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The MLA sends Letter of Comment to the ASMFC on Addendum XXVII

April 3, 2023

Sent via Email: comments@asmfc.org

Caitlin Starks
Atlantic States Marine
Fisheries Commission
1050 N. Highland St. Suite 200A-N
Arlington, VA 22201

RE: Draft Addendum XXVII

Dear Ms. Starks,

The Massachusetts Lobstermen's Association (MLA) submits this letter of comment and great concern on behalf of its' 1800 members on the: Atlantic States Marine Fisheries Commission (ASMFC) Draft Addendum XXVII (Add. XXVII) to Amendment 3 to the American Lobster Fishery Management Plan for Increasing Protection of the Gulf of Maine/Georges Bank Spawning Stock (GOM/GBNK SS).

Established in 1963, the MLA is a member-driven organization that accepts and supports the interdependence of species conservation and the members' collective economic interests. The membership is comprised of fishermen from Maryland to Canada and encompasses a wide variety of gear types from fixed gear and mobile gear alike. The MLA continues to work conscientiously through the management process with the Massachusetts Division of Marine Fisheries (MADMF), Atlantic States Marine Fisheries, Atlantic Large Whale Take Reduction Team, and the New England Fisheries Management Council to ensure the continued sustainability and profitability of the resources in which our commercial fishermen are engaged in.

Permit Type	Active Status	LMA	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Total Inshore Permits*	Active	LMA1	671	661	643	616	615	616	619	620	619	585
		LMA2	69	68	65	63	53	59	66	60	54	54
		OCLMA	68	68	65	69	65	61	60	58	56	62
	Latent	LMA1	479	435	411	414	405	392	379	366	366	383
		LMA2	90	87	81	79	83	77	66	67	67	72
		OCLMA	18	19	21	19	19	18	16	18	18	16
Total Issued	Active	808	797	773	748	733	736	745	738	729	701	
	Latent	587	541	513	512	507	487	461	451	451	471	

MADMF Slide 22, Coastal Lobster Permits & Activity Status by LMA

The commercial lobster fishery, active effort, in Massachusetts continues to decline and each year is losing an estimated 8 to 10 permits a year with NO NEW PERMITS being issued. Massachusetts has a limited entry fishery that is continually reducing effort on the resource. To further help conservation on the resource there are two Lobster Management Areas (LMA) in Massachusetts that have even more conservation measures in place to further protect the resource through a 10% Trap Tax on trap tag transfers. This measure alone has reduced the effort by tens of thousands of traps from being fished.

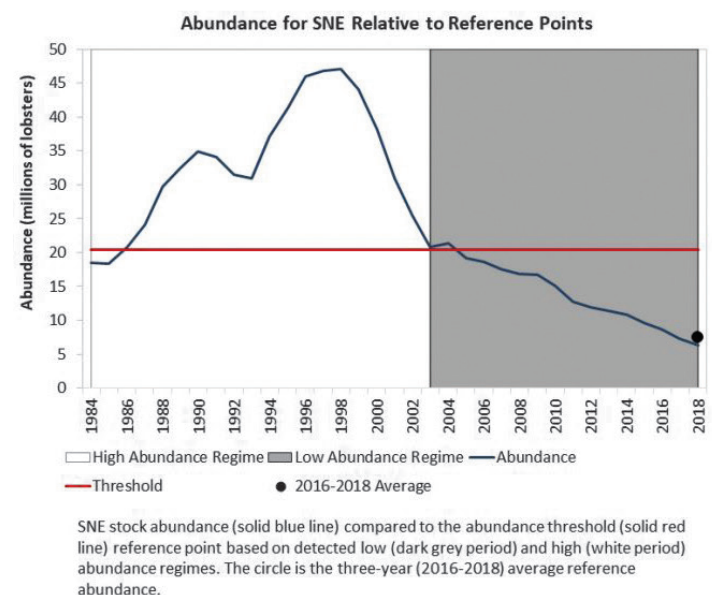
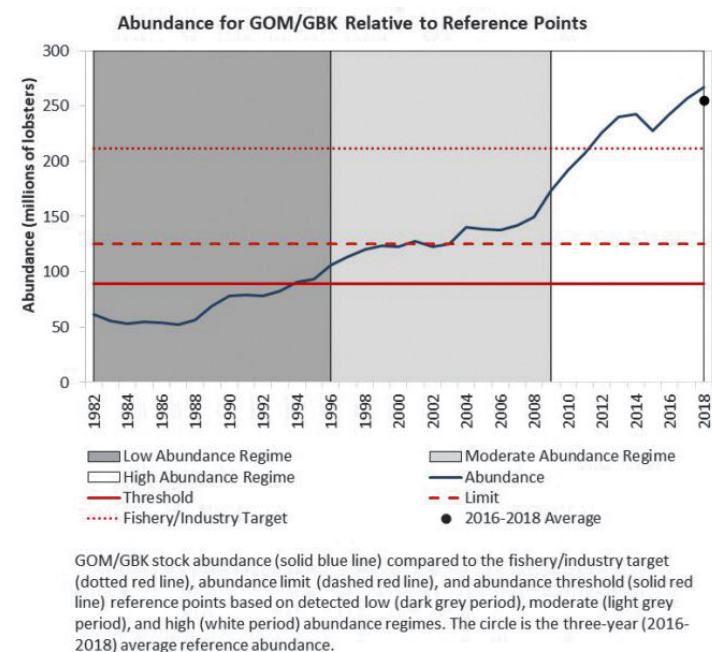
Recently, during the MLAs Annual Weekend & Industry Trade Show, the MADMF gave a presentation on the entire lobster industry here in the Commonwealth and as the data is presented in Slide 22, Coastal Lobster Permits & Activity Status by LMA depicts the effort is clearly trending downward to a mere 647 active permits that are fishing on the GOM/GBNK SS stock.

As the overall effort continues to decline in Massachusetts, as indicated by the MADMF Lobster Tables data on the lobster effort from 2004 and 2021 for LMA 1 and Outer Cape Cod (OCC). The Massachusetts commercial lobster effort has significantly reduced its effort from an estimated high of 1328 total permits in 2004 to total 755 in 2021. That is nearly a 43% reduction in active effort with NO NEW EFFORT being fished on the GOM/GBNK SS.

The impact of the Massachusetts commercial lobster industry is marginal on the resource and the effort continues to decline. There are NO Options in Add. XXVII that the MLA can support. Addendum XXVII is not a one size fits management plan as it is presented. More data is needed to truly understand where the negative impacts are on the resource.

Furthermore, after reviewing Add. XXVII, the many Public Hearings and the scores of

LETTER, Page 25





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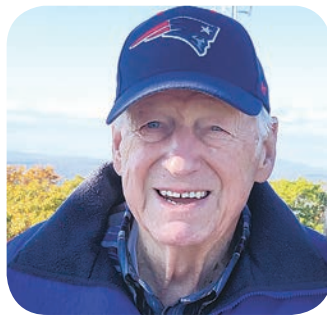
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IN MEMORIAL



Ronald R. Peck

Ronald R. Peck, 81 years old, of Kingston, MA entered into the presence of his Heavenly Father on March 6, 2023 after a hard fought, month long battle with COVID. He is preceded in death by his parents Roy and Bethel Peck and his sister Joan Trefry. He leaves his "girl," Alice Hardy Peck, wife of sixty one years, whom he treasured above all others; his sister Nancy Merry and husband Robert and his children Douglas Peck and wife Lori, Sally Balch and husband Ken, Kelly Clink and husband Clarence, and Alison Sopher and husband Sam. His legacy also includes nine grandchildren and two great grandchildren of whom he was so proud: Joshua Tornstrom, Tyler Tornstrom and wife Alyssa; Joel Balch, Noah Balch and wife Kat; Grant, Lincoln, Will, and Gibson Martin; his only granddaughter Michelle Peck, along with his great grandchildren Wesley and Annie Jo Tornstrom.

Ron was born in 1941 in Syracuse, NY. He had very fond memories of his home and family in New York, which include his beloved Aunt Beverly and Uncle John Storrier and the entire Storrier family who were so special to him. He enjoyed hunting throughout the years with his son, uncles, aunt and cousins. Ron attended Lafayette School District before his family moved to Kingston in 1958. Ron attended Silver Lake Regional High School his junior and senior year where he made many lifelong friends. Ron holds the school record for the half-mile race with a time of 1:57.8 where he ran at States as a senior in 1960. He had his own personal cheerleader, Alice, the love of his life. She continued to cheer him on for sixty-one years.

While still holding down a full-time job, Ron began his own business Capeway Welding in 1968 out of his basement. In 1969, he left his job to focus solely on his business. This business flourished, and in 1985 he built his current shop in the Plymouth Industrial Park. In 1987, he purchased New England Propeller, Inc. which he proudly ran with his beloved son Douglas. Ron's work ethic and ability to think outside of the box to problem solve were second to none. Ron always expressed appreciation for his past and present employees' skills and talents that contributed to the success of the business.

Ron was a good friend and rock to so many. He loved people and his generosity to all was beyond measure. He dearly loved his church family at St. Paul's Church of the Nazarene, where he served in many capacities throughout the years.

Ron also loved spending time with his extended family included special in-laws, nieces, and nephews on both the Hardy and Peck side. Ron loved a party and hosted many lobster feasts at his home for family, friends, and neighbors. Many will treasure time spent on his boat lobstering and fishing. Time on the boat was truly a refuge for Ron and his family.

Ron was blessed to have been under the care of Dr. Irina Gurevich for the 20 years of his cancer diagnosis. We are so thankful for the staff on the BID Progressive Care Unit and Dr. Mark Dunlop for their graciousness and wonderful care.

If you knew Ron, you probably knew he lost his sense of taste and smell many years ago. We have the blessed assurance that Ron's Heavenly Father has prepared a table for him, and his sense of taste and smell have been fully restored. Ron's love of Jesus was reflected in his love for all of us, and we are grateful to have been loved by him.

A celebration of life service will be held at St. Paul's Church of the Nazarene, 136 Summer St., Duxbury, MA at 4:00 p.m. on Friday March 17, 2023. In lieu of flowers, donations can be made to Operation Smile or Samaritan's Purse.



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The Massachusetts Lobstermen's Association

would like to welcome the following new members to the Association.

Your Association will continue its efforts on your behalf to conserve the resource, protect your livelihood, keep you informed, promote the industry and provide you with increasing benefits as they are developed. MLA stands ready to help you in anyway, at anytime — just let us know how!

Safe on the water and good fishing!

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HAULER TURNS



THANK YOU to all of you who attended, helped, and participated during the Massachusetts Lobstermen's Association (MLA) 2023 Annual Weekend and Industry Trade Show this year. The MLA has been hosting this event for over 50 years now and is the only commercial fishing trade show in Massachusetts.



The MLA is grateful for all of you who donated items for the Silent Auction to help raise funds for the MLA Scholarship Fund. The MLA has awarded 4 scholarships this year in the amount of \$1000.00 each. These funds come from your generous donations and for that we say, THANK YOU.

Also, this year the MLA Legal Defense Fund raffle generated a lot of interest and raised over \$15,000.00 from selling raffle tickets and two generous donations from Brooks Trap Mill and our law firm, Elkland & Blando LLP. We could not keep up the legal fight without your generous donations and for that we say THANK YOU.

The MLA is always looking for your feedback on the Annual Weekend and Industry Trade Show so, if you have any great ideas, please email them to me at beth.casoni@lobstermen.com.

Now onto the business at hand, the Atlantic States Marine Fisheries Commission (ASMFC) Addendum XXVII (Addendum) which went out for Public Comment and is now closed. The ASMFC Lobster Board will be held on May 1st to de-

termine what action they are going to take on the Addendum.

This Addendum is looking to fix a problem in an area by squeezing the Massachusetts commercial lobster industry when they are not the problem. As indicated by the data, the Massachusetts settlement has been trending up and yet you are being asked to take a hit when you are not the culprit, where is the logic?

The MLA participated in numerous Public Hearings and talked to numerous industry representatives on this Addendum and, all in all, the MLAs letter of comment sums it up, this is not a one size fits all fix and we stand with Status Quo. Let the regions that are seeing the declines adjust their sails to the wind.

Also, on the horizon here in Massachusetts is the legislation, S552 An Act relative to lobstering closure mitigation (Act), that has been filed by Senator Patrick O'Connor. This Act was originally filed last year as Amendment 187 to the Budget and was withdrawn due to the minute amount of time left in the Legislative Session to get the necessary support needed for passage.

This Act was refiled this year by Senator Patrick O'Connor and has many sponsors and supporters. The Act would create a mitigation fund to help commercial lobstermen that have been shutout due to the over 11,000 square miles of closed waters for the

protection of right whales here in the Commonwealth.

The MLA has been talking with scores of legislators and state officials on how to get this Act funded and we are working on it daily. The Act, like any other Act, needs to be supported not only by the Coastal Caucus members but the entire legislature and we need to make sure we dot every i and cross every t when building this program so we can get it funded. Stay tuned!

Lastly, I want to express my gratitude to all of you that continue to reach out to me via, phone, in person, text, email and mail sending me kind words of encouragement and appreciation for what I do for you and the commercial lobster industry alike goes a long way. Your thoughtfulness warms my heart and keeps me motivated to do more for you and the good of the commercial lobster industry alike.

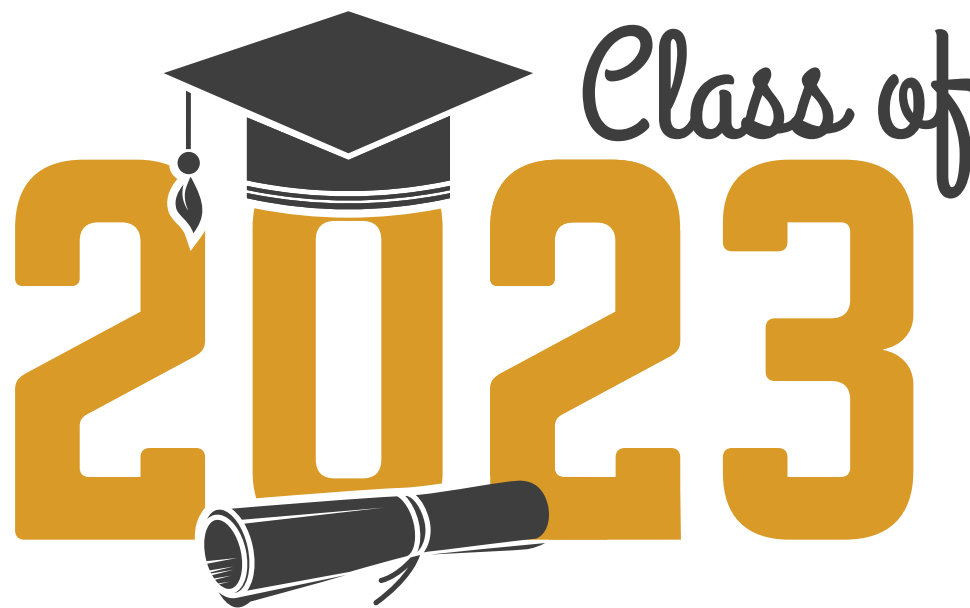
Safe on the water,

Beth Casoni

MLA Executive Director



The Massachusetts Lobstermen's Associations'



Congratulations to the Massachusetts Lobstermen's Associations' class of 2023. The recipients in memory of the Robert Wheeler scholarship are given to MLA members' children who are graduating high school and entering their first year of college.

This year's recipients are as follows;

Jenna Church from Gloucester, MA will be attending Nova Southeastern University to study Marine Science Research.

Molly Coakley from Wellfleet, MA will be attending the University of Massachusetts Amherst to pursue a career in teaching.

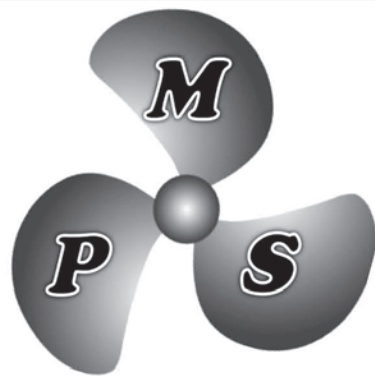
Jackson Ring from Manchester, MA will be attending the University of Massachusetts Amherst to pursue a career in engineering.

Daniel Penney from North Billerica, MA will be attending Mass Bay Community College to pursue a career in Automotive Technology.

We are certain that you all will have a fine future in your chosen fields of study and hope that you will keep in touch to let us know how you are doing.

Best of luck to you all, your friends at the Massachusetts Lobstermen's Association.

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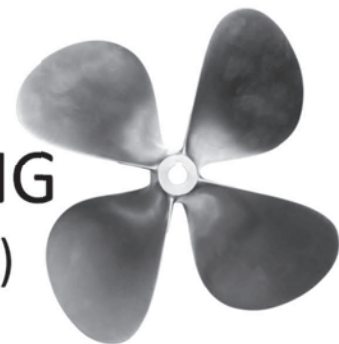
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BOEM Advances Offshore Wind Leasing Process in the Gulf of Maine

Seeks Public Input on Possible Wind Energy Development offshore Massachusetts, New Hampshire and Maine

As part of the Biden-Harris administration's goal of deploying 30 gigawatts of offshore wind energy capacity by 2030, the Bureau of Ocean Energy Management (BOEM) today announced the publication of its Gulf of Maine Call for Information and Nominations (Call). This Call invites public comment on, and assesses interest in, possible commercial wind energy development in areas offshore Massachusetts, New Hampshire and Maine.

This represents an early step in the commercial planning and leasing process, and the first required by BOEM regulations.

"BOEM is committed to transparent, inclusive and data-driven processes, and public input is essential

to helping us determine areas that may be suitable for offshore wind development in the Gulf of Maine," said **BOEM Director Elizabeth Klein**. "We are still early in the planning and leasing process, and we look forward to the multiple future opportunities for engagement."

BOEM will publish the Commercial Leasing for Wind Power Development on the Gulf of Maine Outer Continental Shelf (OCS) - Call for Information and Nominations in the Federal Register on Apr. 26, 2023, which will initiate a 45-day public comment period. BOEM will accept nominations and comments through 11:59 p.m. Eastern Time on Jun. 12, 2023.

After the public comment period

closes, BOEM will review and analyze commercial nominations and public comments submitted in response to the Call. BOEM will also consider information from government and Tribal consultations and the Gulf of Maine Intergovernmental Renewable Energy Task Force to further evaluate the appropriateness of the Call Area for offshore wind energy development.

"The feedback that we have received prior to this announcement has been extremely valuable in informing the process and understanding the unique dynamics that the Gulf of Maine presents," said **BOEM Project Coordinator Zach Jylkka**. "The success of BOEM's commercial leasing process hinges

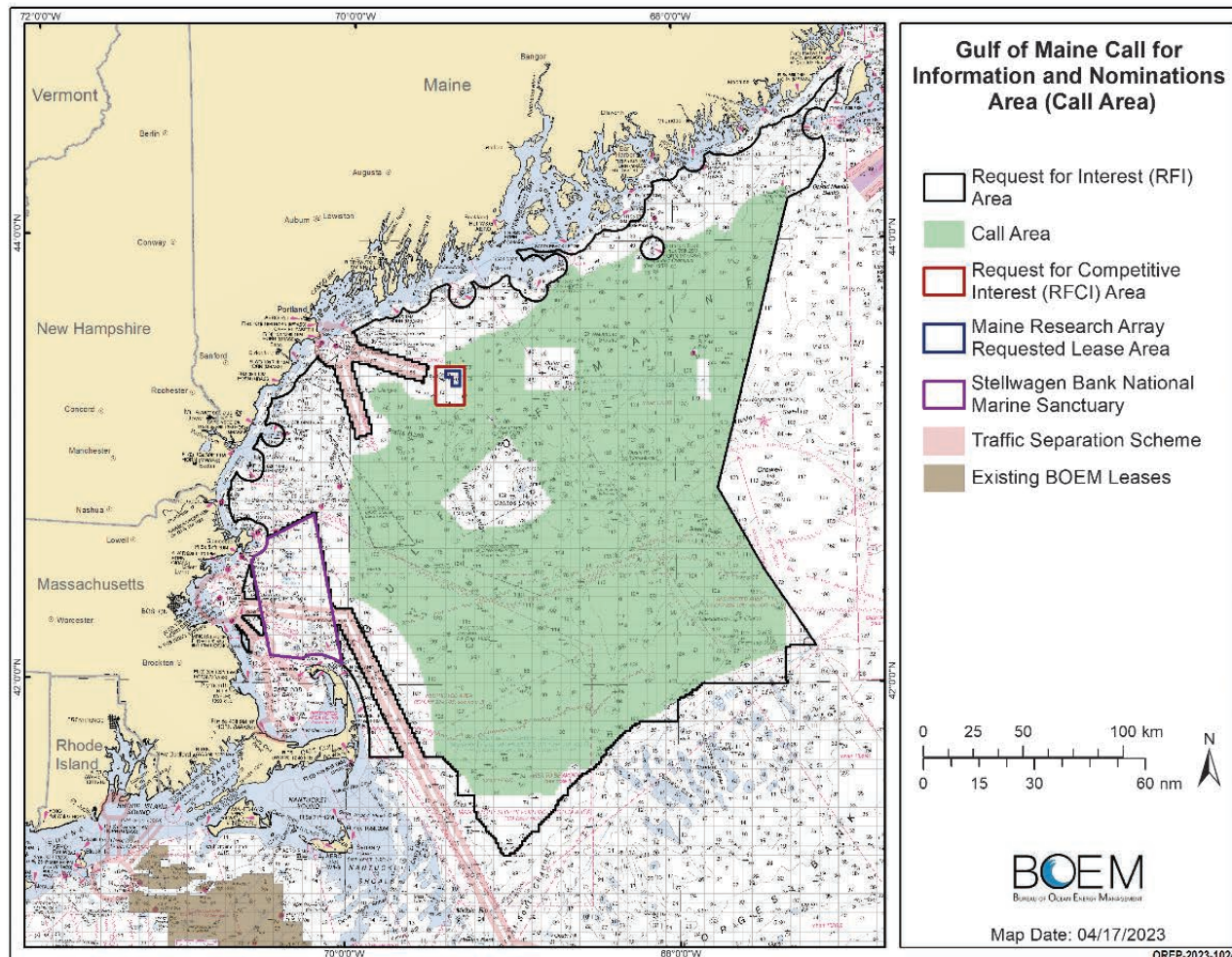
upon continued public input, and we are fortunate that many passionate and knowledgeable individuals and organizations are willing to share their experiences and expertise to help shape these important outcomes."

In August 2022, the Department of the Interior announced a "Request for Interest" (RFI) to gauge whether commercial interest existed in obtaining wind energy leases within an area in the Gulf of Maine comprising about 13.7 million acres.

BOEM worked collaboratively with National Oceanic and Atmospheric Administration's National Centers for Coastal Ocean Science (NCCOS) to conduct a spatial analysis of the RFI area. This analysis, in combination with public comments on the RFI, led to the creation of a draft Call Area. BOEM hosted a series of information exchanges on the draft Call Area from January-February 2023 to get feedback from Tribes, states, existing ocean users, and the general public. The final Call Area, published today, reduces the RFI area to 9.8 million acres, a nearly 30 percent reduction.

In the final Call Area, BOEM removed approximately 160,000 acres from future consideration to avoid Georges Bank. The Call Area remains broad to provide flexibility to minimize conflicts with other uses. BOEM will use a powerful spatial analytical tool, called an ecosystem-wide suitability model, developed in partnership with NCCOS, to help identify where conflicts may exist and inform decisions regarding the most appropriate Wind Energy Areas to meet the states' and Biden-Harris administration's offshore renewable energy goals.

Through the information exchanges on the draft Call Area, BOEM has identified four areas that BOEM specifically seeks public input on during this next phase of review, including: Lobster Management Area I, Platts Bank, Atlantic Large Whale Take Reduction Plan Restricted Areas, and Georges Bank (the immediately adjacent area



along the southern boundary of the Call Area). This is not an exhaustive list; however, it represents the areas that were most commented on in the most recent public engagement. BOEM looks forward to receiving more information during the Call comment period regarding the suitability of these areas for potential renewable energy development.

PUBLIC ENGAGEMENT

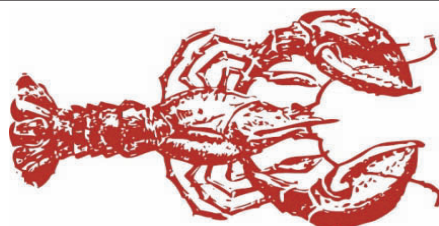
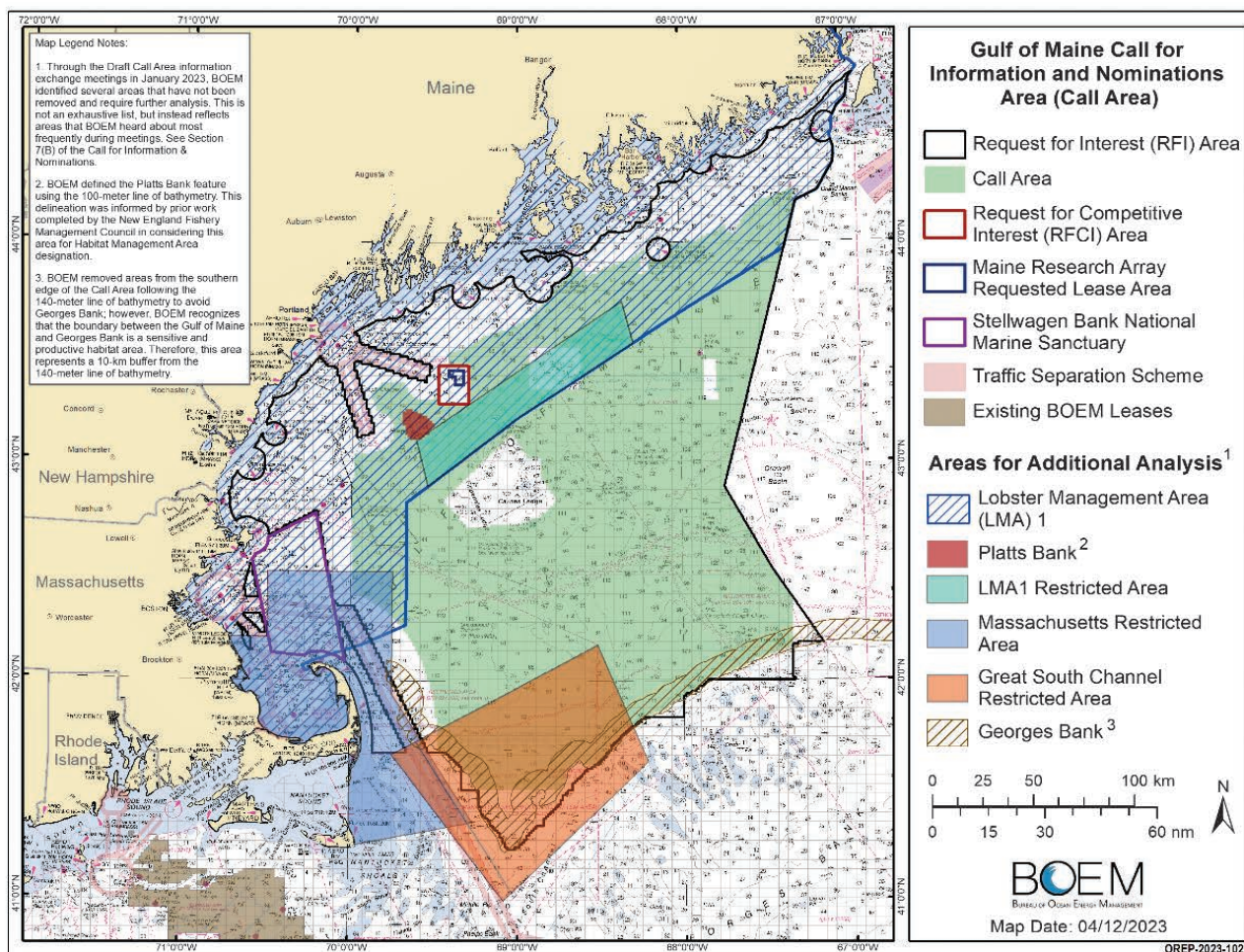
BOEM aims to address and better understand any concerns from the public and encourages input and feedback to help inform its decision-making. Throughout the Gulf of Maine planning process for possible commercial leasing, there will be more opportunities for public input.

BOEM will host its third Gulf of Maine Intergovernmental Renewable Energy Task Force meeting May 10-11, 2023, in Bangor, Maine.

The purpose of the meeting is to update Task Force members and the public on BOEM's commercial and research offshore wind energy planning activities and to discuss next steps for the Gulf of Maine.

The public is encouraged to attend this meeting.

Additional information can be found on BOEM's webpage: www.boem.gov/Gulf-of-Maine/



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March 13, 2023

Fixed Gear Fishermen of Massachusetts,

Marine Fisheries will be conducting its annual spring trawl survey throughout state coastal waters beginning May 8, 2023. Surveys have been conducted each May and September since 1978 to provide a consistent sampling of benthic fishes and mobile invertebrates. Survey data is used to monitor the condition of various marine stocks. The data is also used to inform the environmental review process, which advises on ways to minimize construction impacts on fisheries resources. Maintaining access to the planned sampling sites is critical to the integrity of the survey.

Please review the live map on our website, which displays all remaining tow locations. The map can be found on our website (<https://www.mass.gov/service-details/review-trawl-survey-updates>). The live map has a feature which allows you to display your current location. Within see the map in full screen on the upper lefthand side of the map page select the “scope icon” button  just below the home button. With the location feature toggled on, your device will display your live location on the map in relation to tow circles and historical tows. This feature can be used to assure gear is not in conflict with planned tows. **We kindly ask for your cooperation and insist that all fixed gear be kept clear of the shaded station tow circles by the dates listed in the table.** The coordinates of each selected point are provided in the attached tables here: https://www.mass.gov/files/documents/2023/03/15/MLA_Letter_202391.pdf. The live map and attachment figures show the station with a 1.5 n. mi. diameter circle around the selected point. All station circles are trimmed to the appropriate stratum which represents actual station outline. A list of station location information can also be accessed on our website (<https://www.mass.gov/service-details/review-trawl-survey-updates>). We will make every attempt to complete stations as timely as possible to minimize inconvenience to fixed gear fishermen. Completed stations will be updated and announced daily to notify fishermen that gear can be returned to the area. *Marine Fisheries* is prepared to attach restrictions to permit renewals (under 322 CMR 7.01 (7)), mandating that fixed gear is not set on designated trawl survey sites between the announced date and notification of station completion. It remains our hope that this action will be unnecessary.

Each day the MLA will be notified of survey progress and all completed stations will be removed from the live map. The Massachusetts Lobstermen’s Association will also post survey information on their webpage (<http://www.lobstermen.com>), as well as on Facebook (username: lobstermensassoc) and Twitter (handle: @masslobstermens).

In the event of a delay due to weather, the schedule will be resumed as soon as working conditions permit. Fishermen can contact the R/V Gloria Michelle on VHF channels 13 or 16 to determine the updated daily schedule.

Personnel aboard the NOAA R/V Gloria Michelle, a 65’ western rigged steel stern trawler with a blue hull and white deckhouse, will carefully check each site for marked gear by cruising along a selected tow path before the net is set. Twenty-minute tows undertaken at 2.5 knots cover approximately 0.8 nautical miles. We encourage communicating helpful information to the R/V officers (via channels 13 or 16).

Your cooperation is greatly appreciated and is vital to the effective monitoring of marine resources in the Commonwealth. If you have any questions about the survey, please contact me (steve.wilcox@mass.gov or (508) 742-9731). If you have any questions about the *Marine Fisheries* website, or Facebook, please contact Story Reed (story.reed@mass.gov or 617- 626-1524).

Sincerely,

Steven Wilcox

Senior Marine Fisheries Biologist
Cc. Dan McKiernan, Director



Energy Efficient Fisheries



This year, Massachusetts fishermen are launching a new initiative: Energy Efficient Fisheries (EEF). Funded entirely by Congress with a mission to support industry-led solutions for fuel efficiency and emissions reductions, EEF will help fishing and seafood businesses save money, adopt efficient technology, and continue leading ocean conservation.

Who is involved?

EEF is a Massachusetts project hosted by the Gloucester Fishermen's Wives Development Program and led by a diverse fishing industry steering committee with members from across the state representing businesses large and small across fisheries. The first phases of our work will focus on Massachusetts ports and fishing vessels, with future efforts designed to scale across the region.

Why are we doing this work?

✓ Lowering emissions, reducing fuel consumption, and saving money are valuable goals

Energy efficiency is one of the easiest ways to reduce fixed costs in a fishing or seafood business. Lowering your fuel or electricity bill while reducing greenhouse gas-driving emissions is a win-win for your bottom line, the resources we depend on, and our communities.

✓ Getting out ahead of mandates means better outcomes for the industry

Fishing business owners know that uninformed, untested mandates are never ideal. From safety to cost effectiveness, next-generation technologies must prove themselves in some of the harshest environments on the planet. With fishermen and seafood business owners leading the assessment and adoption of fuel efficiency technologies, the industry can avoid mandates and adopt next-generation technologies that work for their unique application at the right pace.

✓ The time is ripe to take action

Food producing industries like ours have a once-in-a-generation opportunity to access state and national programs that support the adoption of emission reduction technologies right now, but the open window won't last forever. The US fishing industry, particularly smaller businesses, must plan, advocate, and organize in order to compete for these important and valuable programs. EEF is a great way to lay out a workable plan and bring funds home to our ports.

✓ EEF continues the fishing industry's long legacy of ocean conservation

Fishermen and their organizations have fought against ocean dumping, destructive offshore energy development, and destruction of marine habitat for generations. This legacy is often overlooked or dismissed. By developing voluntary decarbonization and fuel efficiency efforts, the fishing industry will continue to lead uncompromising ocean conservation

What work will EEF do, and what will be the result?

EEF projects will include a fishing and seafood industry baseline and energy needs assessment, fishing vessel energy audits, professional development for advanced technology installation and service for specialized marine applications, and consultancy services for business owners seeking to access low-cost capital and grant funding for fuel efficiency investments. Our work is designed to be participatory and scalable, all in service to the industry.

"Cape Cod Bay is warming at an alarming rate, and so the pace of our investment in innovative technologies and in our historic fishing industry have to keep up. I am proud to have secured \$2 million in funding to support fishermen and seafood processors throughout the Commonwealth as they work to embrace energy-efficient technologies that will cut costs, protect jobs, and lower emissions. I thank the Gloucester Fishermen's Wives Development Program, the Massachusetts Fishermen's Partnership, and all those involved in Energy Efficient Fisheries for their work to bring this landmark program to the Massachusetts coast."

-Senator Edward Markey

To learn more, or to get involved, write to asanfilippo@gfwa.org or call 978-821-1590...we'd be happy to speak with you!



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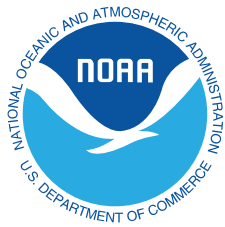
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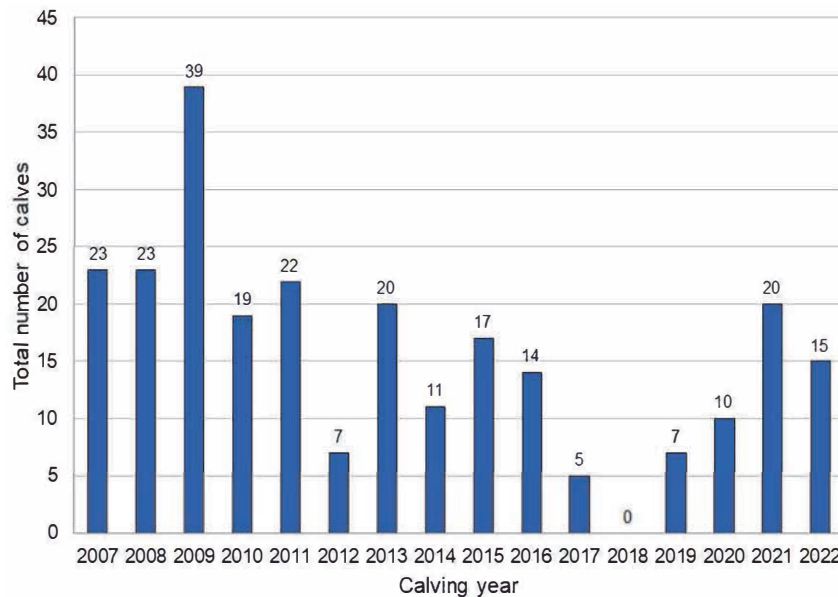


North Atlantic Right Whale Calving Season 2023

We estimate there are fewer than 350 North Atlantic right whales remaining. With so few of these whales left, researchers closely monitor the southeastern United States for new offspring during the annual right whale calving season.

Every single female North Atlantic right whale and calf are vital to this species' recovery. So far, researchers have identified 12 live calves this calving season. Check back here or follow NOAA Fisheries on Twitter for updates.

North Atlantic right whales are dying faster than they can reproduce, largely due to human causes. Since 2017, the whales have been experiencing an Unusual Mortality Event, which has resulted in more than 20 percent of the population being sick, injured, or killed. The primary causes of the Unusual Mortality Event are entanglements in fishing gear and collisions with boats and ships. Researchers estimate there are fewer than 70 reproductively active females remaining. The remaining females are producing fewer calves each year, which impacts the ability of the species to recover.



The number of North Atlantic right whale births each "calving year" in past years. North Atlantic right whales typically calve between mid-November and mid-April. Credit: NOAA Fisheries

For more information - <https://www.fisheries.noaa.gov/national/endangered-species-conservation/north-atlantic-right-whale-calving-season-2023>

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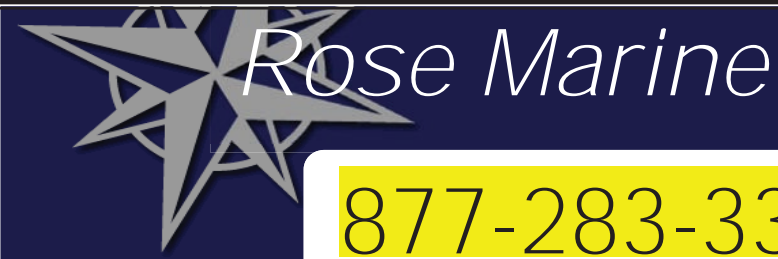
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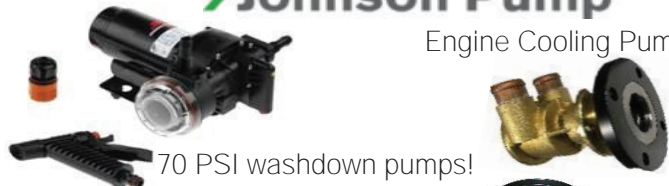
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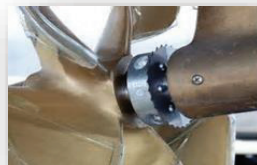
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The MLA's Annual Weekend & Industry Trade Show 2023

The Massachusetts Lobstermen's Association celebrated its 60th Annual Weekend and Industry Trade Show on March 24th through the 26th which was another successful event. This year's event was held at the Resort and Conference Center at Hyannis with attendees coming from far and wide.

The exhibit hall was full of all types of vendors and all the seminars were

well attended. We want to thank all our longtime vendors and all the new vendors for your continued support and donations because without you the show would not be. The exhibit hall was full of lively conversation between vendors and fishermen.

This year the Silent Auction was held during dinner on Friday evening and was very successful. It encompassed something for every-

one and not just fishing equipment. There was a lot of competition for hot items such as the stained-glass lobster, the sea glass bracelet, and a basket of whisky.

Throughout the weekend there were several other fun events for attendees to participate in from the candy bouquet craft, comedy night and of course the "infamous" hospitality room. Oh, was that popular! If you have any suggestions for future events, please let us know, we want to hear from you.

Saturday evening the MLA Awards were presented by MLA President, Arthur "Sooky" Sawyer. Due to the pandemic, the MLA also presented the 2020 awards. MLA awards were given to:

- 2023**
Jim Bartlett (MLA Award of Excellence)
Story Reed – DMF (Appreciation Award)
Tracy Pugh DMF & Nick Lowell CCB
DO Project (Appreciation Award)
Sam Blatchley (Legal Keeper Award)
- 2020**
Grant Moore (Recognition Award)
Debra Kelsey (Appreciation Award)
Northeast Center for Occupational Health & Safety (Recognition Award)
Erin Lally (Appreciation Award – Lifejacket for Lobstermen Van/program)
Amanda Roome (Appreciation Award – Lifejacket for Lobstermen Van/program)

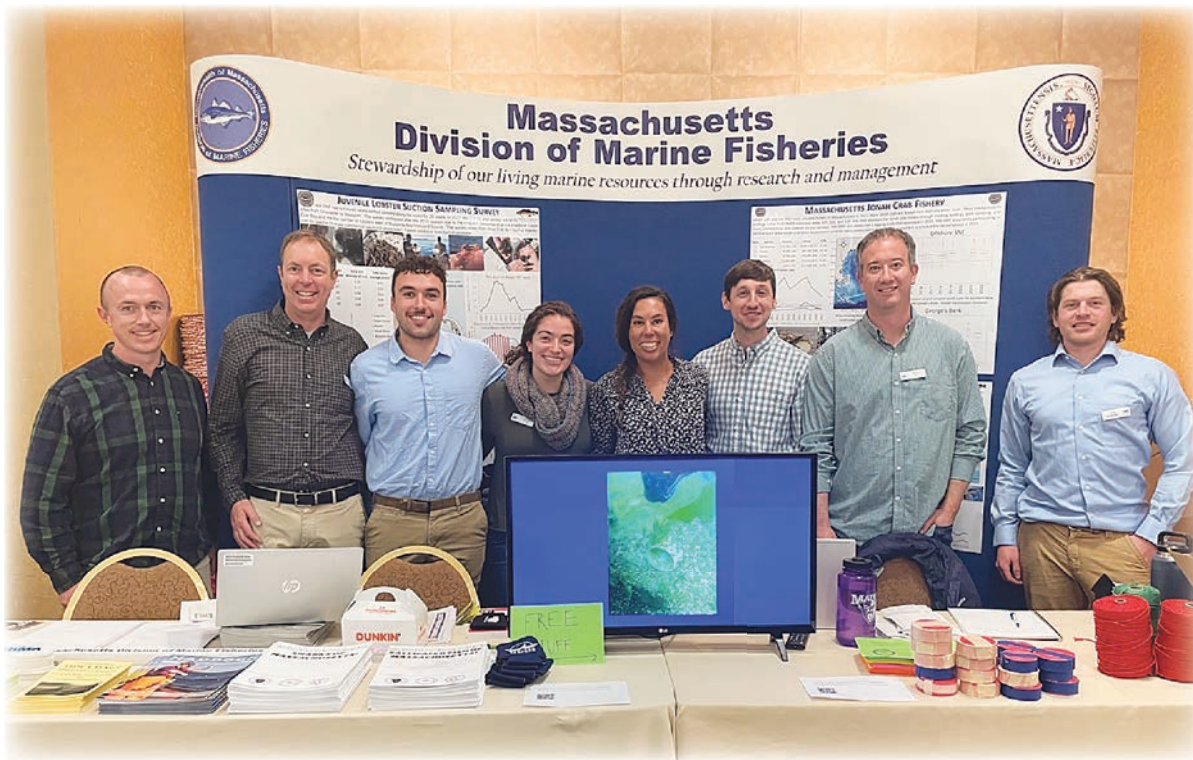
Everyone that was given an award has been dedicated to keeping the ecosystem and resource healthy, fishermen safe as well as the betterment of the MLA and the commercial lobster industry.

Sunday morning, Secretary/Treasurer Dave Casoni then thanked everyone who attended and supported the Association throughout the year as well as at the Annual Weekend and Trade Show. He again thanked the loyal exhibitors and all who donated to our auction and our prizes. Speaking of prizes, there were many drawings of which many prizes were good old cash \$\$\$\$. Congratulations to all the winners.

We also want to thank our dedicated Annual Weekend Committee for all their hard work and months of planning. Most of all we want to thank our MLA staff and additional crew at the show as you are the ones that made all this happen. We thank you for all your hard work. Job well done!

To all the longtime vendors, participants, and show supporters; you are the backbone of the entire weekend, and we want to thank you all for your decades of continued support and participation at the MLAs Annual Weekend and Industry Trade Show.









2023 ANNUAL WEEKEND DONORS

WE WISH TO ACKNOWLEDGE AND THANK THOSE OF YOU WHO HAVE GENEROUSLY MADE DONATIONS FOR THE MLA'S ANNUAL WEEKEND & INDUSTRY TRADE SHOW 2023.

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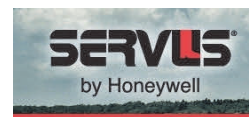
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Letter

FROM PAGE 1

comments that were provided all pointed out a critically important gap in data for areas in the OCC and Eastern Cape Cod Bay. These data gaps need to be filled before Add. XXVII is moved forward to ensure ALL the data is included before a permanent management measure is implemented. These areas that historically have not been surveyed are highly productive and landings from these areas remain relatively consistent. The MLA strongly recommends putting Add. XXVII on hold until these data gaps are filled to give a much clearer picture of what is truly happening to the settlement here in the Commonwealth.

During the recent Public Hearing on April 29th, the main question asked was on Figure 4 that depicts the trends in the Young of the Year (YOY) settlement and, why is Massachusetts being asked to do anything when MA Stat Area 514 it clearly showing the settlement trend in the Commonwealth is going up even with missing data as noted above.

The MLA encourages that these data gaps be filled and once they are filled from these highly productive and critical areas, the consensus from the industry is that the YOY settlement index will go up even more.

The MLA is extremely concerned that the approximate 670 active LMA1 & OCC commercial lobstermen are going to be negatively and irreparably harmed should Add. XXVII be passed.

The Massachusetts Lobstermen's Association proudly supports the letters of comment submitted to the Atlantic States Marine Fisheries Commission on Addendum XXVII from the Atlantic Offshore Lobstermen's Association and the Outer Cape Lobstermen's Association.

For the reasons noted above, the Massachusetts Lobstermen's Association can only **SUPPORT STATUS QUO ON ALL OF THE OPTIONS.**

Thank you for your thoughtful deliberation & consideration on our comments.

Sincerely,
Beth Casoni
MLA, Executive Director

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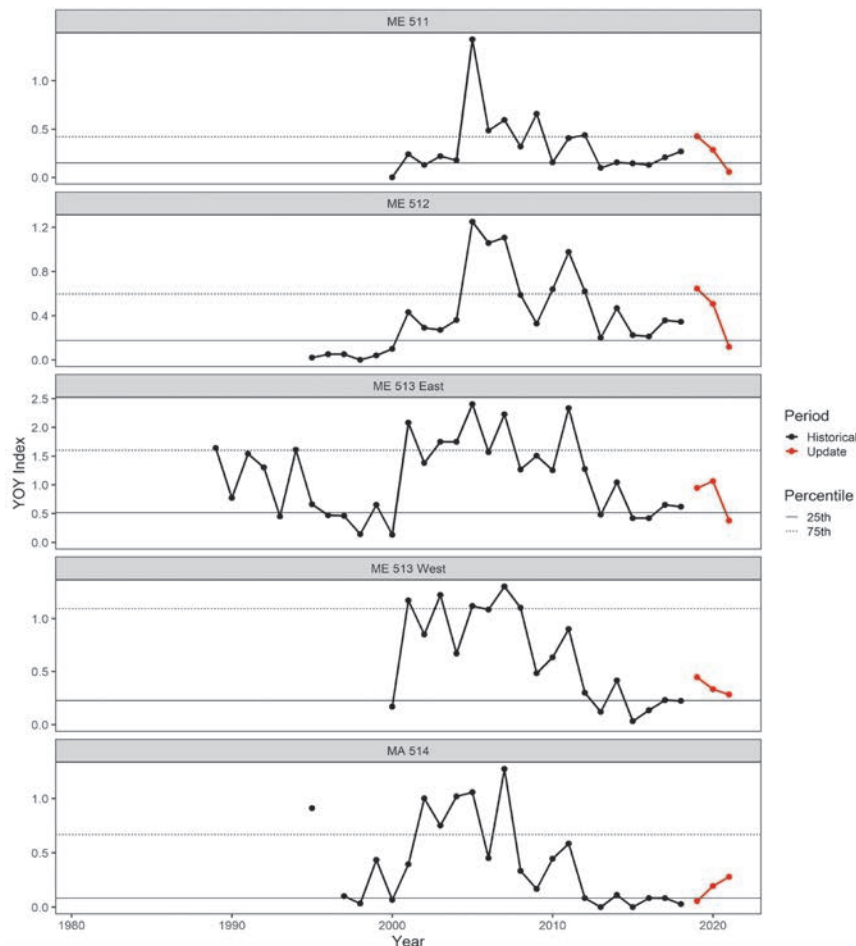
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ASMFC Figure 4. GOM abundance indicators: YOY indices.

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Stellwagen Advisory Council Report



(Windmills, Management Plans and Fairways)

I'm Bill Adler or like Tom Brady, I was "termed out" after the last SAC meeting. However, because replacements had not yet been approved, all the termed-out members were asked to stay on for now. So, I'm Back-for now!

The Stellwagen Bank Sanctuary Advisory Council (SAC) met for its 67th meeting on February 28th in Scituate. Due to the storm that day, half of the SAC council members joined the meeting "virtually", and not in person. Bill Adler was there in person.

After the usual introductions, the SAC was updated on the Sanctuary's Works Plan. This included reviews of the following:

- The Maritime Heritage works.
- A Right Whale report.
- The shipwreck avoidance program.
- A tourism program.
- Offshore wind issues
- Various events planned.
- Water Quality Monitoring
- The MWRA water quality report

Some of these items involved working groups.

It was noted that the recruitment process to seat new SAC members was still down in headquarters in Silver Springs. It had not finished clearing any new applicants and now they might not be seated until the October meeting.

Several of the existing SAC members 'termed out' and were not eligible to be re-appointed by the Secretary of Commerce. Bill Adler, (Commercial Fixed Gear representative) was one of the long-time SAC

members who "technically" had termed out. He by the way, was first appointed to the SAC in 1990. This was one of the reasons the Stellwagen Sanctuary had asked those SAC members who technically had termed out to stay on for this meeting and maybe the May meeting? By the way, no one had applied for the Commercial Fixed Gear seat!!??

The election for chair, vice chair and secretary will be held at the May meeting. Currently, the chair is Todd Callahan (CZM), vice chair is Susan Farady (education) and Laura Howe (whale watch) secretary.

Next on the agenda was reviewing and updating the Sanctuary Charter. It was reported that this is ongoing and will be continuing through the end of the year. (*Nothing Bad Here*).

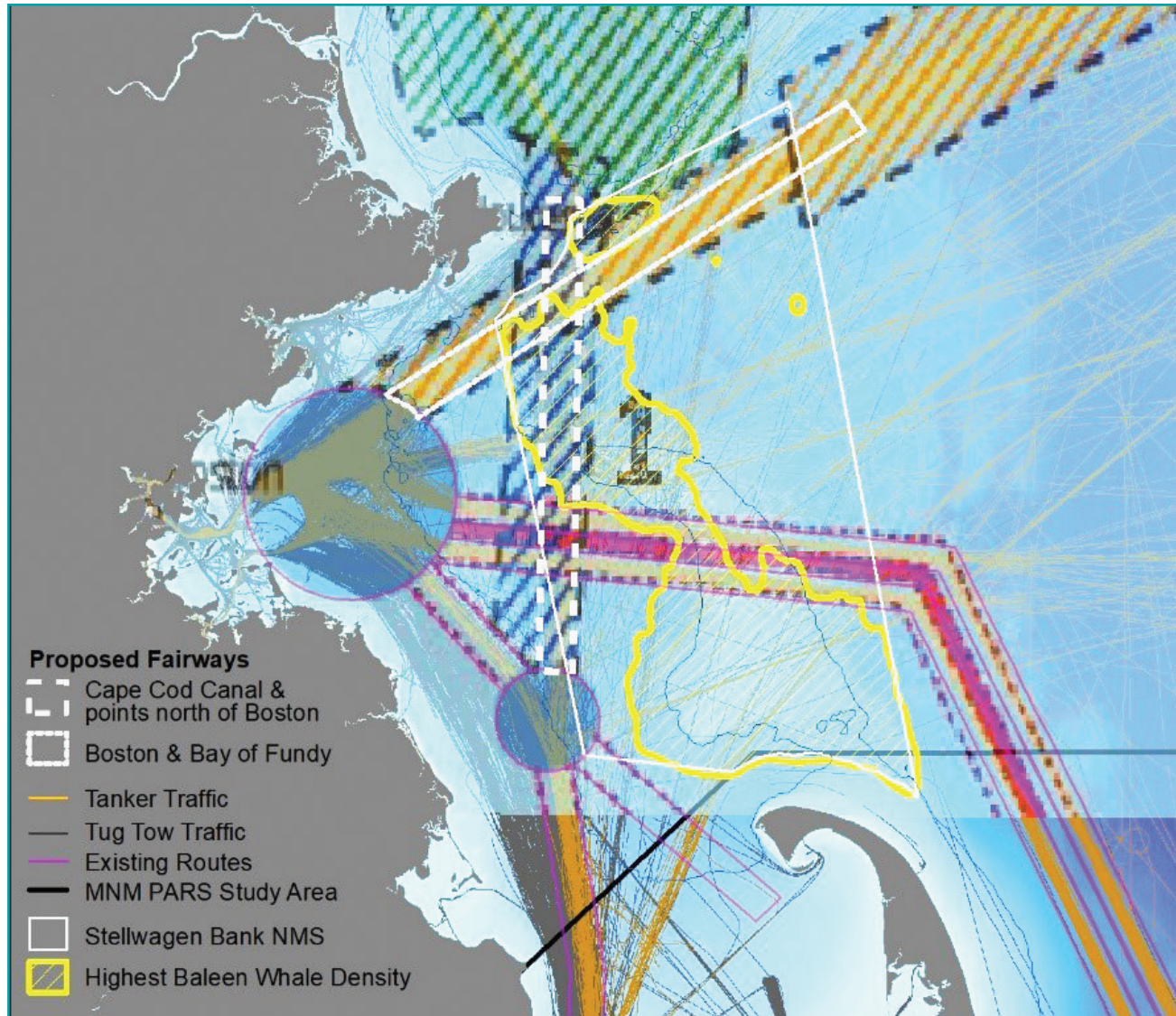
The SAC then moved into a lengthy discussion on the windfarm/wind energy on going reports and updates. There was a SAC wind energy subcommittee formed after the last meeting. They reported on three chargers they were given. These were:

Buffer Zones around areas with wind turbines in the Gulf of Maine. These possible sites are east of the Sanctuary. There was, however, a map showing where transmission lines might try to come ashore. Possible shoreline connections according to the chart are Sandwich, Plymouth, Boston, Salem, and Portland ME. A question here is how and where will these cables be "dug" to reach any of the locations?

This led into a second, item, the "cables", as above, where, or how would they be placed? The Sanctuary's concern is, would they try to run them through the Sanctuary?

A third issue being discussed by the sub-committee involves the monitoring of species (whales, birds, fish) and what these turbines, which will be floating and anchored, and what the cables could pose as problems for marine species in all of this?

Bringing cables to shore involves digging, trenching, and covering the cables. It was noted that down below the Cape, "CapeWind" has run into problems when below the sediment,



they've encountered rock ledges which they didn't know about?!! This involved laying the lines closer to the surface and having to lay a concrete mat over them. The question here is could this happen in the Gulf of Maine projects?

As noted, the BOEM is doing all these proposals, studying, promoting, and sightings have indicated, as for the Sanctuary, the law now says that "No Windmills or Cables can go in or through the Sanctuary". This is currently the law; however, the law could be changed. It was also noted that BOEM has said that IT is the entity that issues the permits? So, if the law got changed what would or could BOEM do then?

Under the Sanctuary's Business on the budget, there was a 7-million-dollar increase, this only covers regular increases and although it could help on addressing Sanctuary financial needs, it still does not cover staffing shortages and therefore some projects can't be adequately handled. There will be funding available to map the Sanctuary seafloor using commercial fishing vessels.

This will help in determining seafloor habitat, sediment issues and will supply equipment and funding to fishermen (mostly dragger and other mobile gear boats) to do this

project.

Next came an updated on the Management Plan. It was noted that the Final Plan had been sent to headquarters for adjustments if needed and hopefully a final approval. The Sanctuary was not sure when this would all be done.

There were some ongoing research updates. These included studies being done on climate effects, a forage base forecast, sand lance availability and a study on zooplankton abundance. Included here was a discussion on Stellwagen's, "sentinel" buoys. They are going to be placed in two locations to monitor climate change, oil spill? issues and ecosystem issues. Due to funding, it will be 2024 before they get installed!!?

The USCG did finally get back with the Sanctuary on its traffic corridors leaving or arriving in Boston. Remember at the last SAC meeting they had not heard back on this issue. There were three corridors, one heading south, one heading east then southeast and one heading northeast. (There is a chart showing these traffic corridors.) SAC member, Bill Adler, questioned whether there would be any restrictions on fixed gear fishermen with regard to fishing in these corridors. The answer was NO. He noted that ac-

ording to where these traffic paths were whether south (toward the canal) or east of Boston or northeast out towards Gloucester, lobster and gillnetters do set in these areas. The USCG and the Sanctuary agreed that these ship "fairways" would not affect or restrict fishing gear.

The next agenda items involved agency and government reports.

- Coastal Zone Management (CZM) update noted it was working on seafloor mapping and working with BOEM (wind farm people) on the mapping.
- Division of Marine Fisheries (DMF) report focused on the Cod research.
- The Federal Fish Council (NFMC) report also discussed Cod issues.
- USCG Report discussed vessels, some going south and new cutters coming to New England. The report also noted it's monitoring fisheries, windmill developments and port access. See photo of the "fairway" chart.
- NOAA office of Law Enforcement (OLE) had a more detailed report focusing on Right Whale enforcement, an acoustic sound project and shipwreck avoidance info.

Regarding the Right Whale issue, the agency is notifying fishermen if their gear is found and offering to help them remove the gear.

Back to the Federal Council (NEFMC) discussion that was brought back up. The council is looking at the ropeless gear idea. This however is from the gear conflict side of this and not regarding whale entanglements.

This is examining what might happen if fixed gear didn't have buoy lines and what gear conflicts might occur between these fisheries (traps, draggers etc.) This whole project is several years out still.

SAC member, Bill Adler, was all over this one noting how the ropeless fishing gear idea is just not feasible for so many reasons which he listed in detail. Tom Nies (NEFMC Chief) who attended the meeting and gave the report did note that the Council would work on this in the form of a workshop not just a committee which means that fishermen would be involved in any discussions *this would be good!*

The SAC meeting adjourned at about 2:00P.M.

Bill Alder
SAC Fixed Gear Commercial Member (For Now!?)



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St. Patrick's Day 1984

By Michael "Tuffy" Tufts

Traditionally, in March lobster season would end and boats would switch to gillnetting and other fisheries. That is only history now. We found ourselves gillnetting in March 1984 searching for Cod, on outer Cape Cod, Nauset beach, Orleans.

Nasty windy Northwest winds, still very cold air and sea temperatures. The outer Cape provided some protection from prevailing Northwest gales. The jog back to Gloucester... not so pleasant. We had been on these grounds for two days with a day to go. Fishing was decent and we were looking forward to finishing up the trip.

There was word of a low-pressure lurking. Weather reports were much different from today. That night with Jose at the wheel, he gave me a shake and said it came Northeast and looks to be intensifying. Jose, Half a Hippie and myself suited up and headed on deck to haul anchor and square everything away to high tail it out of there. In the process and heading directly into the seas, a monster wave came over the bow and to my surprise, over the pilot house. With a mighty force, the 42-foot steel vessel was driven down, by its starboard side, underwater.

I was holding onto the outside steering station and held my breath as I felt us going down. By good fortune the vessel re-emerged. I stood at the wheel gasping for cold air. Half a Hippie was clinging to pen boards as the multiple scuppers emptied the deck. That's when I realized Jose was gone. There were some bent steel pen boards, where he last stood.

The seas were increasing rapidly and mind you... it was midnight. Dark, cold and wet. I looked down sea and there was Jose. Deck lights shining on his red Irish face. Yes, Jose was one hundred percent Irish... Ha.

He was screaming for help as he would disappear and reappear. His down vest soaking salt water like a sponge. He was able to kick his boots off. Every seaman knows they will fill and drag you down to your death. I knew there was only one shot at getting Jose back. I came around starboard, full bore and never taking my eyes off of him, and came straight into the seas, like picking up a buoy. I gaffed Jose through his vest.

Poor Jose, he screamed more. Keeping the vessel into the seas, Half a Hippie and I struggled to get Jose aboard. We dragged poor Jose into the pilot house

and down below. We proceeded to head Northeast and into deeper waters. I told Half a Hippie to strip Jose down and get something dry on him. We placed Jose on the floor where everything else was going to end up. Half a Hippie was apparently in minor shock and looking rather peakish. The goal was to make minor headway.

The stove burnt hot with kerosene. Not long and another scream from poor Jose. Apparently, as the vessel lunged, the cast iron plate above the stove flame went airborne (it was so red hot you could almost see through it) and landed on Jose's chest. Poor Jose. He burnt all his fingertips off trying to remove it.

We jogged about 10 hours Northeast up past Highland light buoy, and rounded toward Race Point, notoriously dangerous in Northeast blows. Finally, coming down the inside and into P'Town. By now it was light out, and we tied up and went into town to get grub and buy Jose some new boots. I found a pay phone and called Jose's Wife, who was six months pregnant with a little boy. Calmly told her we were in P'Town safe

and sound till the blow passed, then back to Gloucester. No need for any exciting news. Told her to give Half a Hippie's Wife a shout. Everything is good.

After the storm passed and the Northwest Gales backed off a bit, we headed back out to get the gear and head back to Gloucester. The girls never knew.

Every St. Patrick's Day I think of these two men. They have long passed, but very much alive... in my mind.



MASSACHUSETTS LOBSTERMEN'S ASSOCIATION

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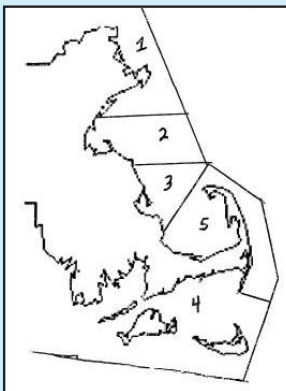
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1. The MLA Area Chart (left) **DOES NOT** coincide with the Lobster Management Area Chart.
2. The 5 Regions were developed "For purposes of dividing the voting membership into geographic areas to provide for representative action on matters affecting the members of the Association." (Per the MLA By-Laws)
3. An asterisk (*) next to a name in the area listings represents an Executive Committee Member.
4. Please check to ensure your Home Port & Phone Number are correct.
5. Report any changes to: Tracey Abboud 781-545-6984 Xt. 2

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From the Executive Director's Desk



Next Steps in Climate Change Planning Initiative

Climate change is already having impacts on the resources we manage and more of our stakeholders are telling us about the challenges they are experiencing. While it's impossible to completely predict the impacts of climate change, we expect to see increasingly variable conditions and shifting stocks over time. In the last issue of Fisheries Focus, we explored the East Coast Climate Change Scenario Planning Initiative (Initiative), where management bodies have been collaboratively engaging fishery stakeholders to explore jurisdictional and governance issues related to climate change. The items they are exploring now will help us respond to crises in the future.

So far, as part of the Initiative, fisheries managers have: (1) conducted a scoping process to seek feedback from stakeholders on issues facing East Coast fisheries over the next several decades; (2) explored drivers of change in East Coast fisheries in more detail, (3) created and refined a set of four scenarios describing possible conditions in 2042, and (4) sought feedback from managers on potential changes in governance and management that may be necessary to respond to climate-related uncertainties.

A two-day Summit, held in mid-February, was the latest step in the Initiative. Its goal was to develop a set of potential governance and management actions resulting from a scenario-based exploration of possible future outcomes. Summit participants consisted of representatives from each of the three U.S. East Coast Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, and NOAA Fisheries. Discussions at the Summit were framed around ways we can increase flexibility, adaptability, and robustness in management. Summit discussions focused on three overarching themes highlighted by the Commission and Councils at their meetings in late 2022: cross jurisdictional governance, managing under increased uncertainty, and data sources and partnerships.

During the Commission's Spring Meeting, staff will summarize discussion on these overarching themes and potential areas of action moving forward. The main discussion points and suggested outcomes are highlighted below.

1. Cross Jurisdictional Governance

From the start, a priority of the Initiative has been to evaluate the governance structure for East Coast fisheries and to identify improvements that would help it be more adaptable to changing conditions, particularly changes in species distribution and abundance. At the Summit, discussions focused on how our current governance system is structured, including the authority for management in different jurisdictions, and how different entities work together (or don't) to manage species within and across jurisdictions. Suggested outcomes included:

- More consistency in the governance structure of the three regions to allow for more efficient management processes
- A better mechanism for information exchange between the Councils' Scientific and Statistical Committees, particularly when two Councils are working on the same species

2. Managing Under Increased Uncertainty

Climate change is going to increase uncertainties within fisheries management. Being able to respond quickly to those changes will be critical in the future. Discussions at the Summit focused on ways we can increase management flexibility, adaptability, and robustness. Suggested outcomes included:

- Work towards robust management strategies versus trying to model increased uncertainties
- Include spatial considerations in management (different considerations needed for leading/trailing edge of species changing distribution)

3. Data Sources and Partnerships

In building the scenarios, a key factor was based on the predictability of ocean conditions, which includes how well science is able to assess and predict changes in stock production and distributions. Providing information about stocks and their locations hinges on the ability to evaluate accurate and timely data. Summit discussions focused on how to better coordinate data collection systems and develop partnerships to leverage existing funding. Coordination between management entities, federal entities, academic partners, fisheries stakeholders, and other ocean users will play a large role in what our future holds. Suggested outcomes included:

- Standardize data collection to break down geographic barriers along the East Coast (both state and federal)
- Prioritize recreational data collection to reduce uncertainty including possible study fleet projects

In May, the Initiatives' management partners will jointly review the Summit report and discuss a path forward for addressing possible actions. Due to the interjurisdictional nature of this Initiative, there are a variety of potential actions identified for further consideration. Some actions will be appropriate for individual management bodies to pursue, while many others would require either informal coordination, formal and structured coordination, or structural governance changes. In turn, these discussions and suggestions will be considered at Council and Commission meetings later this year, with the goal of evaluating individual and collaborative short- and long-term actions. A full report of all Summit outcomes and list of possible next steps is in development for release later this year.

The American Lobster Initiative: Organizing Research and Outreach for the Iconic American Lobster Fishery

The American Lobster Initiative (ALI) was established in 2019 with a goal of increasing the American lobster industry's resilience to the biological, economic, and social impacts of ecosystem change throughout the Northeast US. ALI connects researchers and provides outreach to stakeholders and resource managers charged with sustaining American lobster stocks. Two components that contribute to ALI's goal are the American Lobster Research Program and the Northeast Regional Lobster Extension Program. The American Lobster Research Program supports research conducted by state and federal agencies, academia, and industry members critical to understanding the American lobster resource and fishery and how they respond to rapidly changing environmental conditions. The Northeast Regional Lobster Extension Program brings together Sea Grant agents of six Northeast states from Maine to New York as a network of professionals dedicated to raising awareness of research and increasing collaboration among industry, resource managers, and other stakeholders. Each year since 2019, NOAA's National Sea Grant College Program has dedicated \$2 million to support the ALI, including the funding of projects conducted by the Research and Extension Programs.

Prior to this year, ALI had convened its network remotely for collaborative chats to share research and projects, since participants had been unable to meet in-person due to impacts of the COVID-19 pandemic. That all changed in February, when

the ALI hosted an in-person Regional Research and Outreach Summit in Portland, Maine. The objectives of the Summit were to share research updates, solicit feedback from partners, and encourage exchanging of ideas on future collaborative research and extension projects. The Summit, which was held two days from February 6-7, included several sessions that focused on topics of great relevance to the future of the American lobster fishery. Some session topics included influences of environmental change on early development of lobsters and maternal effects, social-ecological coupling in the lobster industry, and evaluating stock dynamics under changes to life history and management regulations. Projects were also shared during a poster session on the first evening of the Summit. A plenary panel on the morning of the second day connected researchers and members of the Commission's American Lobster Technical Committee, staff, and American Lobster Management Board with a focus on guiding researchers' efforts and products to directly support management objectives.

This Summit played an important part in achieving ALI's overall goal and will ensure that both the resource and fishery, which face considerable change, derive the greatest benefits from research. For more information on ALI, including funded research and extension projects, visit the ALI's website at <https://seagrant.umaine.edu/extension/american-lobster-initiative/> or contact Amalia Harrington, Northeast Regional Lobster Extension Program Coordinator, at amalia.harrington@maine.edu.



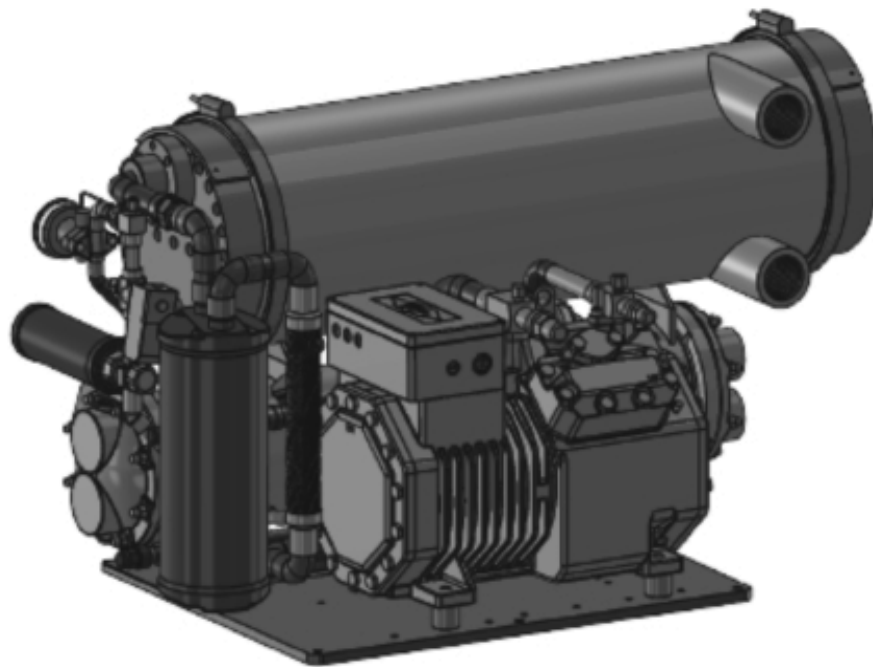
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Legal Defense Fund Updates

The Massachusetts Lobstermen's Association (MLA) Legal Defense Fund (LDF) needs your support now more than ever. This dedicated fund is for the purpose of defending the Massachusetts commercial lobster fishermen from legal and fisheries management actions that could seriously impact our commercial lobstermen's ability to conduct their businesses and earn a living.

Currently, the MLA is actively engaged in three separate lawsuits that could have negative impacts on the commercial lobster industry and is working with multiple lawyers in Washington D.C. and here in the Commonwealth to fight for you and your industry.

UPDATE APRIL 15, 2023 – (Washington D.C.) Case 1:23-cv-00293-JEB – Massachusetts Lobstermen's Association v. Raimondo, et al.

As our members are aware, NMFS issued a new "emergency rule" closing the Wedge with only 14 hours' notice. To combat this, we brought a complaint challenging the 2023 Wedge Closure as an illegal action under the Omnibus Bill and the Administrative Procedures Act. We also brought a Motion for Temporary Restraining Order to try to end the 2023 Wedge Closure immediately. The case was assigned to Judge Boasberg, the judge in the Ross case.

Judge Boasberg held a hearing on the Temporary Restraining Order on February 16, 2023. Judge Boasberg denied the Temporary Restraining Order, keeping the 2023 Wedge Closure in place for now, but this was an example of losing the battle but winning the war. Specifically, Judge Boasberg voices that he believed MLA was right on the legal argument that NMFS is not allowed to issue the 2023 Wedge Closure but denied the TRO on the grounds that MLA could not show irreparable harm due to the low financial harm suffered overall. Additionally, he completely rejected the NGOs contentions that NMFS can continue to issue regulations without limitations.

This is good because it means, at worst, NMFS is limited to issuing emergency rules until 2028. More likely, when and if we move for summary judgment, we feel very confident that we would prevail on the merits, meaning NMFS will not be able to issue additional regulations until 2028.

However, the government has now said that they intend to ask the Court to dismiss the challenge for "mootness". Effectively, the government wants to argue that the Court cannot grant relief because the Wedge Closure will finish before the Court can rule. This is a common government tactic that we intend to challenge by arguing that the government will try to order a Wedge Clo-

sure in the future, so this Court must rule now on whether it has the power to do so. We expect briefing on this to occur this month.

UPDATE APRIL 15, 2023 – (Washington D.C.) Case 1:18-cv-00112-JEB - CENTER FOR BIOLOGICAL DIVERSITY et al v. ROSS et al.

There have been no notable developments in this matter since the most recent update.

UPDATE APRIL 15, 2023 – (Washington D.C.) Maine Lobstermen's Association, et al. v. NFMS

ORDER GRANTING SUMMARY JUDGMENT - Judge Boasberg has issued his summary judgment order in MLA v. NMFS ruling against the Maine Lobstermen's Association (and us) on every single ground we raised challenging the 2021 BiOp.

As we have tracked in our last few updates, we appealed Judge Boasberg's order to the D.C. Circuit and the matter has now been fully briefed.

Our Reply Brief was due on January 10, 2023 and in that Brief we pointed out that NMFS was being hypocritical by now taking the position that it never took "worst-case scenario" approaches despite explicitly stating that it was doing so.

Despite the appeal being fully briefed and the time for motions having passed, NMFS recently brought a motion for leave to file a motion to dismiss the appeal, and a motion to dismiss. In its motion to dismiss, NMFS is now claiming that it will not be issuing any new regulations on the current Biological Opinion, and that it will have to issue new regulations only on new technology later. Thus, NMFS argues, the appeal is moot and should be dismissed.

We have aggressively opposed this move, first objecting to the motion for leave to file a motion to dismiss, and we intend to file an aggressive brief against NMFS's motion to dismiss. We believe NMFS is intentionally and deliberately misleading the Court as to the effect of the Omnibus Bill, as the Omnibus Bill requires NMFS to issue new regulations based on existing and new technologies. Also, we will assert that the underlying issue with the Biological Opinion, the reliance on worst-case scenarios, is capable of being repeated (an exception to a mootness argument) because NMFS will use worst-case scenarios again. With these arguments, we believe the D.C. Circuit has good reason to not dismiss the appeal and to hear the arguments.

Indeed, the D.C. Circuit issued an order deferring consideration of the motion to dismiss until after the oral arguments on Friday, February

25, 2023. It is highly unlikely that the D.C. Circuit would do this if they intended to grant the motion to dismiss, so this case will likely have a merits decision. Additionally, we have learned the panel that will hear the argument: Judge Rao (Trump appointee); Judge Katsas (Trump appointee); and Judge Ginsburg (Reagan appointee). We are optimistic that this panel will be fair and appropriately skeptical of NMFS's illegal use of worst-case scenarios.

Oral argument was held on February 24, 2023, and we feel it went very well for us. The Court was highly skeptical of NMFS's argument that it used the best available science and that it was not using the science to issue regulations, which NMFS itself undercut by admitting it was issuing permits using the science.

Our optimism was bolstered when the Court asked us to submit a supplemental brief asking to explain the impact "if the court were to hold that the Service's actions are contrary to law." Maine and the other intervenors encouraged the court to vacate the Final Rule; we encouraged the Court to remand; this is mostly a legal difference that is being made to ensure that the Court does not accidentally make it impossible for our members to fish. The NGOs unsurprisingly asked the Court not to do anything but, if it was, asked it to remand so that NMFS can continue to issue regulations to protect whales. NMFS similarly argued that it should be remanded, and that the Court could not vacate.

We expect a ruling to come soon.

UPDATE APRIL 15, 2023 – (E.D. Louisiana.) Case No. 2:23-cv-00796; Sawyer, et al. v. Monterrey Bay Aquarium, et al.

MLA members Sooky Sawyer, Jarrett Drake, Bill Souza, and Eric Meschino led the charge against the Monterrey Bay Aquarium's false and defamatory statements about the lobster industry and our fishing practices. Through MLA counsel, Sawyer, Drake, Souza, and Meschino filed a class action lawsuit in Louisiana under Louisiana's food libel laws, which forbid false statements about aquacultural products. The lawsuit alleges that Monterrey Bay, and the Marine Stewardship Council, falsely claimed that our lobster fisheries are killing the Right Whale, which we all know is untrue and reflects an arrogant ignorance about the numerous practices we have implemented to protect the Right Whale over the years. Let us be clear, we are just as committed to protecting the Right Whale as any NGO, which is why the false statements against us cannot be allowed to go unanswered.



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LDF Updates

FROM PAGE 35

After we brought our lawsuit, the Maine Lobstermen Association followed our lead, filing their own lawsuit. However, different from Maine's lawsuit, our lawsuit is a class action brought by individual fishermen, which, if successful, will provide compensation for the individual fishermen directly.

The litigation is in its early stages, we expect Monterey Bay Aquarium and Marine Stewardship Council to file their answers, or motions to dismiss, soon.

If you are a Massachusetts lobstermen interested in joining the Massachusetts class action, please contact the MLA.

The commercial lobstermen's businesses are at stake as well as the thousands of jobs and shore side businesses that depend upon the continued success of the commercial lobster industry. The commercial lobstermen in Massachusetts are NOT to the problem and have done everything asked of them by National Marine Fisheries Service and have been working under the strictest conservation rules for the right whales anywhere in the world since 2014. Yet here we are, still fighting these lawsuits to keep the Massachusetts commercial lobstermen fishing.

The Massachusetts Lobstermen's Association has been actively involved in these lawsuits since 2018 and we need your generous support today to continue our fight to keep the commercial lobstermen fishing. As we all know, any legal action costs lots of money and over the last 5 years the Massachusetts Lobstermen's Association Legal Defense Fund has spent over \$300,000 fighting these legal battles. These are real threats to the historic and iconic commercial lobster industry and we are doing everything to keep the Massachusetts commercial lobstermen fishing.

WHERE TO MAKE DONATIONS

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– In the Members section, select Dues/Donate.

CLASS ACTION INFORMATION INTEREST FORM

Please fill out the following information to receive updates on the putative class action against the Monterey Bay Aquarium and Marine Stewardship Counsel.

This is NOT a class action sign-up sheet.

The prospective class definition is already as follows: “[a]ll Massachusetts-based lobstermen who experienced a drop in income reasonably attributable to the actions of Monterey Bay Aquarium and Seafood Watch.” We have reserved the right to amend this definition should discovery in this case warrant it. Should the judge certify this class, if you fit the above definition, you will be considered a member of the class.

Filling out this form does NOT create an attorney-client relationship. Filling out this form does NOT make you a member of the prospective class. This form is for the receipt of information regarding the lawsuit ONLY.

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AD#4 (2/23) **FOR SALE** – 150 Lobster Traps- Starboard haul 12-gauge body hauling-10-gauge end-center bridge-shrimp mesh-shark mesh in parlor-yellow wire-50- 3 years old w/5 vents-100- 4 years old w/3 vents Call for details-Rick 774-218-4701

AD#5 (3/23) **FOR SALE** – KC Trap & Mesh– Traps- Heads-Finished Kits. Call for more information. 774.280.6638

AD#6 (3/23) **FOR SALE** – 1981 50 Ft., Jersey Boat- Twin disc 507- Detroit 671- Needs wiring & electronics. BRO \$25,000.00 Call for more info- 781.834.6733

AD#7 (2/23) **FOR SALE** – 50 lobster traps 36 +221/2+15 3 concrete bricks pt runners good shape shrimp mesh twine call 978 774 4074 after 6. \$45 each.

AD#8 (3/23) **FOR SALE** – 38 ft Novi fiberglass over wood- John Deere 6068. 225hp 5,670 hours on Engine-Steamers @8.5/9 knots 14 hauler Simrad Autopilot Inside/Outside steering stations- 150 gal fuel tank- Lobster tank holds 600lbs. Furuno GP-39 S inside- Furuno GP- 32 GPS outside- Furuno Radar, Furuno FCV-292 color video sounder-2VHF. Inside/ Outside 2 computer monitors, one face inside- other faces outside steering station. Very quiet engine. Asking \$15,000.00 Call- 978-290-9929.

AD#9 (11/22) **FOR SALE** – 35' lobster boat McPherson built of wood in Nova Scotia in 1976 – glassed over approx. 8 years ago, repowered w/ 1991 120 hp 6cyl Mitsubishi goes up to 9 knot on 1 1/2 gal/hr new exhaust & auto-pilot 2 years ago. Trap ramp, bunks, electronics, etc. Boat currently fishing-will be available for purchase December 16th \$25,000 -Call (508) 939-1231.

AD#10 (5/23) **FOR SALE** – 1977 Dyer Fiberglass 29ft lobster boat, currently on dry dock until May 20 in East Boston. The engine is 5-year-old 351 Ford gas engine w/new overhauled gear by Nopper Marine. Currently, the engine & gear removed from boat. Recently rebuilt hydraulic steering pump & new stern bearing as well as one new fuel tank. Good deck room for a smaller boat. 15 4 ft trawls or 45 4ft take home capacity. Could be used as lobster or sports fishing boat. 2 fuel tanks approx 60 gal. total. Two hauler stations (electric & or hydraulic option) Private showings only. Tom 617-504-4153. BRO.

AD#11 (3/23) **FOR SALE** – Warp–Used & some new, mostly knot free. 76 lbs. 5/16, 33 lbs. 3/18 \$99 takes all 508-269-1406 Plymouth.

AD#12 (4/23) **LOOKING** for a site on an offshore lobster boat. I have 5 years' experience lobstering & other fishing experience. Reliable, dependable & ready to go fishing. Call/ text 518-804-5264 or email j95merritt@gmail.com

AD#13 (5/23) **TAKING OFFERS** on TRAPS located in GLOUCESTER – 100, 40 1/2" X 24" X 15" Single parole traps, Color RED, Jungle wood runners, 70 of them were fished 5 months on soft bottom, 30 of them never in the water. \$100 each 50, 48" X 22 1/2" X 15" Double parlor traps. Color YELLOW, Jungle wood runners, 40 of them fished one season, 10 of them never in water. \$100 each Pictures available by text. Bob @ 508 284 5896

AD#14 (11/22) **WANTED** – Double drum winch- 45ft Boat-Call 978-283-2550.

AD#15 (3/23) **FOR SALE** – 100 Totes-Brand New Bait Net, Numerous buoys-all sizes, Bait Barrels, Two Trailers, Compressor, Numerous tools, too many to list. Call for more info & pricing 781.834.6733

AD#16 (3/23) **FOR SALE** – 115 Lobster Traps. 48 x 24 x 15 Jungle wood runners-Some patches ready to fish. \$20.00 Call 508-367-0757

AD#17 (12/22) **FOR SALE** – 200 used traps 13 1/2 x 21 1/2 x 39" \$25.00 per trap. Call 401-635-4371

AD#18 (5/23) **FOR SALE** – 3/32 7x7 Bottom Longline galvanized cable, 20,000 ft (2spools) new with electric reels. \$600. 2 Hydro Slave Standard Boom Winches 400. 20 3ft x 22in Shrimp Mesh Lobster Pots \$35. each – Bill @ 508-264-1076

AD#19 (2/23) **FOR SALE** – 1980 Bob Rich 40 wooden lobster boat. 471 Detroit diesel, twin disc gear, hydro-slave pot hauler w/diverter valve for other fisheries. Two 75-gal fuel tanks (fiberglass) under deck, full cabin, GPS, Furuno depth sounder, VHF radio, MA coastal Area 1 lobster permit, 800 trap. Federal Area 1 lobster permit w/endorsements (groundfish/dogfish) 800 pot limit. 140 wire lobster traps, some never used (brand new) 60-70 buoys, extra ropes, safety equipment, sea anchor, 12 fiberglass skiff, misc.; lobster related equipment, spare propeller (never used) trap related repair equipment. \$65,000.00 firm Call Bill at 781-834-7418

AD#20 (11/22) **FOR SALE** – 1,000 hooks new tub trawl-gear W/anchors, 180 buoy lines. B.R.O. Bryan @ 508-221-8568.

AD#21 (11/22) **FOR SALE** – 1987 Daniels Head 39' 11" Fiberglass Gillnet boat. 207HP Mitsubishi D14.14 T Diesel engine (1992), Twin Disc 506 trans, complete electronics, 2 berth, 6'x5' aluminum gill net reel with stainless frame, 2 fish holds, 2 insulated deck boxes, rollers, 2 bus heaters, vessel in good condition – new fuel tank, new paint/ fiberglass/fish boxes (2022). \$79,500 or B.R.O. Fed Permit Monkfish B with around 80 nets and 16 dog nets with buoy st anchors \$45,000. Federal directed shark permit \$15,000. - Call 609-294-1628 /text for pictures 609-713-5228 .

AD#22 (5/23) **FOR SALE** – 38 ft fiberglass Atkinson NOVI, Gloucester Ma., alum/glass windows, rebuilt by Downeast Diesel 6081 JD 375 hp/1500 hrs., 2F trans, 2 steer stations, 14" ss pot hauler, ss davit, gear locker, 4 bunks, life raft, EPERB, 295 Furuno color machine, Furuno radar, Northstar GPS 952, Sinrad auto pilot, wash down, 2 ss fuel tanks – 200 gallons – 1000 lb lobster tank very well maintained, motivated seller \$130,000.00 OBO Cell 781-424-6946

AD#23 (2/23) **FOR SALE** – Package deal preferred, lobster boat, license & gear. Boat-south shore 30, fiberglass Cummins engine w/ electronics, fished every year. Coastal permit 800 pot limit. Gear- about 200 pots w/ rope in good condition. Lots of extra buoys & sticks. Health reasons force sale. Asking \$59,000. Negotiable. 617-688-6720. Text is best, phone messages get lost.

AD#24 (2/23) **FOR SALE** – LMA-1 Federal lobster permit, 800 trap allocation, good history \$35,000.00 978-578-8882.

AD#25 (9/22) **LINE FOR SALE** – 3-10 pot trawls of 7/16" Everson line-14 Fathom between traps-7/16" gangions-2 – 20 F x3/8 "buoy lines-In totes included - \$60.00 / trawl Joel @ 781 581 0324 or E-mail joel.w.marie@gmail.com.

AD#26 (9/22) **FOR SALE** – 5" Superior hauling block-Aluminum construction with stainless sheave \$250.00 Joel @ 781 581 0324 or E-mail joel.w.marie@gmail.com.

AD#27 (9/22) **FOR SALE** – Spare new stainless sheave for 5" Superior block-\$150.00 Joel @ 781-581-0324 or E-mail joel.w.marie@gmail.com.

AD#28 (12/22) **FOR SALE** – two aluminum propellers 13.5x15 & 14x11 for Evinrude outboard were on 115 HP, great condition \$50. each Ipswich 978-356-4525.

AD#29 (3/23) **FOR SALE** – Selling two used -1-inch Jabsco pumps. Pump 1 is on a 4-inch pulley, belt driven with mounting bracket – pump 2 has a 12 volt clutch. \$100. each. Also, a 2 inch direct gear driven Jabsco raw water pump -\$150. Also, a used 24 inch chrome destroyer type steering wheel with a 3/4 tapered shaft. \$100.00 Call 781-929-3837

AD#30 (4/23) **FOR SALE** – Complete lobster business. Area 1 MA State license 800 trap allocation with long history. Dog and shellfish endorsement. 1987 Gummond 31' with 12' beam enclosed cabin with "bus" heater 12kts cruise with 20+top end Cummins re-manufactured "Diamond" version 370 HP with 3500 hours. 300+ traps with ropes and bouys. 14ft tender with 3yr old Suzuki 4s 15 hp with electric start. GPS/bottom sounder, life jackets, fish totes, etc. Sold as package only. Contact Bob at 508.224.1664 or e-mail at roalward@comcast.net Pictures available.

AD#31 (2/23) **FOR SALE** – #1 Bellhousing 2:1 gear reduction – re-built 51 14A – twin disc transmission- Down Angle-North Atlantic Power Products. 0- hours. 1000 hours or 6-months warranty. \$14,200.00 Call Peter at 203-627-6070

AD#32 (4/23) **FOR SALE** – Lobster business-42 ft South-shore lobster boat (Brady R – Chatham Harbor) in excellent condition (built 2017). All composite construction with a 750 John Deere Model #6135 main engine (4,100 hours). Full electronics and all safety gear. Whale regulations compliant. Knotless ground lines, highflyers, buoys, anchors, mixture of wood and wire traps in excellent condition, trailer, freezer, totes, etc. State & Federal Lobster licenses, both w/a 645 tag history & many federal endorsements. Prefer to sell as a package. Serious inquiries only: 774.313.6287 or joneSeven@aol.com

AD#33 (3/23) **FOR SALE** – Hook gear for sale 5 totes 125 hooks per tote all brand new.5 totes of used gear. Brand new Danforth anchors included. \$1000.00 Call 781-831-1609

AD#34 (12/22) **FOR SALE** – 28.2ft boat, built in 1976 engine cat 3208, 265HP trans 2.1 twin disk fiberglass JC hull. Area 1 Coastal lobster permit 800 traps, 700 3ft lobster traps with rope and buoys. Call Joe 978-239-5927.

AD#35 (12/22) **FOR SALE** – 36.5' Wayne Beal Lobster Boat. 3208 CAT 375 hp Turbo w/7600hrs. Motor was completely overhauled prior to 2022 fishing season. Furuno chart plotter, depth, radar & radio. 2nd Simrad below. Switlik life raft, survival suits & Epirb. Small galley w/sink, insulated icebox & 2500-watt inverter for coffee. 4 bunks w/ mattresses. Working head. Pacer pump & separate washdown pump. Redundant spare equipment (all new in box), Inc. Pacer pump w/hydraulic hoses, belts, starter motor, 2 alternators, windshield wiper arms & motors, bilge pumps, deck hoses, etc. The boat is clean & in excellent, fishable condition. \$215,000.00 Traps & Permits available. Ben @ 978-578-8882

AD#36 (12/22) **FOR SALE** – 100 brand new, standard size heavy waxed fish boxes w/tops. Foot operated box stapler w/staples, air operated Bostitch carton stapler w/staples \$200.00. Inshore Longline/Tub trawl gear 1000 + hooks [over a mile] rigged w/ gangions and clips, new ground lines, extra snaps, boxes of brand-new Mustad Easy Baiter hooks. Ready for codfish, dogfish, bluefish. "Chatham/Jamestown" auto baiter (3-4 bushel size) Gillnets: (12) 12 " Monkfish (w/tie downs) most brand new, some recent rehangs, other assorted sizes. Lots of floats, lead line, net frames to be re – hung. Lots more fishing gear. Too much to list. ALL PRICED TO SELL. Call for your needs. Located in Freeport, Long Island, New York Call, text or E-Mail. Leave your name and phone number. I will CALL you in the evening after 6 PM. Capt. Rich. 347-836-5382, e-mail captrichunt@aol.com

AD#37 (12/22) **FOR SALE** – Lobster business-42 ft PEI lobster boat in excellent condition. Relatively new Cummins 6 CTA 8.3 engine & ZF gear. Full electronics, All safety gear. Below deck 2500 lb plus tank. Too many details to list here. 700 very good Brooks Mill traps. Knotless ground lines in 20 pot trawls. All end lines & extensions, whale rule compliant. Hi-flyers & tide balls State & Federal Lobster licenses, both w/ 800 pot history & many federal endorsements. Selling as complete package only. \$273,500. Serious inquiries only Mike 978-745-6182 & leave a message.

AD#38 (1/23) **FOR SALE** – Area 1 Coastal Lobster Permit, 800 pot allocation. Call Jim 781-264-0104

AD#39 (1/23) **DECK TILES** – 1x2 ft. Old style – good shape looking for about 10 call 978 774 4074

AD#40 (1/23) **FOR SALE** – 1973, Harris, 36, has a C-series Cummins 430hp w/ 2377hrs Furuno radar, Garmin chart-plotter, Garmin fish-finder. New deck & fuel tanks a few years ago, holds roughly 220 gal., of usable fuel. Bill at 508-246-0476. Asking \$55,000

AD#41 (1/23) **FOR SALE** – Xactic Bonar plastics Polar Insulated Box with lid. Blue 48" L X 43"W X 47"H 2100 LB Capacity/ New condition. Lists \$1400 will sell for \$700. Call / text Phil 508-566-2201

AD#42 (2/23) **FOR SALE** – 300 Friendship traps- 36x24x14. Yellow hoop & shark heads -3/4 bricks- 10-12 gauge wire all corners reinforced. \$55 each Call 508-951-6400

AD#43 (5/23) **WANTED** – Stern-man-Boston-Call Frank @ 617-653-3782

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