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COMMERCIAL LOBSTERMEN WIN IN DC CIRCUIT COURT

UPDATE JUNE 23, 2023 — (Washington D.C.) Maine Lobstermen's Association, et al. v. NFMS

Our long saga fighting against NMFS' 2021 Biological Opinion has finally resulted in a win, and what a win it was! On June 16, 2023, the D.C. Circuit Court issued its ruling, unanimously finding that Judge Boasberg was wrong to uphold the Biological Opinion and ruling against NMFS on every ground raised by us. This is an excellently written opinion that not only finally understands the stakes faced by our members, but fully holds NFMS to account for its illegal attempts to destroy our industry.

As a reminder, NMFS argued against us on several grounds: (1) we lacked standing to bring the appeal; (2) we did not preserve the appeal; (3) the appeal was moot because of the Consolidated Appropriations Act ("CAA"); (4) it was allowed to use worst case scenarios; (5) it did not use worse case scenarios in actuality; (6) even if it used worst case scenarios, the outcome would have been the same if it was not; (7) courts have to defer to agencies; and (8) the error was harmless. The D.C. Circuit ruled against them on every ground.

For standing, this is a legal concept that we cannot go to court unless we have suffered harm. NMFS tried to argue that the Biological Opinion itself did not harm the lobster industry, rather the Phase 1 plan harmed us. The D.C. Circuit disagreed, opining that the Biological Opinion hurt us by influencing agency action and because there are civil and criminal penalties for an illegal take in violation of the Biological Opinion. Thus, we had



standing, and the Court could address our actual arguments.

The Court was very blunt in brushing off NMFS "failure to preserve" argument, noting NMFS did not raise that in its initial appeal, that we did in fact preserve our argument against the BiOp, and that the argument was irrelevant anyways.

For mootness, this is an argument that the Court cannot grant relief because the issue is no longer live. Effectively, NMFS argued that the CAA said the Phase 1 plan was sufficient to bring the lobster industry into compliance, so there was no controversy. NMFS also argued that it wasn't going to enforce the Framework timeline. Again, the Court disagreed. First, it correctly noted that promises of future (non) action cannot serve as the basis for mootness.

Second, it ruled that the CAA only said the Phase 1 rule was sufficient, not that it was necessary. Because we argued it was overprotective, we could still bring the challenge. Thus, the mootness challenge failed.

Turning to the merits, the Court determined that NMFS was not allowed to use worst case scenarios, that the ESA does not permit a presumption in favor of endangered species, but rather requires outcomes reasonably certain to occur. In other words, the Court completely adopted our argument against worst case scenarios. The Court was especially harsh against NMFS arguments that because the ESA does not say how to handle uncertain data, it could use worst case scenarios. It said NMFS "legal reasoning was not just wrong;

RULING, Page 23

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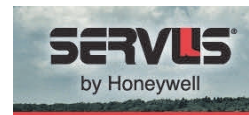
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It is with the heaviest heart that we must tell you, lifelong MLA Member John Carver passed away. John was an active member of the MLA and was an Executive Committee member for many years and a MLA Delegate.

John Carver, a life-long resident of Marshfield, passed away on June 21, 2023 at the age of 59. John was the beloved husband of Karin Kaczorowski; loving son of the late Henry Carver, Jr., and Sally J. (Levangie) Carver; dear brother of Robert Carver and his wife Cheryl of North Andover, sister Nancy Carver and her husband Benjamin Murphy of Monson, sister Donna Nelson and her husband Marc of Carver, Kerrie Carver of Pembroke, Steven Carver of Marshfield, and William Carver of Marshfield; uncle of Courtney, Chris, Haley, Benjamin, Kelley, Catherine, Madeline, Marc, Nicole, Jack, and Steven Jr.; and nephew of Denis Levangie and the late Richard Levangie.

John Carver was born in January 1964, the first of seven children born to Hank and Sally Carver. Hank was a part of the local fishing industry and Sally was a Phys Ed teacher and quite the sharpshooter. They made their home just outside the center of Marshfield in an antique cape that was filled with love, life and laughter in every corner, literally. I loved the back room off the kitchen where the wood stove lived and the warm smell of what was simmering on top. I loved the creaky worn floors and the coziness.

I met John when I was in high school, as his sister was one of my good friends. We both ran track and he watched me in the parades, I was in the band. He sat in the grandstands with my mom at my home basketball games. We were one of those couples that proved that opposites do attract. I liked to study, and he preferred not to. I was an only child, and he was the oldest of seven. He had already graduated when we went to my junior prom, he must have really liked me. I was so jealous of the blue bus and all the Carver family camping trips. John liked cars and fixing them, he liked cycling all through local towns, back when cycling was far safer than it is today. He played soccer and listened to classic rock. He worked as a mason and a carpenter and a dishwasher. He rode his motorcycle. He went duck hunting with his dad.

While I went to UNH to study Animal Science, John commuted to Wentworth Institute of Technology where he pursued his degree in Mechanical Engineering. How lucky for him that his future father in-law was a Dean at Wentworth at that time, and they could commute to the city together!! I wish that I could have heard the conversations that transpired during those often-long trips to and from Boston! Most Friday afternoons he finished class and drove straight to UNH for the weekend. Which vehicle he showed up in depended on what was running at the time, the Mazda RX4, the diesel VW Rabbit, the Ford Falcon or the silver Volvo. I always knew it was the Mazda because the delayed backfire was recognizable!

To sum it up, John had a passion that didn't involve using his academic mind and sitting behind a desk. He occasionally mentioned that if he ever got the urge to go back to school, he would take some courses in Geology. I think maybe it was the "meteorite" that came up in one of his traps that sparked his interest! More than anything, John desired to be out on the ocean, fishing for lobsters, honoring his heritage. He sterned for Eddie Barrett on the Phoenix and also shared many hours at sea on a dragger out of Nantucket with a captain named Ole. That is where I first heard some ol' fishing lore, like don't ever say the word "pig" on a boat and never bring a banana in your lunch box on the boat, it's bad luck for catching fish.

In 1989, John bought the BONAVITA from John Haviland, who bought it from Mike Duane, who bought it from Ray Noyes. That wooden lobster boat had a lot to tell after so many years working on the sea. Coupled with family wisdom, John embarked into one of the world's most romantic professions. Day to day it was certainly not always a walk in the park. The ocean could be serene and inviting or about to turn into a raging beast. The success of a lobstering year could be defined by just one storm.

In the '91 storm John worried about traps while I worried about the anatomy of the horse and other veterinary conundrums out in Grafton at Vet school. I hoped that when I graduated, I could find a local job as a mobile vet like James Herriot, and I did, someone John's family already knew of, Dr Jenny Maas. John's muscle was sometimes

recruited for some vet tech help that his sister Nancy remembers all too well. She also cared for Jenny's children. Small world.

In 1993 I graduated from Vet school, and we moved to one of the quaintest places on earth, the dead-end part of Bay Ave in Green Harbor. Our two work trucks barely fit side by side in the parking area. We finally got married in September 1995. A ceremony in the church with the quiet presence of a cherished chocolate lab, Shalimar, and a fantastic outdoor reception complete with a drunk uncle trying to mount one of the carriage horses and a delicious feast of lobster and steak!

When we weren't working, we spent our time walking the dog and looking for a farm to call our own and wishing for a bigger lobster boat. The boat and the farm came almost at the same time.

John connected with a wooden boat builder up in PEI, Canada and put his ultimate dream on paper. A new lobster boat from start to finish. I saw very little of John in the year or so during the building of the boat, as he spent months at a time up north working alongside the boat builder, and drinking room temperature beer, the way they seem to like it up there! Crazy! The 42-foot Northern Lights steamed down to Green Harbor in the summer of 2000. We found 94 Careswell Street in 2001, thanks to John and Judy Lennon and a pig named Pugsley. We cleared land for the animals and John HAND nailed our new cedar shingled roof.

Year after year the list of memories grows; Date night dinners interrupted because of vet emergencies, following the lobster price, frozen pipes under the kitchen sink, the brand new vet box on the truck, the new stack of traps, the baby goats birthed and the colicky horses, chasing the sheep down 139, the maiden vacation voyage of the Northern Lights Down East to Port Clyde and Vinalhaven, Maine, waiting in the bait line, rescuing Mikey the microwave cat and Rex the goat, walks and bonfires at Hupper's island, Polish Christmas eve at my relatives, many memories at the MLA Banquets, the Blessing of the fleet.

In July 2013, John took an awesome motorcycle trip with close friends, Paul Pantano, Mike Murphy and John Barrett out west where they rode into breathtaking nothingness as far as the



eye could see. They took in tourist sites and met real cowboys, talked to the wild bison, and became celebrity lobstermen.

I sat proudly on the back of the Street Glide like I would on the back of a horse to take short scenic trips and to go for ice cream. One time John wrote four street numbers on the palm of his hand as our "GPS", and we headed out to Monson for our niece's high school graduation! The slow progression of Parkinson's may have caused the motorcycle to eventually gather cobwebs, but John wasn't going to let it stop him from lobstering.

It's at these "end of life celebrations" that we are reminded to not take life for granted because it can be gone without much warning. Live life every day to its fullest. John was a simple and kind man. He would help anyone anytime and never expected or asked for help in return. Home was where he wanted to be. His home, his dog, his boat and his sweetie made him look forward to every day.

The cancer diagnosis in January condensed the last chapter of our lives together. Watching those traps come in was a heart wrenching moment. We truly became closer than two ships that pass in the night. At times it was certainly a struggle, for both of us. But John didn't complain. He was constantly surrounded by friends and family. He was trapped within his mind, and it was the rest of us that could not help him get free, no matter how hard we tried. We are deeply grateful for this amazing community of friends, family, animals, and health care workers. It could not have been done without each and every one of you.

The Blessing of the Fleet is just a few weeks away. Many Years ago, it was spontaneous lobster boat races and a rafting up out in the ocean, weather permitting of course. We were part of the young crowd then. Today we are the older crowd, and we now have the Northern Lights, known as the boat with the bathroom and the band.

At the blessing It has become tradition that we circle the bell in honor of those that have passed on before us. This year it will be John's turn. See you again when it's my turn. Somewhere on Jeff's private island. I love you, dear. Your sweetie.

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Safe on the water and good fishing!

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As the HAULER TURNS

What a great way to start the summer than with a WIN in the D.C. Circuit Court. The Massachusetts Lobstermen's Association (MLA) has been an Intervenor litigant in the USCA Case #22-5238 "Maine Lobstermen's Assoc. (MELA) v. National Marine Fisheries Service (NMFS), et al since that challenged the data NMFS is using to regulate the commercial lobster and Jonah crab industry.



The MLA would like to thank our attorney Sam Blatchley for all his hard work on this case and congratulate him on the victory in conjunction with the MELA. Job well done by everyone at the table. Also, a HUGE THANK YOU to all of you that have been making generous donations to the MLAs Legal Defense Fund over the years. We could not have done this without you all.

Now that we can breathe a little easier, we can really work on how to mitigate everything that has been implemented over the last several years and start to challenge the efficacy and validity of it all. The Massachusetts commercial lobstermen have been subject to the harshest of draconian conservation measures out of any state in the Country. Now, more than ever we need to reevaluate what is truly needed as the broad brush and worst-case scenario approach NMFS has been taking is not working.

There have been very few victories in the world of litigation for the commercial fishing industry and this one sure feels great. Please take the time to read the Legal Defense update and the cover article as Sam will break this all down for you in layman's terms so we can all be on the same page. We are all still digesting what this means going forward for the commercial

lobster and Jonah crab industry and will keep you posted.

I've never run a marathon, but I sure do feel like the last 2 years have been a marathon of ongoing and new litigation. After this WIN, I am going on a much-needed vacation to spend time with my family and friends. My three grandchildren will keep me busy for sure, Jackson 5, Noah 3 ½ and Scarlett will be 1 in August. My heart is full, and I am looking forward to some much-needed downtime with them on the beach.

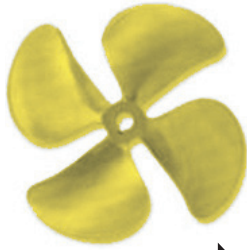


If anything, earth shattering comes up I will surely keep you all posted.

Safe on the water,

Beth Casoni

MLA Executive Director



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An Educational Day on the Water with Captain Peter Mahoney

On Tuesday, June 20th, lifelong member of the Massachusetts Lobstermen's Association (MLA) and MLA Delegate, Peter Mahoney, f/v Windemere out of Hull, took MLA Executive Director, Beth Casoni, Senator Elizabeth Warren's Constituent services representatives, Caroline Freedman, and Caleb White out lobstering to see and learn in a hands-on setting.

Also on board was Peter's son Jed and Grandson Evan who were working the gear as Peter was educating Caroline and Caleb on all the ins and outs of lobster fishing today. Peter explained how he grew up right there in Hull and has been actively engaged in some sort of fishing activity his whole life, as he is nearing 80 years young this year.

As the traps came over the rail, Caroline and Caleb were eager to see what was in the traps. Peter explained to them about all the right whale conservation measures that have been in place for over 30 years now, the max/min gauge sizes, shell disease, crabs, bait and more. There was not one area he didn't cover.

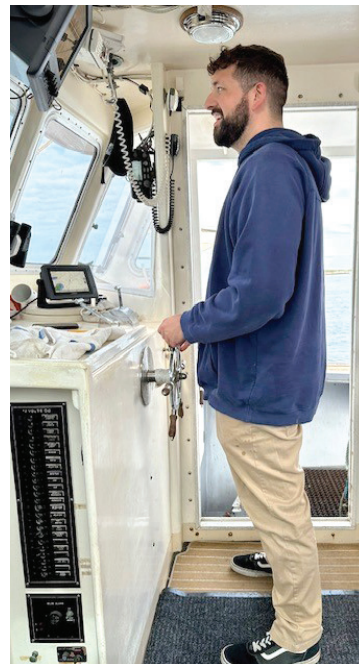
Caroline was thrilled when she was able to band the lobsters under the watchful eye of Peter's crew so that she didn't get bitten. These are the experiences that make for long-lasting and great impressions of the day in the life of a commercial lobsterman.

The conversations aboard the f/v Windemere also covered all of the right whale conservation that the Massachusetts fleet has been working under for over 30 years now. From the inception of the Critical Habitat in Cape Cod Bay to the now sweeping 11,000 square miles of closure. Peter went on to explain how these sweeping closures are impacting not only the commercial lobstermen but also the shoreside businesses alike.

"We are grateful for the opportunity to get out on the water and get a hands-on experience into this profession. We were able to engage directly with several generations of lobsterman and gained valuable insight into the work that is being done. The thoughtful conversations we were able to have shed light into the needs of this industry. We look forward to continued discussions in this space."

— Caleb White & Caroline Freedman

Peter, the MLA thanks you and your crew for taking the time to meet with us and to educate Caroline & Caleb on all things commercial lobstering here in Massachusetts.





New England Fishery Management Council

FOR IMMEDIATE RELEASE
June 2, 2023

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Council Selects Cate O’Keefe to be Next Executive Director

The New England Fishery Management Council has chosen Dr. Catherine “Cate” O’Keefe of South Dartmouth, Massachusetts to be its next executive director. Cate will replace Tom Nies, who is retiring.

Cate has over 20 years of experience in fisheries science and management. She is the owner of Fishery Applications Consulting Team. As its principal consultant, she has provided technical, research, and facilitation services to a wide range of clients, including the New England Council for scallop and monkfish projects. She also has provided services to offshore wind energy companies, fishing industry organizations, global consulting firms, academic institutions, and research organizations. She currently serves as vice chair of the Council’s Scientific and Statistical Committee.

Cate earned her doctoral degree at the University of Massachusetts Dartmouth School for Marine Science and Technology (SMAST). Her dissertation was titled: “An incentive-based, collaborative approach to maximize yield by avoiding bycatch in the US sea scallop fishery.” She earned a master’s degree through the Boston University Marine Program in Woods Hole and a bachelor of arts in biology and fisheries from Hampshire College.



Dr. Catherine “Cate” O’Keefe

“Extensive Experience”

Cate spent four years as a marine science and policy analyst at the Massachusetts Division of Marine Fisheries prior to launching her own business. Before that, she held several positions at SMAST, climbing the ladder from research technician to research assistant to research professor to adjunct faculty. During her time at SMAST, she oversaw and managed the Massachusetts Marine Fisheries Institute’s seven-year \$25 million budget.

Council Chair Eric Reid said, “Dr. O’Keefe has extensive experience with New England fisheries, and her broad-based background makes her uniquely suited for this position. We look forward to advancing the work of the Council under her leadership.”



New England Fishery Management Council

HOW WE GOT HERE: After Executive Director Nies announced his retirement in January, the Council solicited a contractor to help conduct a nationwide search for his replacement. The Council took this step to ensure it carried out a thoughtful, objective, and trusted search process. A vacancy announcement for the position was issued on April 5, 2023.

A Search Committee, which was made up of the Council's Executive Committee and the NOAA Fisheries regional administrator, conducted an initial round of interviews among a pool of highly qualified candidates. The full Council then met with the finalists in closed session on May 31, 2023. Cate was offered and accepted the position on June 1, 2023.

Cate is expected to assume her new duties in mid-July. She will attend the Council's June 27-29, 2023 meeting in Freeport, ME, which will be Tom Nies' last in his official capacity as executive director. The meeting will culminate Tom's 26-year career with the Council, 10 years of which he served as executive director, managing a 20-member staff and reporting directly to the Council chair.

NEW EXECUTIVE DIRECTOR'S WIDE SKILL SET: Cate is well known for being a dynamic, approachable, and detail-oriented colleague in a broad range of scientific and management circles. She has experience on commercial fishing vessels and with offshore survey work, as well as with the Northeast Fisheries Observer Program. Her familiarity with the Council's plan development teams and her grant-writing and

budget-management skills are all key assets that will facilitate a smooth transition from one executive director to the next.

Cate has received numerous recognition awards and has several professional affiliations, including membership in the American Fisheries Society and the American Institute of Fishery Research Biologists, in which she currently serves as president. She has authored or co-authored over two dozen scientific publications and reports.

"I'm honored to have been selected as the next executive director," said Cate. "I'm truly excited to join the Council community. I look forward to working collaboratively with Council staff and regional partners to support the New England Council and our region's invaluable fishing industries."



At left, Dr. Catherine "Cate" O'Keefe enjoying time on the water.

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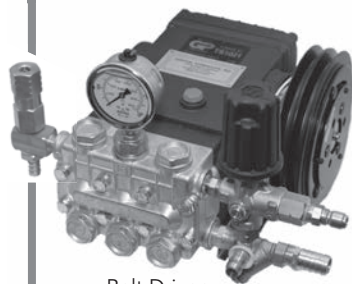
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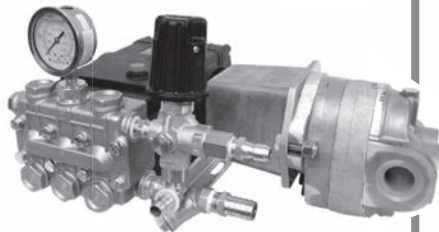
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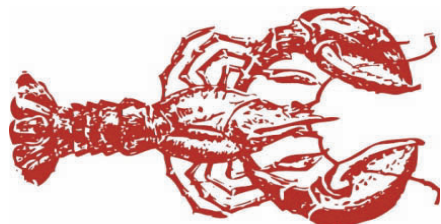
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“We are all in this together”

Canada's efforts to mitigate interactions with North Atlantic Right Whales

Since the arrival of the North Atlantic Right Whales (NARW) to the Gulf of St. Lawrence in the spring of 2017 the Canadian seafood sector, including provincial and federal governments, harvesters and the shipping industry have been working together to mitigate interactions between this iconic species and the fishing and shipping industries.

Prior to 2017 the NARW were commonly found in the Bay of Fundy during their annual migra-

tion and harvesters in this region had developed mitigation strategies and expected to see NARW. This all changed in the spring of 2017 when, searching for copepods likely moving north due to rapid climate change, the whales arrived in large numbers in the Gulf at the beginning of the crab and lobster seasons. The critical mortality incident that occurred in 2017 has led to what is today one of the most comprehensive whale mitigation strategies in the world.

The comprehensive program involves a dynamic system of closing fishing areas when whales are present, implementation of Whalesafe gear, gear marking, ghost gear remediation, a well-funded marine mammal response program and measures to slow down shipping.

Surveillance & Monitoring

The core fisheries management measures involve temporary and season-long closures when

NARW are observed using a mixture of air, acoustical buoys, and gliders to observe or detect their presence. These measures are reviewed annually and announced by the Minister of Fisheries and Oceans Canada in late March, prior to the spring crab and lobster seasons opening.

If a NARW is visually or acoustically detected in areas subject to NARW management measures (note following map), a defined area around the detection position will be closed for 15 days and includes special shallow water protocols. When this occurs all fishing gear must be removed and fishing ceased. If a NARW is detected again during days 9 to 15 of the closure period, the closure is extended with slightly different regional differences in the Bay of Fundy and Roseway Basin critical habitat dynamic areas and the Gulf of St. Lawrence area.

If no whale is detected during days 9 to 15 of a temporary closure period, the grids re-open to fishing after day 15. Two clearance flights with no NARW detections continue to be required before an area can re-open to fishing. In waters outside of the dynamic and critical habitat areas (meaning outside of the Gulf of St. Lawrence, Bay of Fundy and critical habitat area of Roseway Basin), closures will continue to be considered on a case-by-case basis. Special consideration will be given for detections of three or more NARW, or a mother and calf NARW.

DFO's fishery management measures are informed by several

2023 NARW management measures observation area

2023 NORTH ATLANTIC RIGHT WHALE MANAGEMENT MEASURES
MESURES DE GESTION DE LA BALEINE NOIRE DE L'ATLANTIQUE NORD 2023



near-real time whale detection platforms (including aerial surveillance, at sea monitoring and acoustic detection technologies) led by DFO, Transport Canada and trusted external partners.

Confirmed acoustic detections of NARW from near-real time sources, including eight DFO Science Viking buoys equipped with hydrophones, also trigger fisheries management area closures. DFO has recently acquired gliders equipped with hydrophones to boost detection efforts.

Protection Measures for all Marine Mammal

In 2018, Canada made the elimination of excess floating surface rope mandatory in all non-tended fixed gear fisheries in Atlantic Canada and Quebec. Canada requires all fisheries in Canada to report all interactions between fisheries and marine mammals. In addition, the *Marine Mammal Regulations* under Canada's Fisheries Act prohibit disturbance of marine mammals unless authorized and prescribe mandatory minimum approach distances to marine mammals for all vessels. For NARW, that is 100m in all Canadian fisheries waters, and 200m for a mother and calf.

Whalesafe Gear

Since 2018, DFO has supported industry trials of whalesafe gear, including rope on demand fishing gear that can be used in areas closed to traditional fixed gear fishing methods because of right whale presence. The Whalesafe Gear Adoption Fund (WSGF) has provided nearly \$20 million to 34 projects that are testing and refining low breaking strength gear, rope on demand, and ropeless systems in Eastern Canada. In addition to rope on demand gear, trials of low breaking strength devices have been undertaken in fisheries in Eastern Canada. Canada will implement low breaking strength fishing gear requirements in non-tended, fixed gear and trap and pot commercial fisheries in Atlantic Canada and Quebec starting in 2024, to ensure that low breaking-strength fishing gear is safe, effective at protecting whales, and readily available to harvesters.

Gear Marking

Since 2020, Canada has implemented a mandatory gear marking regime in all non-tended fixed gear fisheries, including lobster and crab, in Atlantic Canada and Quebec. Mandatory gear marking consists of specific colours that must be used to correctly identify fishing ropes in different fisheries, regions and sub-regions in Canada. It supports Canada's efforts to address lost gear and marine mammal entanglements, and to help distinguish between US and Canadian gear involved in marine mammal entanglements. Gear marking requirements are mandatory for all ropes used to attach fishing gear to a buoy or any other floating apparatus used in the fishery.

Ghost Gear

In 2019, Canada launched the Ghost Gear Fund, a program that focuses on reducing and mitigating abandoned, lost, or otherwise discarded fishing gear (ALDFG), both in Canada and internationally. To date CAD \$26.7M has been dedicated to fund 91 industry-led

projects (10 international and 81 domestic) from 2020-2023 to address the threat of ghost gear. To date, the program has facilitated the retrieval of approximately 1,641 tonnes of marine debris and ghost gear, much of it in areas where NARW are known to occur, such as the Gulf of St. Lawrence and the Bay of Fundy.

In 2020, DFO implemented a mandatory requirement to report gear loss and to report the retrieval of gear previously reported lost. This information is collected and used to guide retrieval efforts, inform entanglement investigations, and inform analyses of the ghost gear issue in Canada. In 2021, DFO launched the Fishing Gear Reporting System (FGRS) to allow commercial harvesters to conveniently input a description of their lost gear, the cause of loss, and its location from any online device. Improving gear loss reporting helps DFO to generate accurate gear loss hotspots maps and trends, guiding more effective retrieval efforts and identifying high-priority areas. Up to January 31st, 2023, 12,377 lost gear

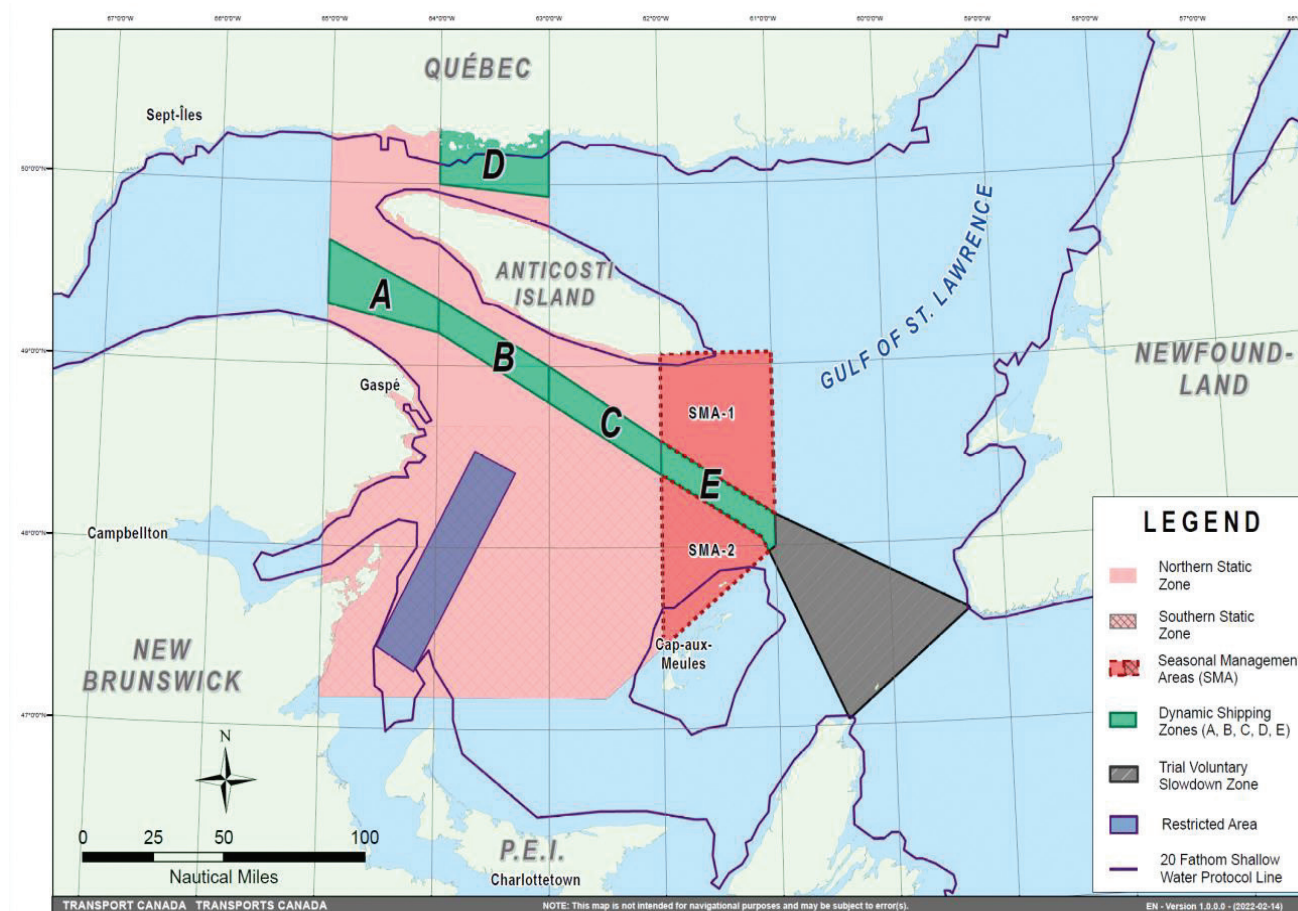
reports have been submitted, reporting 46,286 units of gear, 16 km of nets, and 565 km of rope lost.

On September 22nd, 2022, Canada became the first country to share its lost gear reporting data with the Global Ghost Gear Initiative's global data portal.

Marine Mammal Response Program

DFO has continued its annual investment of over \$1 million for marine mammal response organizations, as well as investments in science to better understand threats to right whales, and to inform future management measures. The Department has also delivered \$5.5 million over five years to build additional capacity across Canada for safe and effective marine mammal incident response. The funds were used to support necropsies, build Indigenous community response capacity, and increased large whale disentanglement response capacity. Additionally, the Large Whale Disentanglement Advisory Committee has been created to discuss actions underway and planned by

Transport Canada management areas





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Protecting North Atlantic Right Whales

Canada's fishing measures by year launched

DFO and disentanglement experts regarding the disentanglement of large whales, and to allow participants to provide advice on government decision-making, such as disentanglement training and succession planning.

Transport Canada static and dynamic management areas

Transport Canada enforces static and dynamic management measures throughout much of the Gulf of St. Lawrence with special measures in place around Anticosti Island and through the Cabot Strait. There are two seasonal management areas around dynamic shipping area E and a mandatory restricted area where NARW have been known to gather in recent years and near the Shediac Valley. The map shows the static zones, in pink; the dynamic shipping zones, in green; the seasonal management areas, in dark pink; the trial voluntary slow-down zone, in grey; the restricted area, in dark blue; and the 36.57 m (20 fathom) shallow water protocol line.

These NARW mitigation measures require extensive coordination with lobster harvester associations and the shipping industry and are constantly being analyzed for effectiveness and improvement. The following graphic outlines the evolution of the fisheries management measures since 2017:

The recent annual migration of the NARW to the Gulf of St. Lawrence has changed how lobster harvesters and supporting government departments undertake the Canadian lobster fishery. Canadian governments and lobster harvesters have invested heavily in the development and implementation of these measures designed to protect the endangered NARW and will continue to do what is necessary to find the balance between protecting whales and the livelihoods of thousands of eastern Canadians living in hundreds of coastal communities.





As my time as AOLA President has come to the end, I wanted to take a moment to reflect on the last 10 years serving AOLA and the industry. There certainly were many challenges the Association faced during my tenure on the Board. Starting with area two, then the southern New England collapse, followed by the monument and coral closures, and then, of course, the right whale issue. These were the major issues, but there were always other items on the agenda such as gear conflict, bait supplies, wind farms, and the Covid pandemic.

In fact, there is so much more to fisheries management than I ever thought. As a fisherman, I always thought that regulatory procedure was pretty much cut and dried. But low and behold it is quite a process with so much to learn and keep track of and relationships to foster in order to best advocate for fishermen. Meeting and working with all the State Directors and as part of the Atlantic Large Whale Take Reduction Team were eye-opening experiences. The one thing that I pride myself on most is that the Association, at all times, represented the entire offshore lobster industry, not just its membership. I feel this approach helped strengthen the Association and attract broader membership.

Speaking of members, I want to thank all of our associate

members for their continued financial support throughout the years. Without their annual contributions the association would not have been able to successfully take on so many issues of importance to the fleet.

Working with David Borden and Heidi Henninger has been the most pleasant part of being President of AOLA. More times than I can remember those two put in 40 to 60 hour weeks without a complaint. If not for the two of them, the Association would not be where it is today. For David, I wish him the very best with his retirement and hope that he enjoys his new boat and his grandchildren. And for Heidi I am sure she will be an asset for whoever is lucky enough to employ her. I thank you both.

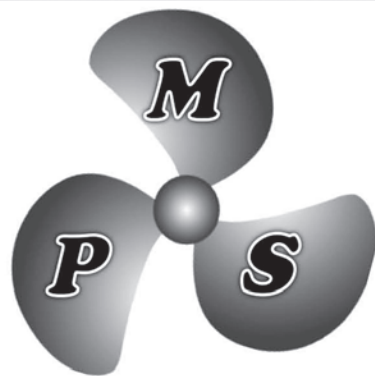
I wish the new Board of Directors great success in their future

endeavors. I wish I could say that the challenges thrown at the industry are going to slow down, but I honestly don't see it happening. The whale issue is going to be ongoing, and the wind issue is in our backyard already. There's climate change and changing species distributions to worry about, and I suspect new issues we haven't even considered right around the horizon.

While I'm no longer an AOLA member, I plan to continue serving on the Atlantic Large Whale Take Reduction Team as an offshore lobster/jonah crab and red crab industry representative and as the Chairman of the ASMFC's Lobster Advisory Panel in order to advocate for our businesses. Feel free to reach out to me at any time.

-Grant Moore

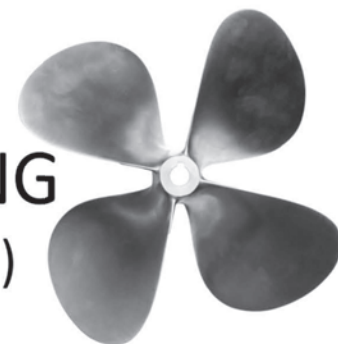
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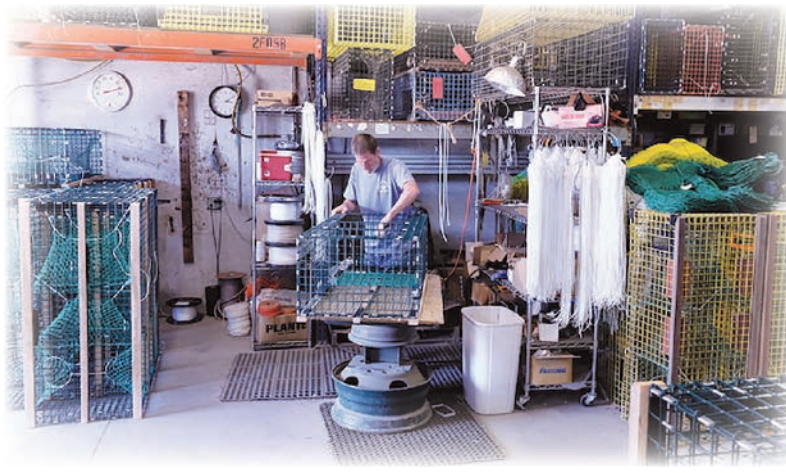
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Ruling

FROM PAGE 1

it was egregiously wrong”. The Court also took the rare step of critiquing Judge Boasberg, noting, as we have argued all along, that “The district court bought the gambit, even as it purported to avoid a “deference debate.”

In breaking down this argument, the Court noted that NMFS was “inconsistent” (a legally nice word for lying) about the facts. First, it noted that NMFS had said repeatedly that nothing required it to use worst case scenarios, and then it suddenly decided that it had to use worst case scenarios. Second, it noted NMFS relied on one line of legislative history (an issue we flagged) not the actual text of the statute, and that was entirely unacceptable. Third, it noted that the cases cited by NMFS do not actually support what NMFS claimed it did. For these reasons, it found that NMFS acted arbitrary and capriciously such as to make the Biological Opinion illegal.

The Court, attacking the idea it had to defer to agencies, noted that its first duty is to interpret the law, and it cannot uphold an agency action contrary to law. Nothing in the ESA requires worst case scenarios, the Court determined, and thus, even though NMFS tried to claim that the Court had to defer on scientific questions (and that, it didn't really use worst case scenarios because the result would be the same), NMFS was wrong. The Court also noted that NMFS completely failed to consider the severe economic damage that could befall the lobster industry, not consider the other worst-case scenario that none of the new technology it wants to mandate would actually help.

Finally, the Court determined



Daniel J. Cragg

that the error was not harmless because the use of worst-case scenarios tainted the entire Biological Opinion. It especially noted how absurd it was for NMFS to allocate entanglements 50/50, when substantially more entanglements occurred in Canada and the Canadian data was outdated.

Having ruled against NMFS, the Court next had to decide the remedy. It decided to vacate the Biological Opinion (requiring NMFS to develop a new one) while remanding without vacatur the Phase 1 Rule, which is what we argued for in our briefs. This allows the lobster industry to continue operating until a new Framework is developed in 2028. And the new Framework will necessarily have to follow the instructions contained in this opinion.

Ultimately, this is a huge win for the Lobster industry founded on the arguments advanced were the ones our lawyers, Sam Blatchley, Dan Cragg, and Robby



Samuel P. Blatchley

Dube of Eckland & Blando LLP pushed for ever since we brought them onto the case.

Some highlights from the Court's opinion include:

“The service's legal reasoning was not just wrong; it was egregiously wrong.”

“As any high school civics student should know, legislators vote on and the president signs bills, not their legislative history. Statutory text and structure do not authorize [NMFS] to ‘generally select the value that would lead to conclusions of higher, rather than lower, risk to endangered or threatened species whenever it faces a plausible range of values or competing analytical approaches. The statute is focused upon ‘likely’ outcomes, not worst-case scenarios. It requires [NMFS] to use the best available scientific data, not the most pessimistic.”

With a nod to lobstermen, the Court wrote - “worst-case scenarios lie on all sides. It is not hard to indulge in one here: rope-



Robert T. Dube

less fishing technologies, weak links, inserts, and trawls may not work; permanent fishery closures may be the only solution. The result may be great physical and human capital destroyed, and thousands of jobs lost, with all the degradation that attends such dislocations.”

“Some of the assumptions [NMFS] made along the way are quite important—as we have explained, [NMFS] ultimately concluded the lobster and Jonah crab federal fisheries kill 46 whale deaths per decade, a staggering departure from the two documented deaths known to have originated in all U.S. fisheries over a period of nine years.”

NMFS could still appeal this ruling to the Supreme Court, or ask the entire D.C. Circuit to reconsider, so we continue to monitor the case as it develops.

*For the status on the MLA's other legal proceedings, please read the **Legal Defense Fund Updates** found on page 36.*

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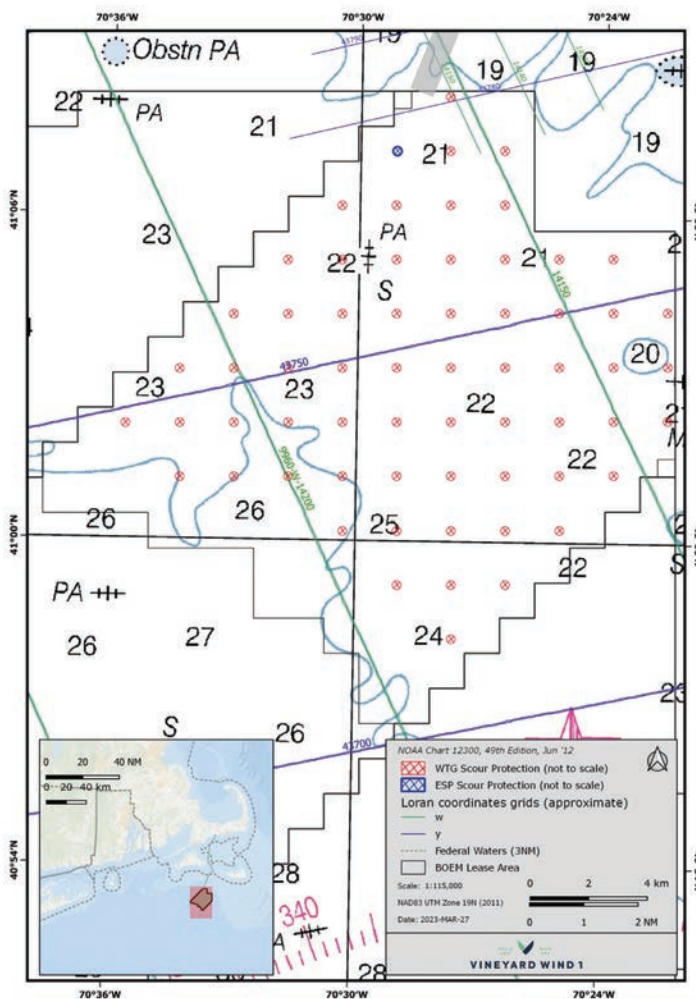
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U.S. Fishery Management Council Report Finds More than 72% of Federal Waters Classified as “Conservation Areas”



The nation's eight regional fishery management councils (Councils) have released a first-ever synthesis of conservation areas in federal waters of the United States. The report, located on <https://www.fisherycouncils.org/area-based-management>, identifies hundreds of conservation areas covering nearly three quarters of federal waters. These findings demonstrate that a large portion of federal waters are protected from fishing activities that could negatively impact the environment.

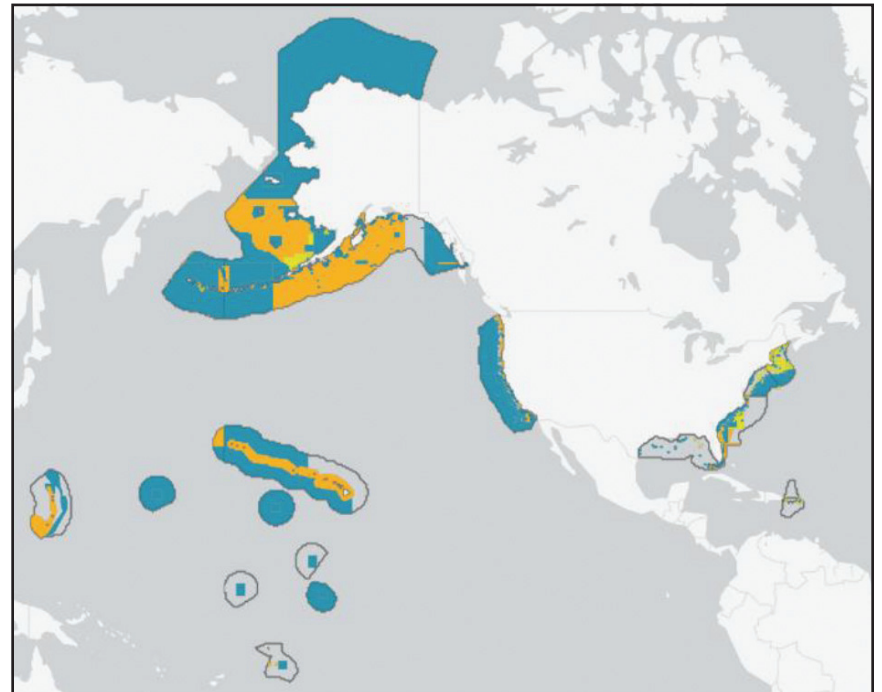
The report was developed with the goal of identifying conservation areas that should be included in the American Conservation and Stewardship Atlas (Atlas). Development of the Atlas is one component of the Biden Administration's America the Beautiful initiative, which aims to conserve 30% of U.S. lands and waters by 2030. According to the Biden Administration, the Atlas will be a “tool through which to measure the progress of conservation, stewardship, and restoration efforts across the United States.” The Council Coordination Committee (CCC), consisting of leadership from the eight fishery management councils, formed an Area-Based Management Subcommittee in May 2021

to identify conservation areas in federal waters.

“Our subcommittee produced a first-of-its-kind, groundbreaking, and highly detailed analysis of the conservation areas developed by all eight regional fisheries management councils under our authority mandated by the Magnuson-Stevens Act,” said Eric Reid, Chair of the CCC Area-Based Management Subcommittee. “These conservation areas are designed to maintain the productivity and biodiversity of marine ecosystems and balance fishery access to a wide variety of user groups.”

Areas under consideration were subject to a newly developed, rigorous review process that included defining a “conservation area” and then screening each area relative to qualifying criteria based on a combination of international standards for conservation and the America the Beautiful principles.

Based on those criteria, the subcommittee identified a total of 648 conservation areas covering more than 72%, or nearly 3.4 million square miles, of federal waters. The report includes an in-depth examination of fishing gear restrictions, with a focus on various configurations of “bottom tending” gear which contact the sea floor. According to the re-



Conservation areas in the U.S. federal waters

port, bottom trawling is prohibited in over half of U.S. federal waters, and over a third of the U.S. federal waters include prohibitions on all bottom tending gears.

Appendix A of the report includes summaries and maps of each Council's conservation areas. Appendix B provides additional details and links, an evaluation relative to the eight America the Beautiful principles, and an effectiveness checklist. For those interested in exploring the maps more closely, the subcommittee also developed an interactive “dashboard” tool to serve as a companion to the report. The dashboard is a work in progress and will continue to be refined in the months to come.

“The CCC strongly encourages NOAA and other agencies involved in Atlas development

to incorporate the conservation areas identified in the report,” said Dr. Greg Stunz, CCC Chair. “By including these areas in the Atlas, the U.S. effectively demonstrates how the Councils' fishery management measures directly result in improved conservation outcomes that benefit sustainable fisheries, other marine species, and habitats.”

For more information, please visit the Area-Based Management webpage here: <https://www.fisherycouncils.org/area-based-management>.

Contact Michelle Bachman or Eric Reid with technical questions about CCC Area-Based Management efforts and products.

Use this list of regional contacts for media inquiries or general questions.



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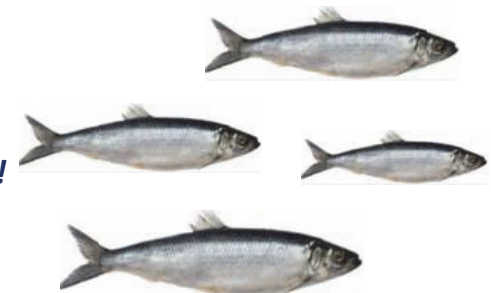
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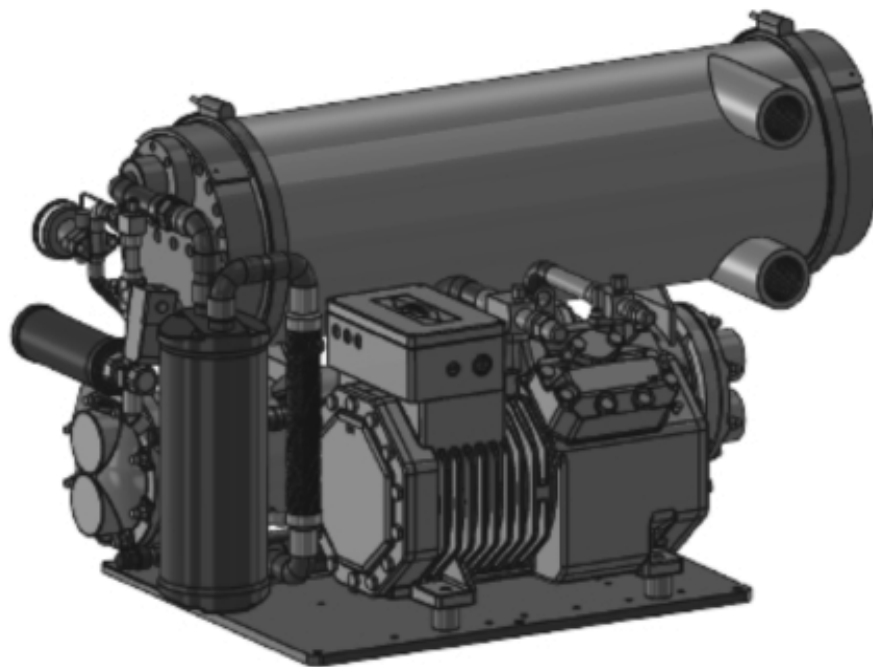




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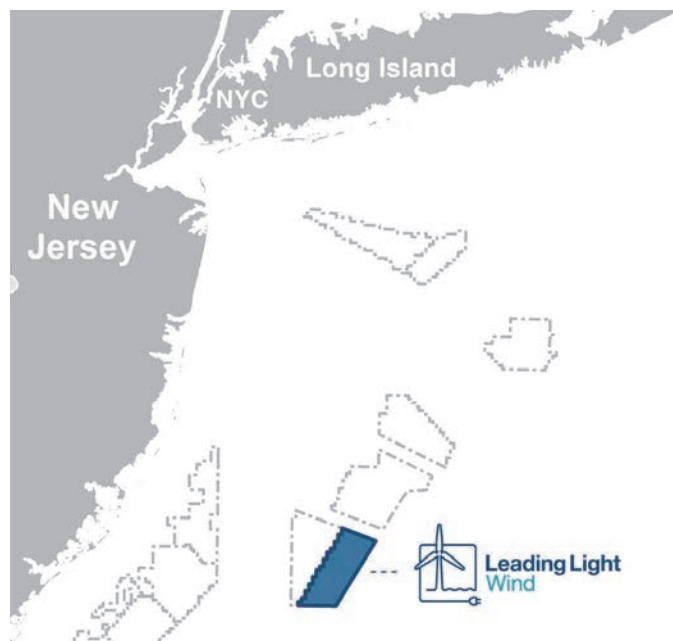
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Leading Light Wind is an American-led offshore wind project that will bring locally sourced renewable energy to the East Coast.

Developed by lead developer Invenergy and New York-based co-developer energyRe, Leading Light Wind will build on our track record of innovation in sustainable American infrastructure and impactful community engagement to advance public health, create good-paying jobs, and support our local supply chain.



- ✓ Acquired the lease from the Bureau of Ocean Energy Management in early 2022
- ✓ The approximately 84,000 acre lease is located 40 miles east of Atlantic City and 80 miles south of Long Island
- ✓ Turbines are not expected to be visible from shore
- ✓ Conducting comprehensive surveys and research to inform environmentally sound project decisions throughout project lifetime

Why Leading Light Wind?



Charting an American-led Clean Energy Future

As the only American-led project in the NY Bight, we have an unmatched commitment to advancing a domestic offshore wind industry that secures American competitiveness in the global market.



Proven Track Record

We are proven partners that deliver innovative, stakeholder-driven renewable energy projects, as evidenced through our Clean Path New York project. Invenergy and energyRe's clean energy leadership leverages our team's deep experience in the region to bring unparalleled expertise in advancing state climate change goals.



A Bold Vision for Economic Benefits

We're poised to deliver billions in economic benefits and workforce opportunities that champion our commitment to labor, supporting thousands of full-time jobs, strengthening workforce training, and uplifting frontline communities. In New York, we have proposed a plan for over \$13B in economic benefits and more than 25,000 job years.



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We are creating a community benefits program with up to \$300M in funding that will drive stakeholder-directed community empowerment initiatives in local communities.

PROJECT POTENTIAL

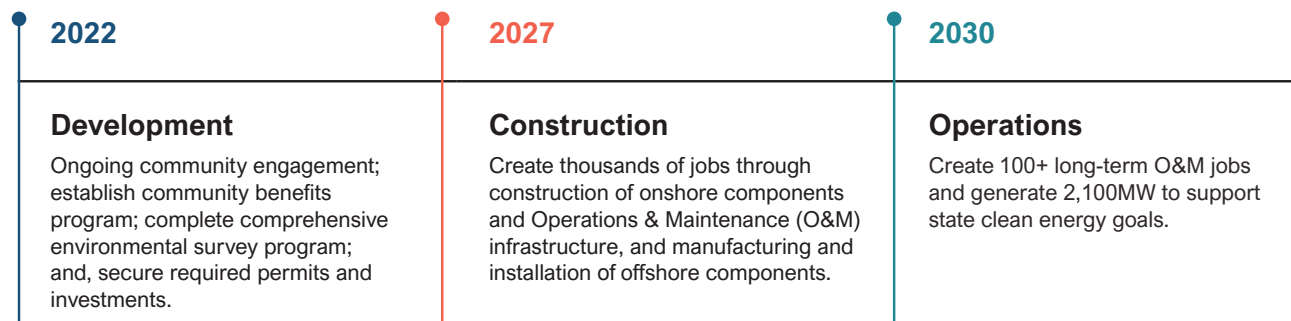


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energyRe is a leading independent clean energy company focused on solving complex challenges and providing clean energy solutions. energyRe was founded by the principals of Related Companies, one of the largest private owners and preservationists of affordable housing in New York and the United States—reflecting their commitment to empowering local communities.

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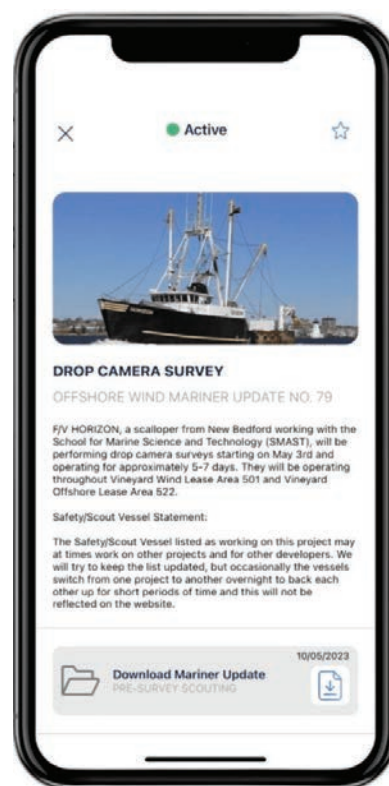
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MLA 1963 - IN THE BEGINNING...

1963
ANNUAL
MASSACHUSETTS
LOBSTER
FESTIVAL

AUG. 31
1963
MARSHFIELD
MASSACHUSETTS

WELCOME ABOARD!
IT'S FESTIVAL TIME . . . ! The very words spark the imagination!

Exciting images come to mind of sun filled days, star struck evenings. Festival time, when laughter, good fellowship, gaiety, music, dancing and singing abound. It's family time too, with sights, sounds and activities designed to please and delight everyone. It's The First Annual Massachusetts Lobster Festival!

The fanfare of trumpets and the sharp, foot tapping staccato of drums from the big parade bands herald in this weekend of weekends. The beautiful Festival Queen will be crowned at the glamorous Festival Ball. Native seafoods, fresh as a sailor's wink, and the luscious bounty from this region's harvest . . . all cooked and offered in the grand tradition of New England by master chefs . . . all gustatory delights to more than satisfy the inner man.

The decks have been scrubbed, the galley shines, the captain and crew stand at the ready to pipe you, the honored guests, aboard. Your hosts are the congenial and friendly people of this area, all eager to help you in every way.

The welcome is as warm as the fire burning on a wide New England hearth. Months of careful planning and preparation have gone into this mammoth Festival to make it a weekend you will always remember.

MASSACHUSETTS LOBSTER FESTIVAL, INC.
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Frank Moore, *1st Vice President*
Robert Murphy, *2nd Vice President*
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Mrs. Herbert Byder
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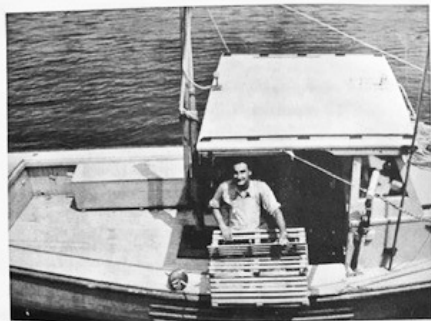
PROGRAM OF EVENTS
FIRST ANNUAL MASSACHUSETTS
LOBSTER FESTIVAL
THE MARSHFIELD FAIRGROUNDS

Sponsored by: Organizations and persons willing to support charity and their State of Massachusetts.
All net proceeds: To be distributed to the charities designated by the volunteer workers involved.

FRIDAY EVENING, AUGUST 30
Rexicana Ballroom—*Massachusetts Lobster Festival Ball.*
Baron Hugo and his Orchestra, Crowning of the Festival Queen.

SATURDAY, AUGUST 31
10:00 A.M. Parade, Parsonage St.—Ocean St. to Fairgrounds.
11:00 A.M. Bands, Fire Engines, Antique Autos, The Queen and Her Court.
11:00 A.M. Message by Governor Peabody. *Grandstand*
Welcoming address by Edward Rowe Snow
12:00 Noon Band Music and Introduction of Distinguished Guests.
12:00 - 2:00 Children's Events—Director: James Anderson
Track on Fair Grounds
2-3 P.M. Ed Hayes Variety Show *On Stage, Fair Grounds*
3-4 P.M. Antique Auto Drive and Exhibit—Memories on Wheels
Track on Fair Grounds
4-5 P.M. Exhibition—Marshfield Riding and Driving Club
Track on Fair Grounds
5:00-6:30 Band Concert, Satuit Band—Leader, Robert Morrill
On Stage at Fair Grounds
6:30-7:30 Ed Hayes Variety Show *On Stage at Fair Grounds*
7:30-8:00 The Sandpipers Barbershop Quartet (Girls)
Betty Fife, *tenor*; Susan Chapman, *lead*;
Peg Broderick, *baritone*; Connie Barlow, *bass*
The Alley Cats Barbershop Quartet (Men)
Philip Bolster, *tenor*; George Richardson, *lead*;
Bob Carley, *baritone*; Arnold Nadeau, *bass*
On Stage at Fair Grounds
8:00-8:30 Curtain Call Theatre Group Production
Ben Berlenbach, Director *On Stage at Fair Grounds*
8:30-9:00 Square Dance Exhibition *On Stage at Fair Grounds*
Ridder Farm Group—Caller: Herbert Gaudreau
9:00-11:00 Let's All Dance.
10:00 P.M. Fireworks.
Throughout the Day, Helicopter Rides will be available at the Fairgrounds Oval.

One



Robert S. Barlow, President of Mass. Lobster Festival, Inc. on board his boat, the Homarus Rex (King Lobster)



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**MENU
For 1963 Lobster Festival**

Whole lobster, steamed clams, corn on-the-cob, rolls, pickles, potato chips, and watermelon. Hot dogs, hamburgers, coffee, soft drinks and ice cream will be sold on the grounds.

TICKETS: \$2.00 each for one lobster dinner—rain or shine.
\$5.00 per couple for the Festival Ball at Rexicana Ballroom
(Capacity 1000 couples)



83 years young and still lobstering
Courtesy of Frank Moore

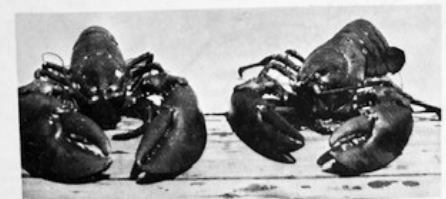
Five

Six

FACTS ABOUT LOBSTERS

by Robert Barlow

- .. The scientific name for New England Lobsters is *Homarus americanus*.
- .. Lobsters are scavengers, who live on the ocean bottom and feed at night.
- .. They live under rocks and kelp and sometimes burrow into mud banks.
- .. A female lobster lays eggs once every two years. She carries these eggs, stuck to the underside of her tail, for eleven months.
- .. A one pound lobster lays about 5,000 eggs, of which 1% survive to maturity.
- .. Young lobsters float on the surface for the first three weeks of life.
- .. A lobster must shed its shell in order to grow. (About once each year).
- .. Lobsters migrate only short distances between deep and shallow water.
- .. Touch and taste are the lobster's best developed senses.
- .. Sight and hearing are very poorly developed.
- .. Lobsters are measured from the eye socket to the end of the solid shell.
- .. A lobster must measure 3 3/16 inches to be legally taken.
- .. It takes six years for a lobster to reach legal size.
- .. A lobster may re-grow a claw, lost in a storm or battle.
- .. Lobsters are caught chiefly in traps, although recently many have been harvested by dragging methods.
- .. Lobstering, as an industry, first began in the late 1700's.
- .. At that time, lobsters could be purchased for 1¢ each.
- .. Today, lobsters are relatively expensive, since the demand is so much greater than the supply.
- .. In 1962, New England lobstermen caught 29 million pounds of lobsters.
- .. Massachusetts totals were 4,073,610 pounds, valued at \$2,531,923.



Seven

MLA 1963 - IN THE BEGINNING...

ANCIENT TREASURE FOUND IN MARSHFIELD'S WATERS

By Edward Rowe Snow

One of the earliest marine disasters of which we have recorded knowledge is that of a mysterious galleon, probably French, which sank in a great storm in the year 1616. Her sea tossed bones were scattered along the shores of Marshfield from Ocean Bluff to Brant Rock. Only one man was saved, and his name is believed to be Peter Wallis. Captured shortly after the wreck by Indians, Wallis was taken to what is now Middleboro, then called Nummastaquyt, where he remained as a captive for three years.

On May 19, 1619, Captain Thomas Dermer set sail from Monhegan Island in "an open Pinnace" and "passed along the coast" to arrive in Plymouth. Finding all the Indians dead from a plague, Dermer "travelled alongst a daisies journey Westward" until he reached Middleboro, where "I redeemed a Frenchman."

Peter Wallis, the redeemed Frenchman, was allowed to settle in what is now Pembroke, where his orchard and his well can be seen to this day!

Back at Marshfield the great galleon slowly went to pieces at the bottom of the sea, and it was not until around 1880 that a chance dive brought the old wreck to light. At that time a friend of the late Adelaide Hildreth Burgess of Brant Rock owned an expensive shotgun. He lost it one day while out on Brant Rock hunting ducks and summoned a diver from Boston. The diver never found the shotgun but among other things which he brought up were two blunderbusses and a cannon from the ancient galleon. Later, cannon balls and grape shot were found in the area, the last grape shot being discovered by Parker Phillips of Brant Rock several years ago.

Mrs. Burgess told me shortly before her death that a fragment of the old wreck was reputedly buried close to the Brant Rock ledge itself. The keel of the galleon was discovered after a storm in 1953 had scrubbed out the sand from the area, and diving operations have been going on from time to time ever since.

Diver John Light has made the most important find. At dead-low tide on December 6, 1953, he went overboard at the scene of the wreck where a buoy connected to a grapnel at the bottom had been placed. His statement follows:

Two

"On December 6 I descended to the bottom in 35 feet of water off Brant Rock. I found the grapnel, which was stuck between two rocks. I freed it, came back about ten or fifteen feet and found myself on something which was hard, smooth, and even. It seemed like metal or rock. I went down eight inches with my right foot. It was facing west, in the general direction of the boat.

"I got my other foot off the object, but the visibility was only six inches. The water was extremely roiled because of the recent storm. I knelt down beside the object, turned around, and faced back. Then I examined it and found that I could push my arms way inside under the object.

"I found that the object was of metal, man-made, about two inches thick all the way. It was about nine feet from one end to the other, and six feet across. It came out of the mud at a slant. The object appeared to be a great slab of iron. It wasn't jagged but smooth and could very well have been the iron caboose of a galleon.

"After I examined it I ran into the fluke of what was a very large anchor. It was probably about ten feet long, possibly fifteen feet. It was about fourteen inches out of the sand, and apparently came out of the sand at a slight angle, indicating that the other fluke, from the size of the

Continued on Page 13



Three

SALTY IS THE WORD

By M.B.B.

The fisherfolk of Massachusetts are the meat and background of this narrow, strangely shaped state. For generations, these men have netted, trawled, dragged and trapped the seas for their sustenance. They have behind them a heritage rich in adventure, humour, courage, and not a little pathos. Their lives and activities are gauged by the ever-changing tides and winds. This sea life has made them a hardy, independent group with all the grit and humour that has made their way of making a livelihood a time-honored one.

The men who man the fishing craft to-day may never see the waters of far off oceans and seas, as did their ancestors of whaling and clipper ship glory. But they nevertheless are instilled with the qualities that made those illustrious grandfathers and great grand fathers the storied sailing masters of the great sailing ships which brought fame and fortune to Massachusetts.

Living close to the sea for years, being used to the split second command which often means the difference between disaster and success, their speech is blunt. To city people, accustomed to more pussy-footing around, sometimes called sophistication, there seems to be a frightening directness, almost bordering on rudeness in their manner. They call a spade a spade. They are used to speaking their piece, and they want you to speak yours, without palaver.

Firm believers in the survival of the fittest, they stand or fall according to their merits. But if a man's in trouble, then they stand by him and help him all they can. That's providing he's got real stuffin' inside, not jist candy cotten.

But underneath all this alligator hide there is a love of simple things . . . of nature, of the past, and of course for the sea, their true home. They've lived close to the heart of things that have endured for centuries, and so they just can't see the reason for getting in a swivit about new fads. And they're darned old sentimentalists too. When they say they're your friend, you know you can count on them forever, fair or squall.

Their humour is as lusty as the winds that rocked the clipper ships. And with their firm belief in the inevitability and continuity of events, they don't worry much about rushing around doing things as though it was the last chance they'd ever get.

They're a wonderful people. Through the years of living with the rhythm that comes with the rise and fall of the sea, the seasonal changes of sky and wind, they seem to have discovered that intangible essence of life, that solitary contentment that makes it really worth living.

Four

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MLA 1963 - IN THE BEGINNING...



TREASURES FROM A YANKEE KITCHEN

By M.B.E.

LOBSTER STEW

1 lb. strictly fresh lobster meat cut in half-inch cubes
1 pt. fresh clam juice made from cherry stone clams
1 pt. 25% cream
2 oz. sweet butter
dash of Hungarian paprika
salt to season

Melt half of the butter above in a saucepan, add lobster meat and paprika, and simmer slowly for five minutes. Add the clam juice and boil for an additional two minutes. Add the cream and remove mixture from the fire just before the boiling point is reached to avoid curdling the cream. Divide the remaining butter into quarters and serve one piece with each portion of Lobster Stew. May be served with melba toast, saltines or hard crackers. Serves four persons.

LOBSTER TAILS BARBER

Fresh lobster will do well in this truly elegant dish. It's a "special" dish, rich with butter, cream, sherry and chunks of succulent lobster meat.

Ten

4 lobster tails in their shells

¼ cup melted butter	2 cups soft bread crumbs
¼ cup cooking sherry	¼ cup melted butter
2 tbs. flour	¼ cup snipped chives
1 tsp. paprika	¼ tsp. salt
¼ cup light cream	½ tsp. pepper

Cook the lobster tails in boiling salted water, covered. Remove the meat from the shells, keeping the shells intact. Cut the meat into bite-size pieces. In a saucepan, heat the lobster meat for three minutes in ¼ cup each of cooking sherry and butter. Slowly stir in the flour, paprika, cream, salt and pepper. Cook, stirring, until the mixture thickens. Stuff the lobster shells with this delectable concoction, and sprinkle with the remaining ingredients and the bread crumbs. Slide under the pre-heated broiler until the top is crispy brown. Serve at once.

BOILED LOBSTER—HOT OR COLD

Lobsters can be prepared in so many styles, baked suffed, a la newburg, fra diavola, "lazy man's" lobster—the list is a big one. But for real, down to earth, roll up your sleeves and dive-in eating, nothing beats a hot or cold boiled lobster, served with drawn butter and eaten with a big paper bib tucked under your chin.

MARSHFIELD QUAHOG PIE

One more culinary recommendation, proving that New England food is not only hearty, but as zestful and delicious as any continental offering in the world.

1 quart quahog meat, ground	1½ cups poultry seasoning
8 large common crackers	1½ cups melted butter or chicken fat
1 egg	salt and pepper
1 pint rich milk	pinch of garlic salt

Prepare your best and favorite double pie crust, and line your big pie plate with half of it. Run the quahog meats and cracker crumbs through the finest blade of your meat grinder, or chop as finely as possible. Combine these with the remaining ingredients, and fill the pie shell. Cover with vented pie crust. Be sure to slash the top crust liberally to let the steam escape without cooking away the juice. Bake for ¾ of an hour in a moderate oven, about 375 degrees F.

Eleven

A REAL NEW ENGLAND LOBSTER and CLAM BAKE

Have you ever longed to have a New England Clam Bake in your own back yard? If so, here are the simple, step by step, directions for a memorable occasion. For twenty-five persons.

The best thing, of course, is to dig your own clams, but if you can't, buy them, allowing a bushel to every thirty picnickers. Lobsters, sweet corn, clams—all these are musts for your bake. With these as a start and plenty of willing hands to share the work, you're off for a day of fun and good eating.

Gather your crowd early. Be sure the day before to assign tasks, as nothing must be forgotten. A large 55-gallon metal drum, plenty of firewood, and the food are all you need. Allow at least two lobsters per person, one ear of corn, one quart of clams, and plenty of melted butter. You want ice-cold watermelons, pop or beer by the case (keep these cold with a cake of ice). Have each family kick in its share and divide the burden of work.

Begin with a good supply of firewood—enough to maintain a very hot fire for two hours. As soon as the first layer of wood has thoroughly caught, place seven stones (the size of your head) in the middle and pile on more wood. Keep the fire well fueled as you must maintain enough heat to make the stones red-hot. When two hours have elapsed, break open the fire with a long-handled rake and rake the stones into a shovel. Place these glowing stones in the bottom of a clean 55 gallon metal drum (syrup barrels are excellent) and cover them with one-half bushel of seaweed—gathered from the rocks at low tide. Place 25 ears of sweet corn, shucked of all but their innermost layer of husk, in a clean burlap bag, and add this to the barrel with a thin layer of seaweed on top. Next put 50 chicken (one pound) lobsters in another clean bag and place them on top of the corn. Next pour a bushel of well washed steamer clams into a third bag and your barrel should be just about full. Top off with a little more seaweed, and cover the barrel with a thick piece of canvas. Tie a rope around the top of the barrel to make as tight a seal as possible and check the time.

While the food is baking, melt some butter, slice the bread, open the potato chips, and make the coffee.

After one hour's time, gather around and "break open" the bake. A pair of asbestos gloves are handy to lift the bags out of the barrel. That heavenly aroma that arises from the barrel is as much a part of the clambake as the actual eating of the food! Line the hungry mob up and let them go to it. This is seafood at its best. Polish off the clams first, and then dig into the lobsters and the corn. Top off with a slice of ice-cold watermelon, and I'm sure you'll have enjoyed the experience of a New England Clambake.

Twelve

Ancient Treasure (Continued from Page 3)

one showing, was directly below, about eight feet distant. The fluke was from four to five inches thick."

That December day, I interviewed fisherman Charles Newton of Island Street, Brant Rock, who told of two more anchors, one in Brant Rock Cove and the other in the area right off Blue Stone at Ocean Bluffs. One of the anchors was very large and heavy and had a wooden cross-piece. Newton and his brother Bob had hooked on to the anchor and dragged it in about one hundred yards when the line parted and they had to leave it there. The other anchor, relatively close to a location off the Mullen residence, had the fluke and part of the arm showing out of the mud in about twenty-five feet of water at half tide.

When John Light found the metal fragment, he set the grapple underneath and buoyed the location. All the following winter of 1953-1954 Jim Mullen, who was flying in a plane over the region, noticed the buoy bobbing up and down in the water. Unfortunately a March north-easterly swept in across Brant Rock and the buoy was snapped off. Repeated attempts to relocate the metal fragment have failed, possibly because sand has now covered the location to a depth of from four to seven feet, according to the estimates of lobstermen, who fish in the vicinity. Several thousand dollars' worth of pieces of eight may still be at the bottom there.

In 1953 an old shield, fragments of a conquistador's helmet, a small anchor and more than a score of pieces of eight were recovered and brought to the surface. On Wednesday, August 24, 1955, it was reported that C. Thomas Burgess, Jr., fourteen-year-old skin diver whose summer house was fairly close to the area, went down to the bottom and recovered a heavy, water-soaked fragment of the ancient vessel. Later I presented that same fragment of the 1616 shipwreck to Warren Strong to be exhibited at the Pilgrim Museum at Plymouth, where it is today.

There are those who have a good knowledge of historical ships who believe that this metal part of the galleon was the old iron caboose of the ship. If there is treasure still aboard, the bulk of it is in this vicinity.

In order to recover additional relics or curios from this wreck much more work is necessary. Success depends on the storms which sweep in across New England during the winter months. Maybe you will become a Midas by finding the bulk of the treasure aboard this seventeenth century French galleon! But I must offer my usual admonition—the chances of this happening are extremely remote!

Thirteen

IT'S BEEN WONDERFUL HAVING YOU ABOARD!

After this festive Labor Day weekend, which we hope was suitably capped by your visit to The Lobster Festival, the great moving throngs will be bumbling along the choked highways—back to unmowed lawns, milk bottles piled on back stoops and dusty houses. But they'll all probably be saying the same thing as they pick up the accumulation of newspapers—it's good to be home.

Wonder how many new places of business will mushroom up between now and next season. Each year they increase in number, and each year some become worried that things are getting too commercialized, and that this wonderful part of the country will lose its beautiful naturalness. But it never seems to happen. Taste and discrimination are used for the most part in choice of architecture, etc. Hope it continues.

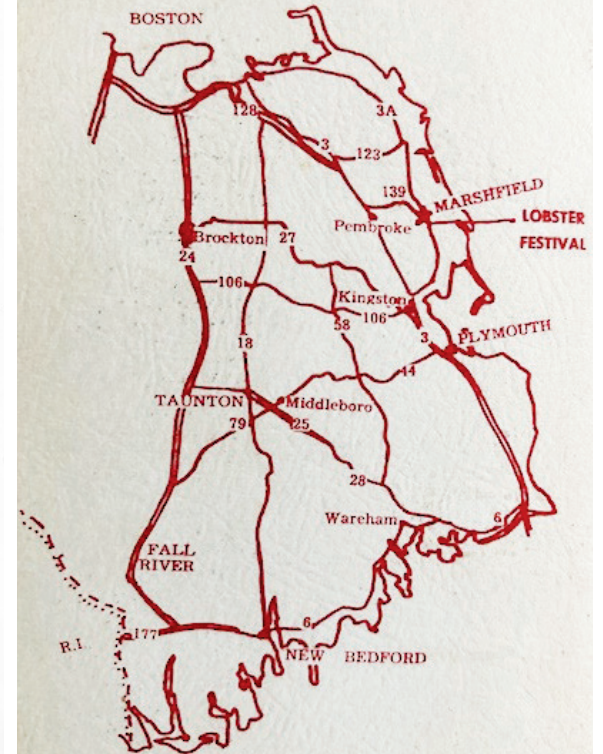
The days are getting more golden now, and there's a whisper of russet and red in the trees. October's bright blue weather will soon be here. The best time for swimming, for beach picnics, for drives along country roads, are yet to come during Indian Summer. The harvest moon is molten fire over the ocean, the air is winey, the beaches almost solitary in white shining beauty. This is the al fresco season. A little summer heat simmer—afternoons and early evenings tangy with the nip of the first frost yet to come—waters still warm enough for a swim.

Time to put away those comfortable, toes out sneakers, tuck in the shirt tail, and start pasting dozens of photographs into the album entitled "My Vacation—Summer 1963."

We hope it was a wonderful one. We hope you enjoyed your stay in our New England, in our Massachusetts, and, at our Annual Lobster Festival. Please come back again! And, please, drive carefully on the way home. See you next year!



Fourteen





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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 JUNE 23, 2023 — (Washington D.C.) Case 1:18-cv-00112-JEB - CENTER FOR BIOLOGICAL DIVERSITY et al v. ROSS et al.

On May 16, 2023, NMFS moved to dismiss Judge Boasberg's Order requiring it to create a new Biological Opinion by the end of 2024 and dismissing the remainder of the NGOs claims. NMFS's basis for doing this was claiming that the Consolidated Appropriations Act doesn't require a new Biological Opinion until 2028, making the decision moot. This is an almost identical argument to the one NMFS raised to the D.C. Circuit, which has not yet ruled on the motion to dismiss.

Given this, we asked the Court to stay briefing on the motion to dismiss until the D.C. Circuit has ruled.

The Court granted out motion to stay, delaying briefing until after the D.C. Circuit ruled. However, in the ruling, the Court said its order requiring a new Biological Opinion by December 2024 was no longer operative, giving clear relief to the lobstermen. Now that the D.C. Circuit has ruled, we expect briefing to commence shortly.

UPDATE JUNE 23, 2023 — (E.D. Louisiana.) Case No. 2:23-cv-00796; Sawyer, et al. v. Monterey Bay Aquarium, et al.

MLA members Sooky Sawyer, Jarrett Drake, Bill Souza, and Eric Meschino led the charge against the Monterey 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 Monterey 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.

On April 21, 2023, Monterey Bay Aquarium filed a Motion to Transfer due to Improper Venue or Lack of Personal Jurisdiction, claiming that the Aquarium has no contacts in Louisiana that make it subject to a lawsuit there. These arguments are based on the principle that, in order for a court in this country to exercise power over a party, there must be a sufficiently strong connection between either that party or the acts underlying the lawsuit and the particular state the court sits in. The Aquarium argues that because it is located in California, the harm occurred in Massachusetts, and it lacks business ties in Louisiana, that a Louisiana court cannot exercise authority over it.

We countered that the Aquarium does have business contacts—substantial business contacts—with the state of Louisiana. The companies that have refused to continue to buy your lobster, like Whole Foods, HelloFresh, and Blue Apron, are all corporate “partners” of Monterey Bay Aquarium. It is our position that, given the corporate relationship between the Aquarium and these huge companies doing business in Louisiana, the Aquarium could have reasonably foreseen being called into court in Louisiana, and therefore the court has the authority to exercise its power over the Aquarium. That is the position we took with our Response, which was filed on May 16, 2023.

After filing our Response on May 16, 2023, which asserted that Monterey Bay Aquarium's corporate partner relationship with Louisiana businesses justified calling them into court in Louisiana, Monterey Bay Aquarium sought leave to file supplemental briefing, and attempted to argue that the Aquarium lacks the ability to enforce its purchasing decrees; therefore, because the Aquarium has no real control, they should not be dragged into court in a state that their partners operate in. That reply brief was filed on May 23.

We too sought leave to file supplemental briefing, in which we argued that whether the Aquarium can truly enforce its purchasing decrees on Whole Foods and other partners is irrelevant. All that matters is that, per the corporate partnership arrangement, partners such as Whole Foods have agreed to follow the word of the Aquarium. Whether or not the Aquarium is able to hold the partners to that agreement does not matter; all that matters is that such an agreement is in place to begin with. And to dispel any doubt about the control the Aquarium exercises over its partners, we submitted photographs taken in a Louisiana Whole Foods, in which the store proudly displays its connections to the Aquarium. These photographs are important because they not only demonstrate the control the Aquarium exhibits over its partners, but also that the aquarium specifically publishes its Seafood Watch materials in the jurisdiction. We filed this sur-reply on June 9.

Unsurprisingly, the Aquarium filed a sur-reply of their own on June 15 in which they once again attempted to downplay the connection between themselves and their partner companies. Although they objected to our use of the photographs, they did not directly respond to the substance of the photographs. They also continue to attempt to muddy the waters on what “control” over a partner company actually looks like, insisting that because the Aquarium has no recourse to punish a partner that does not follow its instructions (and by the way, we don't actually know that that assertion is true), the Aquarium doesn't really control its partners. Our position continues to be that the Aquarium conflates “control” with the ability to punish, and that the Aquarium very obviously has the ability to control what seafood its partners refrain from purchasing.

We continue to await a ruling on the Motion to Transfer.

If you are a Massachusetts lobsterman 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 work-

ing 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

Any contribution you can afford to make to the Legal Defense Fund is greatly appreciated.

Donate by mail:

MLA LDF
8 Otis Place
Scituate, MA 02066

Donate online:

www.lobstermen.com

– In the Members section, select Dues/Donate.



DONATE TODAY!

JULY 2023 SUPPORTERS

A1 Eagles

Eric Lorentzen

Therese Sauvageau

THANK YOU FOR YOUR CONTINUED SUPPORT!

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.

If you are interested in receiving information regarding this lawsuit, please fill out the following information and return this form by mail to the MLA at 8 Otis Place, Scituate, MA 02066:

NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

EMAIL: _____

STATE FISHING PERMIT NUMBER: _____

FISHING AREA: _____

FEDERAL FISHING PERMIT NUMBER *(if applicable)* _____

WHO YOU SELL YOUR LOBSTER TO:
(if applicable, please use additional lines if necessary)

1. _____

2. _____

3. _____

MLA Classifieds

Classified ads are a free benefit to MLA Members and Non-members are a flat \$25.00. Ads run for 5 months & will be automatically deleted unless you call the MLA office to renew. **781-545-6984** or email ads to: **tracey.abboud@lobstermen.com**

**All ads are subject to review prior to placement*

AD #1 (5/23) **FOR SALE** – 55' wooden offshore lobster boat with 2 fresh 67ls. Just off railway. Boat is turnkey. In very good condition. Full electronics and safety gear. Asking 70k OBO. Also have NJ conch license and conch pots could make deal with purchase of boat. Boat and gear ready to fish. Also have Virginia Commercial Registration License. Call Joe at 609 233 4255

AD#2 (3/23) **FOR SALE** – Trap Trailer 6x12 can hold approx. 50-3 footers. Good shape. \$1,200.00 Call Ben at 978-578-8882.

AD#3 (4/23) **FOR SALE** – Hydraulic Components, parts and service. Pumps, Motors, Valves and Accessories. Hydraulic Hoses made while you wait. Great Prices–Same day service (in many cases)-Wide selection of in-stock items. Rebuilt items occasionally available. ROSE MARINE, Gloucester, MA 877-283-3334.

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-Steam @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 (5/23) **FOR SALE** – Wooden conch pots and repair stock made to order – 774-201-0712

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 a 5-year-old 351 Ford gas engine w/new overhauled gear by Nopper Marine. Currently, the engine & gear were 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 parlor traps, Color RED, Jungle wood runners, 70 of them were fished 5 months on soft bottom, 30 of

them never in the water. 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. Pictures available by text. Bob at 508 284 5896

AD#14 (5/23) **FOR SALE** – 12" hauler stainless steel plates 10 gal., hydraulic tank aluminum Davit which hauler can be mounted on \$1000.00 Call Tom 781-831-1609

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 (6/23) **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-slate 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 (5/23) **FOR SALE** – 30 4' Traps 48x24x13 1/2 Color White-Call 508-577-4868

AD#21 (5/23) **FOR SALE** – MA Conch pot license w/ history. Best offer over 30K -Call 774-775-2827

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., ZF 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 (3/23) **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 (3/23) **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 (3/23) **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 (6/23) **FOR SALE** – 1990 42 ft PEI lobster boat in excellent condition. Cummins 8.3L -6 CTA w/ ZF gear. 1700 hours on each. Electronics, safety gear, very well equipped.700 Brooks Trap Mill custom traps. 3/8 Everson ground line, & whale safe compliant end lines, Hi flyers and tide balls. State & federal licenses. As of June 1st, all gear in the water. Baited, tagged and fishing. Buy today and fish tomorrow Complete package \$290,000. Will separate Boat \$210,000, traps \$75,000. state license \$30,000. and fed license \$40,000. Call 978-745-6182, leave message. Serious inquiries only.

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 Cummings re-manufactured "Diamond" version 370 HP with 3500 hours. 300+ traps with ropes and buoys. 14ft tender with 3yr old Suzuki 4s 15 hp with electric start. GPS/bottom sounder, life jackets, fish totes, etc. Sold as package only. \$80,000. OBRO Call Bob- 508-224-1664 or e-mail @ 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. Knottless 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 (6/23) **FOR SALE** – Lobster Business- 28.2ft boat, built in 1976 engine cat 3208, 265HP trans 2.1 twin disk fiberglass JC hull. Area 1 Coastal lobster permit 800 trap allocation, 700 3ft lobster traps with rope and buoys. 80,000. Joe at 978-239-5927.

AD#35 (6/23) **FOR SALE Price Reduction** – 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. \$205,000.00 Traps & Permits available. Ben @ 978-578-8882

AD#36 (6/23) **FREE FREE FREE** – Window weights- approx: 60-70 of them located in Lynn. Call Glenn @ 617-538-5821

AD#37 (6/23) **FOR SALE** – 35' Novi, 1989 Atwood solid fiberglass hull, Cummins 6BT (~4,000hr since reman.), rigged for pot fishing, needs a lot of work – \$16k or best offer. Currently in dry dock on Cape Cod. Call 508-737-1052

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 (7/23) **FOR SALE** – 2001 Sea Pride Lobster Boat w/2016 Evinrude E-tec 90hp 2 stroke w/ low hours (under 1000) well maintained & perfect running condition. Commercially fished last 2 years. Boat is ready to fish. New in 2021: Transom Deck & stringers 27 gal; gas tank under deck 2 bilge pumps & washdown pump, Trap Table, Hydraulic Steering, hauling motor, Hauling block, Deck hatches, Scuppers. All hardware for EZ Loader trailer including u bolts, bunk slides, guideposts w/trailer lights elevated, recently replaced winch, trailer jack & rewired w/new lights, 2 new tires 20mph @ 4600 rpm \$21,000 call/text Tony 774-239-1599

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

AD#44 (5/23) **FOR SALE** – 80 brand new Casco Bay traps 1/2 hoops & 1/2 hake mouths. Call 508-842-8614

AD#45 (6/23) **FOR SALE** – 22' Sisu Lobster Boat w/150 HP Evinrude OB needs work-12" hydraulics hauler runs off Honda hydraulics power pack. Comes w/ bunk trailer. Asking \$13,000.00 or B.O. Robert after 5:00 p.m. 617-846-3714 or 617-650-3842

AD#47 (6/23) **HELP WANTED** – Stern-man inshore-46' lobster boat -North River -Call Bob 508-510-7792

AD#48 (6/23) **FOR SALE** – 200 45" Friendship lobster traps 8-6 years old \$25.00 each Call 508-510-7792

AD#49 (6/23) **FOR SALE** – 32" – 4 blade Dyna Quad Prop-2 1/2" bore, left hand \$2,500.00 Call 508-510-7792

AD#50 (6/23) **FOR SALE** – 1-34" Hytorg prop 2 1/2" bore, left hand \$1,000.00 Call 508-510-7792

AD#51 (7/23) **FOR SALE** – 1982 34' Makou Mahogany built lobster boat built in Mattapoisett Ma. area. Was repowered about 10 years ago with a Cat 3208 210 hp natural. Approx 3600 hours. Hull and bottom in very good condition. No need to glass it. In the water and currently fishing. Older basic electronics. Located in Scituate Ma. Pictures can be seen on craigslist or some of the facebook sites. \$12,500. No permits. Call or text 617 984 9965

AD#52 (7/23) **FOR SALE** – 400 36x21 1/2x15 good to brand new condition shrimp mesh ss bait spike \$60-\$135- 978 774 4074 for more info

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