



MAINE LOBSTERMEN'S ASSOCIATION UPDATE

Maine Lobstermen's Association

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

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BOARD OF DIRECTORS' MEETING SCHEDULE
All meetings take place in Belfast, unless otherwise indicated.

February 5, 3:00 p.m.,
Darby's restaurant.

March 6
MLA Annual Meeting
9 a.m., Samoset Resort

STEAMING AHEAD

Maine bid farewell and following seas to one of the legends of the state's lobster industry. Ed Blackmore passed away on December 23, 2019 at the age of 92. Ed was a pivotal figure in the Maine Lobstermen's Association. His leadership and vision for the fishery played a pivotal role in shaping policy and setting the stage for the industry as we know it today.

We all know the Maine lobster industry is iconic and of critical importance to the social, cultural and economic fabric of our state. Today Maine lobstermen are highly respected for their stewardship, work ethic and economic success. It's hard to imagine that it wasn't always that way. Ed recalled in an interview with *Commercial Fisheries News* that as a kid, "people back then looked down at lobstermen as second-class citizens. They looked down their noses at us and it wasn't right."

Ed was a Stonington lobsterman and promptly became a member of the MLA when it was established in 1954. He told *Commercial Fisheries News*, "I was always a believer in it." Twenty years later, Ed took over as president of the MLA at a time when membership was concentrated in Downeast Maine and numbered less than 250.

His philosophy was simple: the role of the MLA was to provide representation and services for its members. He tackled that role with determination, a clear eye, and a good deal of humor.

Ed's accomplishments set the stage for the MLA to become the organization it is today. He worked tirelessly to grow the number of members and raise the organization's profile to make it a part of the fishery management process at both the state and federal levels. His leadership approach remains particularly relevant today.

He told *Commercial Fisheries News*, "I always believed that if they said we were part of the problem, then we were going to be part of the solution." In a world where the regulatory environment has become so demanding, Ed's words ring true while ever more challenging to achieve.

Ed's legacy is tremendous. He was willing and able to work with Maine's Congressional delegation. Over the course of several years, Ed worked tirelessly to codify the self-employment status of sternmen, greatly simplifying and easing the financial burden for Maine's small owner-operated lobstermen to take crew. His efforts with Senator Edmund Muskie finally led to passage of the Sternman's Act of 1976. Blackmore is also responsible for the commercial fishing sales tax exemption and uniform excise tax on boats.

"Nowadays it's hard for young fishermen to understand that these benefits haven't always existed," Ed told *Commercial Fisheries News* in 2004, "They didn't just fall from the heavens. We had to fight for them every step of the way."

Ed also battled to establish several mainstays of Maine's lobster conservation program. During Ed's tenure, MLA pushed to require vent openings in lobster traps to allow juvenile lobsters to escape and a biodegradable panel to prevent lost traps from fishing forever. He also worked to prevent the repeal of Maine's oversize measure for lobster, which protected larger, fertile females. Perhaps his greatest contribution and his most hard-fought win was gaining acceptance of V-notching as an effective conservation measure to ensure that proven female broodstock lived to reproduce another day. Back then, some scientists opposed V-notching for fear that cutting a notch in the tail could be harmful to the lobster. Blackmore told them, "We may not know what the mortality is from V-notching, but we sure know what it is when we throw it in the pot."

"If there was one thing we learned, the feds would never really listen to us without science to back up what we know from our own fishing experience," he said. To this end, he helped to establish the Lobster Institute at the University of Maine, which brings together scientists and lobstermen on subjects of importance to both.

Upon Ed's retirement from the MLA in 1991, he was presented with a certificate that read, "The true measure of a man is in his service to his fellow man."

As the MLA honors Ed and his long, well-lived life, we are also deeply saddened by the tragic and premature loss of two fishermen. Joe Nickerson

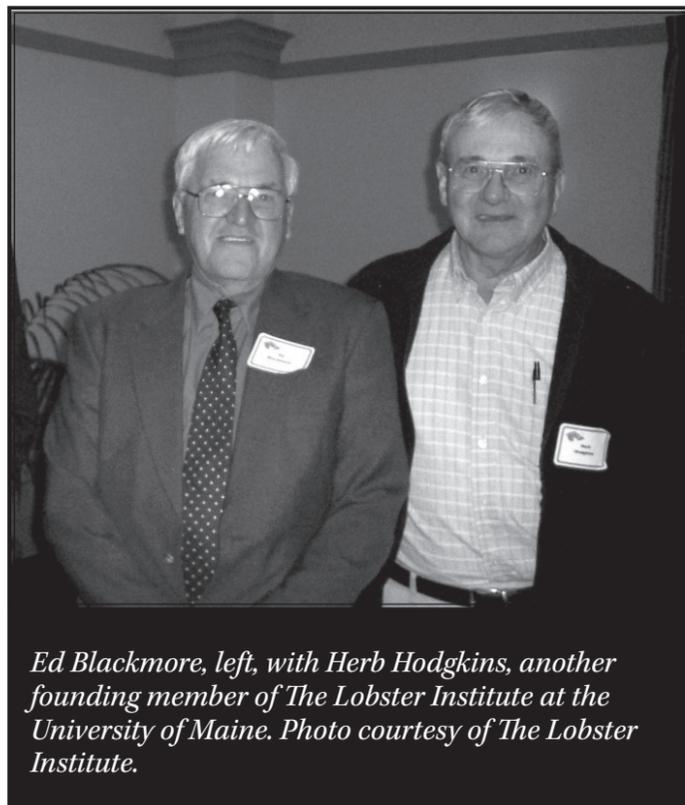
of Arundel and Chris Pinkham of Boothbay Harbor died on January 23 when the *F/V Hayley Ann* capsized while fishing. Their loss comes as a shock to everyone in Maine's fishing community and serves as a grim reminder of just how dangerous commercial fishing can be.

To honor these men and support the families they left behind, a gofundme page has been established for each. To support these families, visit: www.gofundme.com; use the search feature to find the pages in support of Joe Nickerson and Christopher Pinkham.

The MLA offers its deepest condolences to the families of these two incredible fishermen.

As always, stay safe on the water.

Patrice



Ed Blackmore, left, with Herb Hodgkins, another founding member of The Lobster Institute at the University of Maine. Photo courtesy of The Lobster Institute.

Honoring those we have lost

JOE NICKERSON

To donate in memory of Joe, visit gofundme.com. Or send your donation to the Maine Coast Fisherman's Association, 14 Main Street, Box 40, Brunswick, ME 04011. Write "Nickerson" in the memo.

CHRISTOPHER PINKHAM

To donate in memory of Chris, visit gofundme.com. An account also has been set up at The First National Bank of Damariscotta. Checks should be made out to: Lynnette Mayotte The First National Bank of Damariscotta 77 Oak St, Boothbay Harbor, ME 04538. Write "The Jessica Pinkham Fund" in the memo.



MAINE LOBSTERMEN'S ASSOCIATION UPDATE

MLA BOARD OF DIRECTORS MEETING

The MLA board of directors met on January 8 at Darby's restaurant in Belfast. President Kristan Porter welcomed the board and guests. Membership director Andi Pelletier provided a membership update, noting that membership remains strong though slightly off from last year due to a late renewal campaign. She expects to pick up additional members in March. The MLCA Relief Fund event at Cooks Lobster grossed over \$6,000, which was the best year ever. She is also working with the Shaw Fund and Portland Seaman's Fund to ensure that anyone in the fishing industry who is experiencing hardship is able to find assistance through one of these programs.

The MLA Directors discussed the agenda for the MLA Annual meeting, which will be held on Friday March 6 at 9 a.m. during the Maine Fishermen's Forum. The agenda will include a safety update from the U.S. Coast Guard on vessel safety inspections, setting the record straight on whales, a review of issues facing the industry, awards and giveaways. There will be lots of time for questions from members. The MLA is working with the Department of Marine Resources (DMR) to host a session to answer questions on the new gear marking requirements.

The MLA discussed concerns that the growth in aquaculture leases has led to a concerted effort to foster an anti-aquaculture sentiment in Maine. The MLA is not opposed to aquaculture, but it must be done responsibly and in a manner that protects traditional uses of the coast. Lobstermen should sign up to be on the DMR email list so that they can get regular aquaculture updates.

The MLA Board discussed several bills which will be heard by the Marine Resources Committee this session. The MLA voted to oppose *LD 1922 An Act to Create a Commercial Menhaden Fishing License* due to concerns that the bill is premature; the DMR menhaden working group has not yet made its recommendations.

The MLA Board reviewed the results of the MLA member whale survey. The survey had a 40% response rate, with most individuals answering all of the questions. The MLA board discussed the responses in detail and tasked staff to draft a whale proposal based on the survey results and board feedback. The overarching concern remains that the state plan does not treat all lobstermen

equally, threatens fleet diversity and is proving to be very divisive among lobstermen. Patrice McCarron will draft a proposal for further review by the MLA Board. MLA will not attend the February gear summit in Halifax due to cost and logistics.

In terms of timing for whale rules, it's wait-and-see for now. Maine's gear marking rules will go into effect this year, but other than that, there is no definitive timeline. The peer review of NMFS's decision support tool is expected in late January, NMFS's biological opinion under the Endangered Species Act is expected in early 2020, and the draft federal whale rules will probably be out in the spring or summer. The next MLA Directors meeting will be February 5 at 3 p.m. at Darby's in Belfast.

CANADA REQUIRES MANDATORY GEAR MARKING FOR LOBSTER AND CRAB FISHERIES

Canada's Department of Fisheries and Oceans (DFO) announced mandatory gear marking requirements starting in 2020 for all non-tended fixed gear fisheries in Eastern Canada. The Gulf, Maritimes, Newfoundland & Labrador, and Quebec harvesters must comply with the following gear marking requirements:

- Color combination using two different strands of twine interlaced on the same segment:
 - One color to identify specific Region – to be interlaced on the same segment of rope as the second color (i.e. blue for Gulf of St Lawrence).
 - A second color to identify target Species – to be interlaced on the same segment of rope as the first color. Each species will be attributed the same color across all Regions in Eastern Canada (i.e. yellow for lobster).
- For lobster and snow crab fisheries only, a third color will be used to mark different fishing areas (i.e. LFA 24 = green, LFA 25 = none, LFA 26A = white). The third color will be added to a subsequent segment of rope immediately after the segment of rope with the first two colors (it will be not interlaced with the first and second color)
- Gear marking will be mandatory for ropes attaching the fishing gear to the primary buoy (vertical line). It could also be included on other rope segments when applicable, at the discretion of fish harvesters, such as on the rope from the primary buoy to the secondary buoy, and on the rope from trap to trap set on a same line (ground lines).
- At a minimum, gear marking will be required at the top, middle and bottom of the vertical line (aligned with minimum requirements in the U.S.) or every 15 fathom throughout the length of the rope (aligned with existing practice in Gulf and Quebec Regions).
- Use of a "tracer" as an alternative to color coding requirements will be permitted. It could be phased-in as ropes are replaced. The tracer, a silver transparent tape inside the full length of the rope, must have a visible inscription identifying country, regions, species and fishing area.



The Canadian crab fishery is just one of many Canadian fisheries required to mark its rope this year. Photo courtesy of Salt Wire.

The new requirements are part of DFO's efforts to improve tracking of gear, address ghost gear and identify management threats to marine mammals, in particular North Atlantic right whales. The requirements areas a continuation of what has already been introduced in certain Gulf of St. Lawrence snow crab fisheries since 2018. DFO will formerly announce other management measures to protect North Atlantic right whales in February.

RENEW FEDERAL PERMITS ONLINE

Commercial and recreational fishermen can now renew their current federal fishing permits online using a web-based system in Fish Online (https://www.greateratlantic.fisheries.noaa.gov/apps/login/?utm_medium=email&utm_source=govdelivery). In the online system, fishermen will not have to include or upload copies of Coast Guard documentation or your state registrations and gear codes are no longer required. To access the online renewal and application systems, create or sign-in to your Fish Online account and click on Application Forms in the left margin. For assistance with Fish Online, call 978-281-9188.

MLA 66TH ANNUAL MEETING

**Friday, March 6, 2020
9:00 a.m. to 10:15 a.m.
at the Samoset Resort**

Notice of Annual Meeting of the Members of the Maine Lobstermen's Association, Inc.

Notice is hereby given that the Annual Meeting of the members of the Maine Lobstermen's Association, Inc. will be held on March 6 at 9 a.m at the Samoset Resort in Rockland, Maine.

Current Officers

Kristan Porter, President
John Williams, 1st Vice President
Dustin DeBano, 2nd Vice President
Donald Young, Secretary/Treasurer



Nominations

Nomination form included in Landings.



MAINE LOBSTERMEN'S ASSOCIATION UPDATE

AMERICAN LOBSTER BENCHMARK STOCK ASSESSMENT WORKSHOP IN FEBRUARY

The Atlantic States Marine Fisheries Commission will hold a second American Lobster Benchmark Stock Assessment Workshop on February 24 to 27 at the University of Rhode Island Bay Campus in Narragansett, Rhode Island. The stock assessment, which is scheduled for completion this summer, will evaluate the health of the Gulf of Maine/Georges Bank and Southern New England. The Commission's stock assessment process and meetings are open to the public, with the exception of discussions of confidential data, when the public will be asked to leave the room. The draft agenda for the workshop is available at www.asfmc.org. For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org or 703.842.0740.



DMR RULEMAKING

More information on DMR's proposed rules can be found at: <https://www.maine.gov/dmr/laws-regulations/proposed-rulemaking.html>

Proposed Rule, Chapter 8 Landings Program

This proposed rulemaking updates reporting requirements for herring and menhaden. The Primary Buyer Permit reporting elements for herring have been expanded and will be required weekly. The Herring Harvester Permit reporting requirements have been expanded and will be required daily. The Menhaden Harvester Permit has been introduced and will be required daily during the quota fisheries and weekly during the small scale fishery. The public hearing was scheduled for January 27 at Maine DMR. The deadline for comments is February 10, 2020.

Proposed Rule, Chapter 36 Atlantic Herring

This proposed regulation reorganizes the Atlantic herring fishery quota for Area 1A into trimesters, as previously used. Updated definitions for landing and carrier vessel are included. The Fixed Gear Set Aside has been reduced from 39 metric tons (MT) to 30 mt to comply with 2020 specifications. The public hearing was scheduled for January 27 at Maine DMR. The deadline for comments is February 10, 2020.

Proposed Rule, Chapter 55 Gear Restriction

This proposed rulemaking strikes the requirement to seek a permit authorized by the Commissioner of Marine Resources to use purse seine gear targeting Atlantic menhaden in the Damariscotta and St. George Rivers. No public hearing was held. The deadline for comments is February 10, 2020.

Proposed Rule, Chapter 41 Atlantic Menhaden

This proposed rulemaking amends the reporting of menhaden landings. Reporting through an approved electronic option will be required. State and episodic fisheries remain at daily reporting. The incidental and small scale fishery is amended to a weekly reporting requirement. This rulemaking introduces a personal use bait permit that will allow harvesters to use a bait gillnet to take three barrels of menhaden daily, separate from all other menhaden fishery activity. Carrier vessels are defined and effort restrictions for their activity have been described. Harvester vessels may make one transfer of menhaden to a carrier vessel per calendar day. Carrier vessels are prohibited from participating in the Incidental and small scale fishery. The public hearing was scheduled for January 27 at Maine DMR. The deadline for comments is February 10, 2020.

Proposed Rule, Chapter 42, Striped Bass

Currently, it is unlawful for any person to take or possess striped bass which are less than 28 inches in total length. This proposed rule modifies the existing regulatory requirement by adding a maximum size limit, such that it is also unlawful for any person to take or possess striped bass which are 35 inches in total length or longer. This rule change is needed to come into compliance with the Atlantic States Marine Fisheries Commission's Addendum VI to Amendment 6 to the Atlantic Striped Bass Interstate Fishery Management Plan, which is intended to address the overfishing status of the stock. The public hearing was scheduled for January 27 at Maine DMR and January 30 at the Log Cabin in Yarmouth. The deadline for comments is February 10, 2020.

LOBSTER BILLS – 129TH LEGISLATURE, 2ND SESSION

The second regular session of the 129th Legislature convened in January and must complete its work by April 15, 2020. The Maine Legislature consists of two chambers: the Senate, led by President Troy Jackson, and the House of Representatives, led by Speaker Sara Gideon. The House consists of 151 members (87 Democrats, 56 Republicans, 6 Independents, and 2 vacancies). The Senate consists of 35 members (21 Democrats and 14 Republicans).

Maine's Marine Resources Committee is chaired by Senator David Miramant of Camden and Representative Jay McCreight of Harpswell. The Committee is composed of 13 members, four of whom have lobster fishing experience. For this session, ten lobster industry-related bills are under consideration. Three were carried over from last session. There is also a proposed \$50 million bond to support the commercial fishing and aquaculture sectors of Maine's marine economy, a bill that considers changes to the management of Maine's menhaden fishery, and a technical changes bill from DMR. There are just a few lobster-specific bills. One would allow disabled veterans to obtain a recreational lobster or scallop license at no cost and a bill to exempt truck drivers transporting lobster from some mandatory rest periods. There are two other lobster bills that have not yet been printed so details are not yet available.

LD 28 An Act Regarding Access to Lobster Licenses, presented by Rep. McCreight

The public hearing was held on February 2019 and was carried over from the first session. This bill proposes to give lobster licenses to those who have completed the Apprentice program and been on the waiting list for 10 or more years. The Marine Resources Committee received a lot of testimony during the public hearing on February 5 which was roughly split between those who supported and opposed the bill. During the February 19 work session, the Marine Resources Committee voted to table this bill due to the many changes facing the lobster fishery. The bill will be reconsidered during the second session in 2020.

Public Hearing and work session were held in 2019. This bill is expected to be reconsidered by the Marine Resources Committee again in mid-February.

LD 618 An Act To Remove Night-time Restrictions on Lobster Fishing in a Certain Area in the Bay of Fundy, sponsored by Rep. Tuell of East Machias.

Continued on page 10

Monday, March 16th, 2020

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MAINE LOBSTERMEN'S ASSOCIATION UPDATE

MLA Update continued from page 9

This bill was passed as a pilot program during the first session to allow lobstermen in the Gray zone to haul gear at night during the months of September and October. The DMR must report back to the Marine Resources Committee on the results of this pilot by February 1. The Marine Resources Committee may report out a bill to take permanent action on this issue.

LD 936 Resolve Establishing a Commission to Study the Existing and Potential Effects of Freshwater and Marine Debris on Maine's Freshwater and Coastal Habitats and Species, presented by Rep. Devin of Newcastle.

This resolve seeks to establish a 13-member commission to study freshwater and marine debris and how it has affected or potentially will affect Maine's freshwater and ocean and coastal ecosystems, habitats and species. The commission must submit a report, including suggested legislation, to the Marine Resources Committee. The Committee is also considering an amended bill to have Maine DMR monitor the federal Marine Debris Action plan and its effectiveness in addressing the issue in Maine and report back to the Marine Resources Committee in a future session. A public hearing was held on January 14 and a work session on January 21, resulting in a Divided report on an amended bill.

LD 1705 An Act to Authorize a General Fund Bond Issue to Strengthen the Marine Economy, presented by President Jackson of Aroostook.

This bill requests bond funding of \$50 million to facilitate the growth of the commercial fishing and aquaculture sectors of Maine's marine economy through research and development and workforce development with capital investments awarded through a competitive process administered by MTI, DMR and DECD, to be matched by at least \$50 million in private and other funds. A public hearing was held on Tuesday, January 14.

LD 1882 An Act to Provide Noncommercial Lobster and Crab Fishing Licenses and Scallop Licenses to Disabled Veterans at No Cost, presented by Rep. Hepler of Woolwich.

This bill proposes to allow a resident disabled veteran to obtain at no cost, a noncommercial lobster and crab fishing license or a noncommercial scallop license. This bill was amended to include disabled reservists. A public hearing was held on January 14. A work session took place on January 21, resulting in an Ought to Pass decision with amendment.

LD 1922 An Act to Create a Commercial Menhaden Fishing License, Presented by Rep. McDonald of Stonington on behalf of Maine DMR.

This bill originally proposed to create a new commercial menhaden fishing license with two license categories -- state allocation or small scale -- allowing a person to select only one license category. A small-scale license would only be available to Maine residents who are commercial lobstermen. The committee will consider an amendment to freeze participation in the commercial menhaden fishery. A public hearing was held on Tuesday, January 21.

LD 1925 An Act to Make Technical Changes to Maine's Marine Resources Laws, Presented by Sen. Miramant of Knox County on behalf of Maine DMR.

This bill proposes to clarify three sections of law.

- It clarifies that it is the amount of quota, not the weight of elvers, sold through the elver transaction card system that is used to determine if an allocated quota has been exceeded.
- It clarifies that if a person holds a license in a limited entry fishery and that license has been suspended by the court, by the Department of Health and Human Services or by the Department of Administrative and Financial Services, Maine Revenue Services, the person, when the person becomes compliant, has the remainder of that calendar year and all of the following calendar year to purchase the license.
- It clarifies that a person who holds a wholesale seafood license with a lobster permit may remove lobster meat from the shell under either a lobster processor license or a lobster meat permit.

A public hearing was held on Tuesday, January 21.

LD 1987, Resolve to Exempt Truck Drivers Transporting Live Lobsters from Certain Hours of Service Restrictions, presented by Senator Vitelli of Sagadahoc County.

This resolve proposes to direct the Department of Public Safety, Bureau of State Police to adopt major substantive rules amending its rules governing motor carrier safety to exempt intrastate motor carriers, vehicles and drivers delivering live lobsters from hours-of-service restrictions requiring a 30-minute rest break after 8 hours of driving. A public hearing took place on Tuesday, January 28.

LR 3096 An Act to Protect the Lobster Industry, sponsored by President Jackson of Aroostook County. This bill has not yet printed.

LR 2716 An Act Regarding State Subsidies for the Seafood Industry to Clarify Inconsistencies in the Laws Governing Lobster Dealership Licensing, sponsored by President Jackson of Aroostook County. This bill has not yet printed.

MAINE LOBSTERMEN'S ASSOCIATION



“We’re here to get stuff done.”



www.maine lobstermen.org

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

Acadia Seaplants LLC	Inland Seafood	New England Marine & Industrial Inc.
Bar Harbor Bank & Trust	Interstate Lobster Co.	New England Propeller
Beals-Innesport Coop Inc.	Island Fishing Gear & Auto Parts	Northeast Marine Survey
Beals Lobster Pier	Island Fishermen's Wives	Novatec Boats LTD
Bell Power Systems Inc.	Island Seafood LLC	Old School Pig Bait
Bowdoin College	Joe's Rope and Buoys	Penobscot Bay & River Pilots Assn.
Dining Services	John's Bay Boat Co.	Pete's Marine Electronics
Chapman & Chapman	Journey's Rod Marina	Polyform US
Chase Leavitt	Kip's Seafood	Port Clyde Fishermen's Cooperative
Coastal Documentation II	Lobster Trap Co.	Port Lobster Co.
Conary Cove Lobster Co.	Lannie's Hydraulic Inc.	Purcelline Bait
Cousins Maine Lobster	Luke's Lobster	Rivendale Mills
Crazy Lobster & Shellfish	Machias Savings Bank	South Bristol Fishermen's Cooperative
Cushing Diesel, LLC.	Maine Center for Coastal Fisheries	Superior Marine Products
Dorchester Boat Co.	Maine Financial Group	Tenants Harbor Fishermen's Cooperative
F.A. Peabody Insurance	Maine Lobstermen's Community Alliance	Vinalhaven Fishermen's Cooperative
Fartin's Boatshop	Maine Port Authority	William Coffin & Sons
Finestkind Scenic Cruises	Maine Sea Grant	Williams CPA Group LLC
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