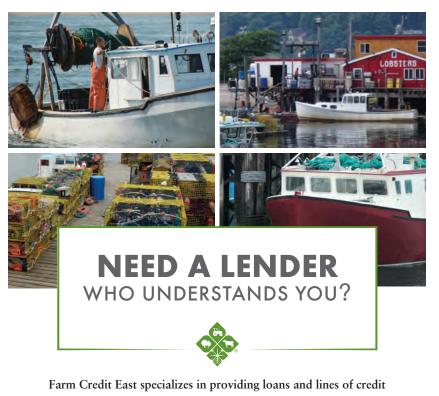
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Experimental Lease Applications						
Bremen	Davidson, Colby	E of Hog Island, Muscongus Bay	4 acres	Marine Algae	3 yrs	App1 rec'd 9/27/22; site visit completed
Bremen	Davidson, Colby	E of Hog Island, Muscongus Bay	3.89 acres	Marine Algae	3 yrs	App2 rec'd 9/27/22; site visit completed
Bristol	Unicorn Oyster	E of Perkins Point, Damariscotta Rvr	3.9 acres	Shellfish	3 yrs	App rec'd 11/17/22; site visit completed
Brunswick	Green, Christopher	The Reach	2.71 acres	Shellfish	3 yrs	App rec'd 11/18/22; site visit completed
Chebeague Isl	Chebeague Island Oyster Co	SW corner Chandlers Cove, Casco Bay	2.4 acres	Shellfish	3rs	App rec'd 3/21/23; comments due 4/22/23
Cumberland	Nappi, Brent	East of Sturdivant Isl, Casco Bay	4 acres	Marine Algae	3 yrs	App rec'd 4/11/22; comments due 5/14/22
Damariscotta	Black Stone Point Oyster	E of Blackstone Pt, Great Salt Bay	3.45 acres	Shellfish	3 yrs	App rec'd 5/9/23; comments due 6/10/23
Deer Isle	Salt of the Earth Seafarm	E of Barred Isle, Penobscot Bay	3.95 acres	Marine Algae	3 yrs	App rec'd 6/15/23; comments due 7/15/23
Edgecomb	Glidden Point Oyster Co.	SW of Dodge Pt, Damariscotta River	3.97 acres	Shellfish	3 yrs	App rec'd 12/1/22; site visit completed
Falmouth	Martin, Thomas	E of Brothers Islands, Casco Bay	0.15 acres	Shellfish	3 yrs	App rec'd 2/7/22; comments due 3/12/22
Falmouth	Nappi, Brent	S of Clapboard Isl, Casco Bay	4 acres	Marine Algae	3 yrs	App rec'd 4/11/22; comments due 5/14/22
Freeport	DiMauro, Levi	W of Little French Isl, Casco Bay	3.92 acres	Marine Algae	3 yrs	App rec'd 1/10/23; site visit completed
Freeport	Love Point Oysters LLC	East of Pettingill Island, Maquoit Bay	3.99 acres	Shellfish	3 yrs	App rec'd 6/1/23; comments due 7/1/23
Freeport	Ryan, Stuart	SW side of Williams Isl, Casco Bay	2.4 acres	Shellfish/algae	3 yrs	App rec'd 2/7/22; comments due 3/12/22
Friendship	Cutts, Joe	E end of Friendship Long Isl, Meduncook Rvr	2.2 acres	Shellfish	3 yrs	App rec'd 12/13/22; site visit completed
Harpswell	Dutton, Terry	N-NE of Flash Island, Ridley Cove	3.99 acres	Marine Algae	3 yrs	App rec'd 6/22/23; comments due 7/23/23
Harpswell	Weeks, Benjamin	E/Dingley Isl, SE/Long Isl, New Meadows Rvr	4 acres	Marine Algae	3 yrs	Apps 1&2 rec'd 5/23/23; comm. due 6/25/23
Harpswell	Wilson, David	Wilson Cove, Middle Bay	4 acres	Shellfish	3 yrs	App rec'd 5/2/22; site visit completed
Harpswell	Wilson, David	SE of Doughty Pt, Long Reach	4 acres	Shellfish	3 yrs	App rec'd 4/12/22; comments due 5/15/22
Isleboro	Grindle, Kimberly	Turtle Head Dove, Penobscot Bay	4 acres	Marine Algae	3 yrs	App rec'd 1/31/23; comments due 3/4/23
Isleboro	Lindelof, Jett	E of Job Isl, Penobscot Bay	4 acres	Marine Algae	3 yrs	App rec'd 3/21/23; comments due 4/22/23
Isleboro	Lindelof, Lake	W of Middle Isl, Penobscot Bay	4 acres	Marine Algae	3 yrs	App rec'd 3/21/23; comments due 4/22/23
Kennebunkport	Hutchins II, Edward	NE of Cape Porpoise Harbor	4 acres	Marine Algae	3 yrs	App withdrawn by applicant
Lincolnville	Heal, Nicholas	East Ducktrap Harbor	3.99 acres	Marine Algae	3 yrs	App 1 rec'd 6/29/23; comments due 7/29/23
Long Island	Great Ledge Cove Seafood	W of L'il Chebeague Isl, Casco Bay	4 acres	Marine Algae	3 yrs	App rec'd 6/20/23; comments due 7/22/23
Long Island	Shearwater Ventures LLC	NW of L'il Chebeague Isl, Casco Bay	3.86 acres	Marine Algae	3 yrs	App rec'd 3/21/23; comments due 4/22/23
Newcastle	Smith, Peter	Upper Dodge Cove, Damariscotta Rvr	3.96 acres	Shellfish	3 yrs	App withdrawn by applicant
Northport	Heal, Nicholas	East Ducktrap Harbor	3.99 acres	Marine Algae	3 yrs	App 2 rec'd 6/29/23; comments due 7/29/23
Portland	Restorative Aquaculture	WSW of Mackworth Isl, Casco Bay	3.38 acres	Shellfish/algae	3 yrs	App rec'd 2/18/22; site visit completed
Searsport	FV 11th Hour, Inc.	SW of Sears Isl, Penobscot Bay	3.94 acres	Marine Algae	3 yrs	App rec'd 3/21/23; comments due 4/22/23
Searsport	Nichols Fisheries	S of Sears Isl, Penobscot Bay	3.94 acres	Marine Algae	3 yrs	App rec'd 1/17/23; comments due 2/18/23
South Bristol	Glidden Point Oyster Co.	W of Prentiss Isl, Damariscotta River	3.99 acres	Shellfish	3 yrs	App re-rec'd 2/28/23; comments due 4/1/23
South Bristol	Nor'Easter Oyster Co.	Midd.Branch, NE of Peabow/W of Foster, Johns Rvr	3.32 acres	Shellfish	3 yrs	App rec'd 7/18/23; comments due 8/19/23
South Bristol	Norumbega Oyster Inc.	Eastern Shore S of Merry Isl, Damariscotta Rvr	2.78 acres	Shellfish	3 yrs	App rec'd 2/28/23; comments due 4/1/23
St. George	Albatross Fisheries	W of Caldwell Island, end of St. George River	4 acres	Marine Algae	3 yrs	App rec'd 7/13/23; comments due 8/12/23
St. George	Miller/HyvarinenPhilbrook	NW of Seavey Ledges, Penobscot Bay	3.99 acres	Marine Algae	3 yrs	App rec'd 6/1/23; comments due 7/1/23
St. George	Schroeder, Jeffrey	Turkey Cove, St. George River	.9 acres	Shellfish	3 yrs	App rec'd 2/23/23; comments due 3/25/23
St. George	Schroeder, Jeffrey	Turkey Cove, St. George River	2 acres	Shellfish	3 yrs	App rec'd 6/1/23; comments due 7/1/23
St. George	Tarbox, Brian	NW of Norton Isl, Wheeler Bay	3.99 acres	Marine Algae	3 yrs	App rec'd 6/22/23; comments due 7/22/23
Steuben	Pinkham, Randy	E of Chair Pond Head, Pegeon Hill Bay	3.99 acres	Marine Algae	3 yrs	Apps 1&2 rec'd 3/28/23; comm. due 4/29/22
Steuben	Sokoloski, Victor	E of Chair Pond Head, Pegeon Hill Bay	3.99 acres	Marine Algae	3 yrs	Apps 1&2 rec'd 3/28/23; comm. due 4/29/22
Swan's Island	Johnson, Ezra et al.	NE part of Burt Coat Harbor	1.6 acres	Shellfish	3 yrs	Lease Granted 8/17/23
Waldoboro	Bennett, T & Simmons, A	N of Haystack Island, Medomak River	2.52 acres	Shellfish	3 yrs	App rec'd 3/3/22; comments due 4/2/22
Walpole	Dodge Cove Marine Farm	N of Glidden Ldg, W of Fitch Cv, Damariscotta Rvr	1.9 acres	Shellfish	3 yrs	App rec'd 3/21/23; comments due 4/22/23
Yarmouth	Gerber, Caitlin	SE of Moshier Island, Casco Bay	4 acres	Marine Algae	3 yrs	App rec'd 8/25/22; site visit completed
Yarmth & Freeprt	Dirigo Marine Resources	NE of Moshier Island, Casco Bay	3.9 acres	Marine Algae	3 yrs	App rec'd 8/4/22; site visit completed
York	So ME Sustainable Shellfish	W of Sewall's Bridge, York Rvr	0.97 acres	Shellfish	3 yrs	App rec'd 3/21/22; comments due 4/23/22
101K	30 ME Sustamable Shelliish	w of sewalls bridge, TOLK KVI	0.57 acres	SHEIIIISH	3 yrs	App recu 3/21/22; comments due 4/23/22

# Understand the process! You can make a difference!









Standard Lease Applications						
Bar Harbor	Pemaquid Mussel Farms	Mt Desert narrows, E of Googins Ledge	32 acres	Shellfish	20 yrs	Pub. Hear. 5/2/23 4pm Mt. Desert Isl HS Lib.
Bay Harbor	Acadia Aqua Farms LLC	SW of Googins Ledge, Frenchman Bay	48 acres	Shellfish	20 yrs	Hearing completed 3/28/22
Beals	The Flying Place LLC	W of Beals-Great Wass Cswy, Flying Place Pound	5.57 acres	Shellfish	20 yrs	App rec'd 3/21/23; site review TBD
Boothbay Harbor	Yentsch, Carlton	W of Samoset Rd, Bottle Cove	1.12 acres	Shellfish	20 yrs	App rec'd 10/27/22; site review TBD
Brunswick	Ferda Farms LLC	E of Lower Coombs Isl, New Meadows Rvr	2.33 acres	Shellfish	20 yrs	App rec'd 2/28/22; site visit completed
Brunswick	Johnson, Timothy	SE of Barnes Pt, Middle Bay	17 acres	Shellfish	20 yrs	Lease Granted 5/30/23
Chebeague Isl	Great Ledge Cove Seafood	NE L'il Chebeague Isl, Wstrn Chandlers Cv	6.85 acres	Marine Algae	20 yrs	Pub. Hearing 8/15/23 1:30 Chebeague Isl Hall
Chebeague Isl	Hunt, Stewart	N/NE of Seal Ledge, Casco Bay	13.75 acres	Shellfish/algae	20 yrs	Pub. Hearing 8/15/23 1:30 Chebeague Isl Hall
Damariscotta	Mook Sea Farms Inc.	Days Cove, Damariscotta Rvr	4 acres	Shellfish	20 yrs	App rec'd 11/8/22; site visit completed
Deer Isle	Barrows, Abigail	South of Big Hay Isl, Pickering Cove	4.24 acres	Shellfish	20 yrs	App 7/26/22; species chg comm. due 4/8/23
Deer Isle	Deep Blue Aquaculture LLC	W of Hog Island, Eastern Penobscot Bay	41.2 acres	Shellfish	20 yrs	App rec'd 4/4/23; site review TBD
Deer Isle	Melvin, A & Klein, J	Between Oak Pt & Campbell Isl, Fish Creek	4.74 acres	Shellfish	20 yrs	Scop. sess. 8/4/23 3pm Deer Isle Parish House
Edgecomb	Glidden Point Oyster Co.	Damariscotta River	.2 acres	Shellfish	20 yrs	Scop. sess. 7/27/23 3pm Edgecomb Town Hall
Freeport	Coffin, Bailey	W of Sow & Pigs Isl, Casco Bay	6.84 acres	Shellfish	20 yrs	Pub. Hear. 5/23/23 1pm Freeport Town Hall
Freeport	Sparta, Kenneth Curtis	W of Crab Isl, Casco Bay	8.25 acres	Shellfish/algae	20 yrs	App rec'd 3/25/22; site visit completed
Georgetown	Gaffney, Michael & Mark	N of L'il Phoebe Isl, Robinshood Cove	7 acres	Shellfish	20 yrs	App rec'd 11/24/21; site visit completed
Hancock	Taunton Bay Oyster Co, Inc.	South of Burying Island, Taunton Bay	7.46 acres	Shellfish	20 yrs	Scop. sess. 7/18/23 6pm Hancock Town Office
Harpswell	Butterfield, Keith	SW of Lower Goose Isl, Casco Bay	25 acres	Shellfish	20 yrs	Scop. sess. 1/14/22 4pm Harpswell Town Hall
Harpswell	Goose Island Oysters LLC	W of Upper Goose Isl, Middle Bay	10.4 acres	Shellfish/algae	20 yrs	App rec'd 1/31/23; site review TBD
Harpswell	Love Point Oysters LLC	Middle Bay, SW of Upper Goose Isl	3.20 acres	Shellfish/algae	20 yrs	App rec'd 2/11/22; site visit completed
Harpswell	Quahog Bay Conservancy	E of Snow Island, Quahog Bay	1.36 acres	Shellfish	20 yrs	App rec'd 5/18/23; site review TBD
Harpswell	Restorative Aquaculture	E of Scrag Island, Middle Bay	9.89 acres	Shellfish	20 yrs	App rec'd 10/20/21; site visit completed
Harpswell	Wilson Cove Oysters LLC	Wilson Cove, Middle Bay	3.21 acres	Shellfish	20 yrs	App rec'd 8/22/22; site visit completed
Long Island	Great Ledge Cove Seafood	S L'il Chebeague Isl, NW Channel Rocks, Casco Bay	9.03 acres	Marine Algae	20 yrs	App rec'd 4/9/23, site review TBD
Long Island	Ocean's Balance	West of Cow Isl Ledge, Casco Bay	4 acres	Marine Algae	20 yrs	App .rec'd 12/1/22; site review TBD
Long Island	Summit Point LLC	N of Cow Isl, Casco Bay	6.4 acres	Marine Algae	20 yrs	App rec'd 3/29/23; site review TBD
Newcastle	Dodge Cove Marine Farm	SE of Dodge Pt, Damariscotta River	12.26 acres	Shellfish	20 yrs	Pub. Hear. 8/23/23 11am Damrsctta Town Off.
Newcastle	George Faux, Inc.	S of Great Salt Bay, Upper Damariscotta Rvr	1.8 acres	Shellfish	20 yrs	App rec'd 2/15/22; site visit completed
Newcastle	Maine Oyster Inc.	E & S of Lehman Isl, Upper Sheepscot Rvr	10 acres	Shellfish	20 yrs	Pub. Hear. 8/23/23 3pm Damrsctta Town Off.
Newcastle	Norumbega Oyster Inc.	E of Upper Dodge Pt, Damariscotta Rvr	6 acres	Shellfish	20 yrs	App rec'd 9/9/22; site visit completed
North Haven	Maine Island Aquaculture	SW of Hog Isl, Marsh Cove	15 acres	Shellfish/algae	20 yrs	Pub. Hear. 4/4/23 North Haven Comm Bldg
Phippsburg	Clam Hunter Seafood	North end of Morse Rvr, Spirit Pond	2.52 acres	Shellfish	10 yrs	Scoping session 9/14/22 6pm Phippsburg Lib.
Phippsburg	Clam Hunter Seafood	W of Parker Head, Kennebec Rvr, Mill Pond	.96 acres	Shellfish	10 yrs	Scoping session 9/14/22 6pm Phippsburg Lib.
Phippsburg	Hermit Island Oyster Co.	Hermit Isl, Small Pt Hbr, New Meadows Rvr	2.51 acres	Shellfish	20 yrs	Pub. Hear. 7/11/23 1pm Phippsburg Twn Hall
Phippsburg	Hermit Island Oyster Co.	The Branch, New Meadows River	0.62 acres	Shellfish	20 yrs	Pub. Hear. 7/11/23 1pm Phippsburg Twn Hall
Scarborough	Saltwind Seafarm LLC	W of Nonesuch Point Scarborough River	2.31 acres	Shellfish	20 yrs	App rec'd 7/11/23; site review TBD.
South Bristol	Dewey's Shellfish LLC	NW of Peters Island, Damariscotta River	0.58 acre	Shellfish	20 yrs	App rec'd 8/16/21; site visit completed
South Bristol	Heron Island Oyster Co.	Fitch Cv @ Glidden Ldg, E side Damr Rvr	1 acre	Shellfish	20 yrs	App rec'd 10/4/21; site visit completed
South Bristol	Maine Fresh Sea Farms LLC	Clark Cove, Damariscotta River	3.6 acres	Marine Algae	10 yrs	Lease Granted 7/6/23
Southport	Brewer, J/Morning Star Fish.	N of Dot's Isl, Sheepscot Rvr, Ebenecook Hbr	1.37 acres	Marine Algae	20 yrs	App rec'd 6/6/23; site review TBD
St. George	Albatross Fisheries	Deep Cove, W of Port Clyde, St. George River	4.41 acres	Marine Algae	20 yrs	App rec'd 3/21/23; site review TBD
St. George	Balano, JW & McCoy, MR	Harrington Cove, Wheeler's Bay	1.98 acres	Shellfish	20 yrs	App rec'd 7/26/22; site review TBD
St. George	Cotton/Thomas/Devil's Apron	End of St. George Rvr, Deep Cove, W of Pt Clyde	5.74 acres	Marine Algae	20 yrs	Scop. sess. 6/5/23 3pm St. George Town Office
St. George	Miller, Keith	SE of Elwell Isl, Rackliff Bay, Penobscot Bay	11 acres	Marine Algae	20 yrs	App rec'd 8/2/23; site review TBD
St. George	Miller, Keith & Ryan	SE of Elwell Isl, Wheeler Bay	12.8 acres	Marine Algae	20 yrs	Scop. sess. 9/19/23 7pm St. George Town Off.
St. George	Miller, Keith & Ryan	West of Norton Isl, Rackliff Bay	11.1 acres	Marine Algae	20 yrs	Scop. sess. 9/19/23 7pm St. George Town Off.
St. George	Miss Madisyn LLC	Deep Cove, W of Pt Clyde, End of St. George Rvr	4.44 acres	Marine Algae	20 yrs	App rec'd 5/30/23; site review TBD
Steuben	Francis, Arnold	Smelt Brook, Dyer Bay	3.56 acres	Shellfish	20 yrs	App rec'd 8/18/22; site review TBD
Steuben	Francis, Arnold	E of Birch Point, Dyer Bay	2.91 acres	Shellfish	20 yrs	App rec'd 8/18/22; site review TBD
Stonington	Brewer, Robert	SW of Andrews Isl, Penobscot Bay	3.26 acres	Shellfish	20 yrs	App rec'd 10/20/21; site visit completed
Swan's Island	Joyce, Jason & Joshua	Mill Pond, Burnt Coat Harbor	9.95 acres	Shellfish	20 yrs	Scop. sess. 1/23/23 4pm Swan's Isl. Town Off.
Unorg. Terr.	Baines, Robert & Cole	W Penob. Bay, W of Hewitt Isl, S of Clam Ledges	7.33 acres	Marine Algae	20 yrs	App rec'd 1/6/22; site review TBD
Yarmouth	Butterfield, Keith	SE of Little Moshier Isl, Casco Bay	2.72 acres	Shellfish	20 yrs	Pub. Hear. 6/28/23 1pm Yarmouth Town Hall
Yarmouth	Henninger, Thomas	Little John Isl, Casco Bay	6.37 acres	Shellfish	20 yrs	App rec'd 4/4/23; site review TBD
Yarmouth	Nickerson, Travis	E of Blaney Pt, Casco Bay	2.8 acres	Shellfish	20 yrs	Pub. Hear. 9/28/23 1pm Yarmouth Town Hall
Yarmouth	Summit Point LLC	S of the Nubbin, Casco Bay	9.3 acres	Marine Algae	20 yrs	App rec'd 3/29/23; site review TBD
1411110util	Julillit Follit LLC	o of the muddin, Casco Day	3.5 acres	iviai ille Algae	20 yrs	rpp recu 3/29/23; she review 1DD

For an interactive source of pending lease applications, please see DMR's table of Pending Aquaculture Lease Applications, where you can find maps and documentation.

Go to: www.maine.gov/dmr/ and from the Aquaculture dropdown menu, select Maine Aquaculture Leases and LPAs, then Pending Lease Applications.

Scoping Session and Hearing information can also be found at www.mainelobstermen.org

# TO YOUR HEALTH: Understanding the roadblocks to healthcare Downeast

# By Melissa Waterman

"A lot of it was due to the injuries... and the doctors prescribing the pain medications, and I got addicted to it. And it took off from there. It's just stupid... It started with my back and just escalated."

Finding ways to help Downeast lobstermen and shellfish harvesters get the health services they need is one of the goals of the Downeast Health Research Collaborative. Tora Johnson, a professor of social sciences and geography at the University of Maine in Machias, led the Collaborative's recent study on injury, pain, and substance use among fishermen in Washington and Hancock

Counties. The Collaborative's report on the subject calls for "a better understanding of prevalence, risk and structural factors in injury, pain management and substance use among lobster and shellfish harvesters."

To compile data on health and injuries, the Collaborative sent out surveys to licensed lobstermen and shellfish harvesters in the two counties as well as local health care providers and fisheries advocates. Surveys were returned by 106 harvesters and 88 providers and advocates. In addition, 19 personal interviews were conducted.

What they found was not surprising. Lobstermen and shellfish harvesters hurt themselves often. The injuries may be to the back or elbow, shoulder or neck. They create pain, enough to cause 43% of respondents to stop work. But a self-employed fish-

erman can't stop work for long; his or her income is dependent on being on the water or catching the tide to go clamming.

So what do the injured harvesters do? Some try over-the-counter pain relief, visit a doctor or other medical professional, go to a chiropractor, or attempt to relieve the pain by stretching or exercise. For a significant number, they self-medicate with opioids, marijuana, heroin, and alcohol.



Whether it's clamming or lobstering, many Downeast fishermen find themselves injured and in pain. WGME photo.

"If you're asking if I'd seek medical advice, that's kind of almost the last alternative," said one lobsterman.

A majority of respondents (70%) admitted they had avoided going to the doctor or seeking other medical care. They don't seek medical care because of difficulties related to insurance, time lost to get to a medical office, or the cost. In addition, fishermen choose not to go to the doctor because of apprehension about how they will be treated. Some felt they were talked down to in previous visits; others believed they would be in trouble because of opioid use. Such hesitancy is also complicated by the unique sense of self that fishermen have – singularly independent and opinionated. Medical practitioners and fishermen may find it

hard to communicate.

"There's no value given to education and to somebody who is an expert, they think their opinion is just as good. I don't need anyone to kiss my feet, but you came into my door. If you don't respect my opinion, then why did you come here?" commented one physician.

And then there's the issue of insurance. Of the 106 surveys returned, 27% of respondents said that they do not have any insurance. Of the rest, 48% were either on MaineCare or Medicare. Those interviewed said that acquiring insurance was a bureaucratic nightmare, made worse by lack of access to a computer or to the Internet. Changes due to the Affordable Care Act, which erased many cheap catastrophic care health plans, made any type of insurance unaffordable for some.

"The catastrophic plans they have now are not affordable. A real true catastrophic plan, my catastrophic plan was my life insurance. That's 40 bucks a month," said one fisherman.

Downeast Maine is a tough corner of the coast. Distances between towns are long, the weather is always a factor, and the economy is fragile at best. Dealing with health issues is made difficult not only by these factors but by a mindset that praises those who just "work through it." Unfortunately, that path leads too often to permanent disability or serious drug addiction.

The Downeast Heath Research Collaborative report makes clear recommendations on how to improve health outcomes in Washington and Hancock Counties, from injury prevention and an insurance program specifically tailored to fishermen to mobile health units that travel to the docks. Other suggestions include health interventions at emergency rooms and clinics and trainings for healthcare providers on fishing culture.

#SaveMaineLobstermen continued from page 7

came over to our booth stopped by to say they stand with our lobstering families and to encourage MLA to keep up the good fight!

Later that evening, Kristan brought the fundraising effort down the road to Helen's Restaurant where he was the guest "barback" for the evening. Kristan took drink orders from those waiting for a table in return for a "Fill the Boot" donation. This event was inspired by successful guest bartending nights last winter at The Penalty Box in Damariscotta. We raised a little money for MLA's Legal Defense Fund and helped spread the word about the work MLA is doing to protect our fishing families and communities.

If you have a local bar or restaurant in your town that might be interested in hosting a guest MLA bartender for a fundraising event, shoot me an email at kevin@mainelobstermen.org and we'll get it set up!

While summer 2023 may be slowly coming to an end, the work to protect Maine's lobstering heritage will continue. Watch for additional details after Labor Day, but definitely makes plans to save Friday, November 10 to join us for Maine Lobster Night at the Maine Mariners hockey game in Portland. Can you believe we're already talking about *ice*?!

Commercial Fisheries News

Commercial Fisheries

To learn more about the ongoing Save Maine Lobstermen campaign, upcoming events and legal updates, visit https://savemainelobstermen.org.

Every person and every dollar counts!

# NOTABLE UNIVERSITY OF MAINE LOBSTER RESEARCHER RETIRES

By Melissa Waterman

Rick Wahle has been a presence in the world of lobsters for decades. But as of August 31, Wahle retired from the University of Maine and his role as Director of the Lobster Institute. Assistant director Chris Cash is acting as interim director.

Wahle, who describes himself as a "Jersey boy," came to Maine in 1985 to work as a graduate student with Robert Steneck, a marine biology professor at the University. In collaboration with local South Bristol lobstermen, Steneck and Wahle began sampling for young-of-the-year lobsters (those that had just settled on the seafloor) in the Thread of Life by diving to the bottom and suctioning up everything within a half-meter-square area, then identifying the results on board.

"It was a really thrilling hands-on experience, seeing the lobster in their own environment and linking that with what the lobstermen working the grounds saw," Wahle recalled. Wahle pursued his PhD from 1985 to 1990, interacting with lobstermen throughout the midcoast as the sampling program expanded. "It instilled a huge appreciation in me for this industry. It really gave me a great start here," Wahle continued.

During his time as a post-doc at Brown University, Wahle studied not lobsters but barnacles to gain a better understanding of larval dynamics. He enjoyed his research, yet lobsters kept calling. The fishery in Rhode Island was strong at that time and the sampling techniques perfected by Steneck and Wahle piqued the interest of local lobstermen. "I got some money and sampled in Narragansett Bay one summer. They [the R.I. Department of Environmental Management] set up sites there and then Massachusetts got interested and then the [Canadian] provinces got interested," Wahle said.

Thus the American Lobster Settlement Index was born.

Wahle landed a second post-doc position involving lobster sampling in Ireland and the United Kingdom and then faced a decision. He had applied for permanent research positions at the University of Alaska and the Bigelow Laboratory in East Boothbay. Both institutions offered him a job. Wahle chose to return to Maine, becoming senior research scientist at Bigelow in January 1995. He remained at the laboratory for fifteen years.

"All the while I was keeping the lobster settlement monitoring going. There were lots of spinoff questions from that. I received National Science Foundation funding to do additional lobster research," Wahle said. He also had the opportunity to work on other population biology questions, such as the larval success



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Dr. Rick Wahle retired on August 31 after a long career as a lobster researcher. University of Maine photo.

of sea urchin populations in Maine. "That parlayed into questions concerning scallop larvae and population biology," he said.

He continued to oversee the Lobster Settlement Index while diving regularly to conduct samples until 2005. By that time, the Maine Department of Marine Resources and state and provincial marine resource agencies had adopted the sampling program and expanded its scope. Today sampling sites are located across the Gulf of Maine, and in Prince Edward Island and Newfoundland.

After years using divers in shallow areas to assess juvenile lobster populations, Wahle and Boothbay Harbor lobsterman Matt Parkhurst developed a new methodology for sampling deeper water, called a passive collector. The goal was to determine if young lobsters were using deeper waters as nursery areas as the Gulf of Maine warmed.

"Matt wanted to have something a lobsterman could haul," Wahle recalled. "He fabricated the first prototype with the same coated wire as in traps, which we tested in 2005." A passive collector is a shallow rectangular box filled with cobbles held horizontally by two bridles. It is lowered onto the sea floor in deep water in late spring or early summer, then retrieved in the fall, at the end of the settlement season. The technology was simple and it worked. "They rapidly adopted it in both the U.S. and Canada," Wahle said.

Wahle joined the University of Maine School of Marine Sciences faculty in 2009. Then in 2018 he became head of The Lobster Institute, taking over from the Institute's founder Bob Bayer. The Institute, begun in 1987, promotes and conducts research on the lobster fishery in the U.S. and Canada. It is well-known for the U.S.-Canada Lobster Town Meeting, held in alternate countries each year. Most recently, the Institute was part of successful application to the National Science Foundation's Navigating the New Arctic Program for 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.

Upon retirement, Wahle stepped down as a lead investigator but will remain involved in the study. "I plan to offer a collaborative course through the University of Maine and the University of New Brunswick on climate and fisheries," he said. "We're starting to arrange it now to be offered in September 2024."

Retirement can be a jolt for some people. In Wahle's case, he's looking forward to it. "What I hope to be doing is continue to work in different areas that I think are important. Being retired gives me a chance to take in the big picture, to spend time with people and do things I haven't had a chance to do," he said.



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# COST OF ROPELESS FISHING MORE THAN JUST PRICE OF GEAR

## By Melissa Waterman

The Massachusetts Division of Marine Fisheries released a report titled "Estimating the Costs of Using On-demand Gear in Massachusetts Lobster Fisheries" in July. The report found that if on-demand, or "ropeless," gear had been used by all commercial lobstermen in Massachusetts last year, annual revenue from the lobster fishery would have dropped by \$40 million; approxi-

mately 3.5 million fewer pounds of lobster would have been landed.

The scope of the report is limited to the Massachusetts lobster fishery. It does not consider the impacts of adopting on-demand gear in lobster fisheries outside of Massachusetts, the interaction of this gear with fisheries interacting with Massachusetts lobster gear or enforcement costs.

Ropeless fishing gear is the subject of intense interest by the federal government and environmental organizations because it removes vertical line from the water, lessening the risk that an endangered North Atlantic right whale or other whale species could get entangled. The gear typically consists of a buoy, attached to a lobster trap, that is released either by a time-release mechanism or by acoustic signals transmitted from the surface.

Other studies have looked at the economic cost to lobstermen to purchase ropeless gear. This report looks at both the cost to buy the gear and also the costs associated with fishing it. A computer model was developed to estimate the time required to use ropeless gear based on factors including vessel length, gear configuration, and fishing area. Other data incorporated into the model included data

from NOAA's ropeless gear testing program, economic assessments based on surveys of vessel owners/operators, and geospatial analyses.

The computer model's results indicate that the complete conversion of Massachusetts state and federal lobster fishing vessels to ropeless gear would have numerous economic effects.

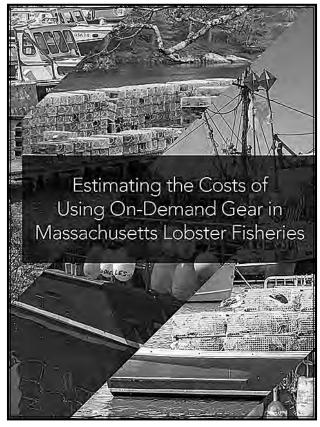
- The average per-trap throughput rate (the time required to haul, sort catch, and redeploy) would have increased by 1.82 minutes, inversely proportional to the number of traps fished per trawl;
- The average annual net revenue across all Massachusetts lobster fishing vessels using on-demand gear, assuming the gear would be acquired using a low-cost loan, would have been -\$29,300, a decrease of \$47,263 per vessel on average;
  - The average annual net revenue among all lobster fishing vessels, assuming all on-demand gear acquisition costs were subsidized, would have been \$1,377, a decrease of \$16,586 per vessel on average;
  - The average Massachusetts statewide lobster landings value would have decreased by \$40.81 million;
  - Lobster landings in Massachusetts would have been reduced by 3.74 million pounds.

The report goes on to say that the scenarios produced by the computer model "represent the upper bounds of potential economic impact to lobster fishing operations, additional operational issues that are unknown or poorly characterized at this time could increase costs further." The report notes, however, that as more effort is made to improve ropeless gear, it may become less expensive and time-consuming to operate.

The report concludes by stating that "A comprehensive understanding of the ways that on-demand gear could be integrated into lobster fisheries will require significant additional research, including a more thorough evaluation of the operational con-

straints and parameters of various types of on-demand gear and their economic impacts to fishing businesses."

The full text of "Estimating the Costs of Using On-demand Gear in Massachusetts Lobster Fisheries" can be found at <a href="https://www.mass.gov/doc/estimating-the-costs-of-using-on-demand-gear-in-massachusetts-lobster-fisheries/download">https://www.mass.gov/doc/estimating-the-costs-of-using-on-demand-gear-in-massachusetts-lobster-fisheries/download</a>.



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# MALLETT BROTHERS BAND CONCERT AIDS #SAVEMAINELOBSTERMEN

## By MLA staff

A lively crowd attended Music, Masts & Lobster Traps at the Maine Maritime Museum on a beautiful Sunday afternoon in Bath. The August 27 event featured a concert by The Mallett Brothers Band to benefit the Maine Lobstermen's Community Alliance (MLCA), in partnership with the Maine Lobstermen's Association (MLA), and was organized by Jesse Roche, a local commercial fisherman, and Kevin Kelley, MLA director of advancement.

"The MLCA's mission is to build better understanding of Maine's lobster fishery and to support the families and communities who depend on it by supporting education, research and charity," Kelley said. "The MLA and the MLCA work closely together in our efforts to keep this sustainable and historic fishery strong for the next generation."



Dave Mallett joined his sons and bandmates on stage. MLA photos.

Ticket holders also enjoyed a riverside beer garden hosted by Mast Landing Brewery, XTRATUF, and Rugged Seas where Mere Point Oyster Company offered freshly shucked oysters and Long Reach Kitchen and Catering provided lobster rolls, lobster stew and other lobster favorites.

The concert kicked off with acoustic tunes by Maine troubadour Paddy Mills. Then the Mallet Brothers Band took the stage. Led by Luke and Will Mallett, the band energized the crowd with a roster of country-style and rock tunes, touched by the distinctive sounds of fiddle and mandolin played by Andrew Martelle. As the day ended and the air became cooler, concert goers kept the temperature turned up dancing and singing along with the band.

As a special surprise, Will and Luke Mallett's father David joined the stage! A highly regarded Maine singer/songwriter himself, he is well known for composing "Garden Song," recorded by John Denver and other artists. Dave Mallett started his own label, North Road Records, and continues to live in the state.

Event sponsors included Rugged Seas, First National Bank, First Federal Savings, Bell Power Systems, XTRATUF, Mere Point Oyster Company, Mast Landing Brewing Co., Guy Cotten, Brooks Trap Mill, and Pine State Trading.





Burton Rankie (F/V Acorn) and son Thompson from Scarborough are all smiles.



The clothes say it all for this concert attendee.







# *In the* NEWS

#### SAILING DRONES PLY GULF OF MAINE

Keep an eye out for two small robotic sail-boats cruising through the Gulf of Maine to collect "high-resolution seafloor bathymetry and backscatter data along predetermined survey tracklines" for the National Oceanic and Atmospheric Administration. These high-visibility bright orange vehicles are not crewed. The 23-foot Saildrone Voyager vehicles operate independently 24 hours a day, using wind and solar power to cruise at 2 to 4 knots along pre-determined waypoints. They are equipped with Automatic Identification System transponders, navigation lights, radar reflectors and cam-



eras. The Saildrones will be operating in the Gulf of Maine through October 18.

### ANOTHER WIND FARM APPROVAL

The Department of the Interior announced in late August that it approved another offshore wind energy project to be located in federal waters near Rhode Island south of Martha's Vineyard. The Revolution Wind project will have an estimated capacity of more than 700 megawatts of renewable energy, capable of powering nearly 250,000 homes, and is expected to create about 1,200 jobs during construction, regulators said. The project's proposed plan will include 65 wind turbines and two offshore substations. This is the department's fourth approval of a commercial-scale, offshore wind energy project, joining the Vineyard Wind project off Massachusetts, the South Fork Wind project off Rhode Island and New York, and the Ocean Wind 1 project off New Jersey.

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#### GULF OF ST. LAWRENCE DEEP WATER LAYERS HEATING UP

Data from Fisheries and Oceans Canada show that deepwater temperatures in the Gulf of St. Lawrence have been increasing overall since 2009. In 2022, average temperatures hit new record highs at depths of 150 to 300 meters throughout the Gulf and passed the threshold of 7 C. (44.6 F.) at 300 meters for the first time. Average monthly temperatures at the sea surface also set new records in August and September 2022, the data showed. The news is worrisome to oceanographers, who say they're already seeing the impact of the warming water on different species in the Gulf, such as an increase in sightings of great white sharks in parts of the Gulf, and of lobsters expanding into new places that might have been too cold a decade earlier.

#### FOUND A BLUE CRAB?

Blue crabs, once found solely below Cape Cod, are showing up more frequently in the Gulf of Maine as waters warm. Manomet and the Maine Department of Marine Fisheries are calling on fishermen to track and report their sightings and observations through an online survey. Blue crabs are aggressive and tend to prey on young



lobsters and shellfish, so a growing population could pose a threat to Maine's lobster fishery, as well as oyster farmers and clam diggers. On the other hand, blue crabs support a strong commercial fishery in mid-Atlantic states. Anyone who finds a blue crab is encouraged to report it at <a href="https://survey123.arcgis.com/share/c21e7f55ff6e4fa29e81a024745b643b?portalUrl=https://manometinc.maps.arcgis.com.">https://survey123.arcgis.com/share/c21e7f55ff6e4fa29e81a024745b643b?portalUrl=https://manometinc.maps.arcgis.com.</a>

# MARITIME PROVINCES HERRING QUOTA CUT

The Canadian Department of Fisheries and Oceans has set the herring quota for waters off southwestern Nova Scotia and New Brunswick at 21,000 tons for 2023, an 11% reduction from the previous year. DFO said the herring stock in the region is in a critical zone — where serious harm is occurring — for the fifth year in a row, based on the most recent assessment. The yearly quota has dropped by 50% since 2018.

# Buy yourself a bag!

The Maine Lobstermen's Community Alliance has been selected by Hannaford to be part of its Community Bag program during the month of September. One dollar from the sale of each reusable bag sold at the Kennebunk Hannaford store will go to the MLCA. So head down to the Kennebunk store and purchase your bag today!



# Events Calendar

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

#### September 6

Maine Offshore Wind Research Consortium Advisory Board Meeting, 9 a.m-12;30 p.m., DMR office building, rm. 118, Augusta.

## September 12

Right Whale Tagging Workshop, 9am to 4pm, Online. FMI: https://www.narwc.org/2023-meeting-details.html.

## September 13

MLA board meeting, Darby's restaurant, Belfast. FMI: 967-4555.

#### September 14

ASMFC Atlantic Herring Days Out meeting, 10:30-noon, online. FMI: https://asmfc.org/calendar/9/2023/Atlantic-Herring-Days-Out-Meeting/2207.

# September 18-22

Northwest Atlantic Fisheries Organization meeting, Vigo, Spain.

#### September 19

Shellfish Advisory Council Meeting, 12:30-3:30 p.m., DMR office building, rm. 118, Augusta.

Aquaculture Public Scoping Session, Keith Miller & Ryan Miller, 7 p.m., St. George Town Office, Tenants Harbor.

#### September 21

NEFMC Scallop Committee hybrid meeting, Radisson Airport Hotel, Warwick, RI.

#### September 25-28

NEFMC meeting, Plymouth, MA.

#### September 28

Aquaculture Advisory Council Meeting, 10 a.m.-12 noon, DMR office building, rm. 224, Augusta, or Microsoft Teams.

#### October 15-19

ASMFC 81st annual meeting, Beaufort, NC.

#### October 23

Ropeless Consortium Meeting, Halifax, Nova Scotia. FMI: https://ropeless.org/2023-annual-meeting.

#### October 24-25

North Atlantic Right Whale Consortium Annual Meeting, Halifax, Nova Scota. FMI: https://www.narwc.org/2023-meeting-details.html.



# NATIONAL FISHERMAN'S 2023 HIGHLINER, CURT BROWN

By Melissa Waterman

Curt Brown, 43, a Cape Elizabeth lobsterman and marine biologist at Ready Seafood, was named one of *National Fisherman's* 2023 Highliners. Each year the magazine selects individuals from around the



2023 National Fisherman *Highliner Curt Brown*. N.F. *photo*.

country as Highliners, commercial fishermen known for giving back to the industry, locally, nationally or globally.

"I definitely don't deserve any award with the word 'highliner' in it. Any of my sternmen over the years can confirm that!" Brown said. "Having said that I am very proud and very humbled by this award." Brown also serves as co-chairman of SEA Maine, a seafood economic accelerator. Brown began lobstering when he was eight years old. He continues to fish today from Cape Elizabeth, often in the company of his two children, Finn and Clara. He attended the University of Maine where he received his M.S. in marine biology and marine policy.

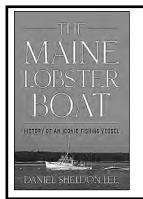
He began work as marine biologist at Ready

Seafood in 2015, where he has been tireless in educating seafood buyers, schoolchildren and people off the street about the sustainability of the Maine lobster fishery and the conservation practices of Maine lobstermen.

During the past several years Brown spent endless hours on the road, galvanizing lobster dealers, processors and others to give their support to the Maine Lobstermen's Association's (MLA) Legal Defense Fund for its fight against the National Marine Fisheries Service (NMFS). Regulations put in place by NMFS to protect the endangered North Atlantic right whale stood to dismember the Maine fishery and bring economic ruin to coastal communities.

In June, the U.S. Appellate Court in Washington, D.C. ruled in favor of the MLA, removing the threat posed by NMFS regulations for the next several years.

"We were in real danger of losing what we have here. Myself, the MLA and many others fought with facts and common sense. I'm so proud to be part of such an amazing industry," Brown said. "Losing was never an option. The two biggest reasons why are enjoying their lunch break on the stern right now, in between baiting and banding!"



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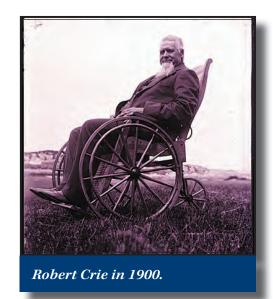


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Clara, left, and Finn Brown helping out their father on a fine summer's day. C. Brown photo.







# PHOTOS OF THE PAST: CRIEHAVEN

About 48 miles off Penobscot Bay lies Ragged Island, approximately 300 acres in size. It is more commonly known as Criehaven, named for the family Crie. Back in 1849 Robert Crie of Matinicus bought land on the island and moved there with his 18-year-old wife Harriet. Crie was an industrious man. In time he bought the entire island and set about raising sheep, cutting lumber, and harvesting the resources of the sea. He hired fishermen to catch cod, haddock and mackerel which were then salted and packed on the island. In addition, he established and ran the general store. Because he controlled nearly every element of the island, Robert Crie was nicknamed "King Crie." He and his wife had five children who married, had children of their own, and remained on the island.

Criehaven had a school and post office by 1896; a mailboat service began shortly afterward. King Crie died in 1901. By the early 1900s, fishermen and their families were able to buy land and make a living as independent fishermen and farmers. The island school continued until 1941. After its closing, the population dwindled away. Today a small number of lobstermen have "berths" on the island, which allow them to fish the island's remarkably rich waters.

These photos of the island were taken by Ida Crie in the early 1900s. Ida Crie was born in 1856 in Rockland. She married Rufus Anson Crie, of Criehaven. Her husband and father-in-law owned the renowned H.H. Crie & Co. in Rockland, purveyors of hardware and nearly everything else. Ida Crie took up photography, capturing daily scenes throughout Maine and beyond. Her images show a place and time hard to imagine today.

All photographs are courtesy Rockland Historical Society,
Ida Crie Collection.
Many thanks to Ann Morris for her assistance.









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