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Agriculture Committee advances bills on farming, food & sustainability

BOSTON, MA — On Thursday, the Joint Committee on Agriculture, chaired by Representative **Paul Schmid (D-Westport)** and Senator **Jo Comerford (D-Northampton)** favorably advanced a dozen bills to strengthen our food system, fight food insecurity, protect natural and working lands, support farmers and people in the fishing industry, and more.

“I’m proud of all the work the Committee has done over the past year to release such an important list of bills”, said **House Chair Schmid**. “Each piece of legislation addresses issues we heard about from farmers, fishermen, and food justice organizations throughout our first year of work. It’s certainly exciting to be able to release these bills.

As this is the first session that the Committee on Agriculture has been established, my thanks go to Speaker Mariano for all the work he’s done in advancing the discussion on agriculture in the Commonwealth.”

“This is the first session where we have had a Joint Committee focused specifically on agriculture — and with it comes an opportunity for the legislature to focus on the policies needed to support Commonwealth farmers and to strengthen our food system. I am grateful to Senate President Spilka for the opportunity to lead this work,” said **Senate Chair Comerford**. “Our colleagues filed a lot of smart legislation and I am delighted to partner with Chair Schmid to advance bills to promote food justice and security, provide disaster relief for farms, and bolster sustainable agricultural practices.”

Information on legislation advanced by the Committee:

AN ACT RELATIVE TO ESTABLISHING A FOOD JUSTICE FRONTLINE (H.828/S.507) filed by Senator Patricia Jehlen and Representative Vanna Howard

This legislation requires the Department of Agricultural Resources to establish the Food Justice Frontline Program, the purpose of which is to fund nonprofit food security organizations up to \$500,000 via grants to enable them to create new food security jobs for individuals living in communities with high rates of food insecurity. The bill also directs the Department of Transitional Assistance, the Executive Office of Housing and Livable Communities, and the Executive Office of Economic Development to establish a new program designed to increase public awareness of the availability of food access programs.

“I am so grateful to Chairs Comerford and Schmid for working on this bill and reporting it favorably out of committee,” said **Senator Patricia Jehlen (D-Somerville)**. “We must continue supporting the non-profits in our communities with resources to better reach and help those in need. This bill’s implementation of a Food Justice frontline program will greatly benefit people across the Commonwealth by creating jobs and providing assistance for those who may not know help is available.”

“I’m very pleased to see my bill H.828/S.507, An Act relative to establishing a food justice frontline, that



I co-filed alongside Senator Patricia Jehlen, has been reported favorably out of the Joint Committee on Agriculture,” said **Representative Vanna Howard (D-Lowell)**. “This bill would create a strategy of food security in overburdened and underserved communities, while also generating well-paying jobs in these same communities. It would also task the DTA and the EOHED with promoting food assistance programs such as SNAP, HIP and other initiatives to Commonwealth residents, who may be unenrolled but only because they are unaware that they qualify for benefits. These programs impact communities which need assistance the most in the most impactful way at minimum cost to the state. I’m looking forward to further advancing this important legislation.

Thank you, Chair Representative Paul Schmid, Acting Chair Senator Jo Comerford and Vice Chair Representative Natalie Blais and members of the committee, for your work to move this bill forward.”

AN ACT RELATIVE TO AGRICULTURAL DISASTER RELIEF (H.753/S.490) filed by Senator Anne Gobi (who is now serving as Director of Rural Affairs with the Healey/Driscoll Administration) and Representative Natalie Blais

The legislation establishes the Massachusetts Agricultural Disaster Relief Fund. The fund would provide monetary assistance to farmers in the Commonwealth who have suffered agricultural losses, financial losses, or property damage caused by acts of nature.

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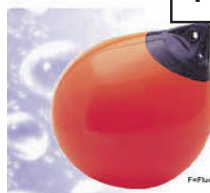
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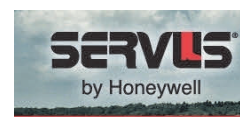
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The Massachusetts Lobstermen's Association

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

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

NEW MLA MEMBERS:

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F/V: Why Knot • Port: Kittery ME

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As the HAULER TURNS

Changes are inevitable as we welcome 2024 and say goodbye to 2023, never to be here again. I know as every year passes and more time escapes me, I am continuously reminded that we are all here for a blink in time and are trying to make the best of it. As some people make New Years resolutions, only to break them, I have learned to stop making them and to keep doing the next right thing. As I enter my 15th year with the MLA and my 10th year as your Executive Director, I will continue to do the right thing for you, every day and not just because it is a new year.

Over the last couple of months, the commercial lobstermen have been working hard at bringing in their gear in advance of the 3-month closure to over 11,000 square miles of water around the Commonwealth. January is a hard month for the commercial lobster industry here in the Commonwealth, period.

What makes this 11,000 square mile closure even harder is that there have only been three North Atlantic Right Whales (NARW) spotted way south of Nantucket and ZERO in the Gulf of Maine as the ex-vessel price of lobsters continues to climb. How can Massachusetts single handedly save a species when, no-

where else are the North Atlantic Right Whales given the same protection that Massachusetts does. Ultimately, all these conservation measures come at a cost to the commercial lobstermen and their families.

What can we do to help the commercial lobstermen, call your state Senator or Representative and ask them to support **AN ACT RELATIVE TO LOBSTERING CLOSURE MITIGATION (S.552)** filed by Senator Patrick O'Connor. *This legislation establishes the Lobstering Closure Mitigation Fund. The fund is to be administered by the Department of Unemployment Assistance. The fund would provide financial assistance to lobstermen and women who are financially impacted by seasonal fishing area closures for the protection of endangered marine species.* To find your legislator, please visit: www.malegislature.gov/Legislators

Another unknown change that is coming to the commercial lobster industry this year is, the outcome of the recent action taken by NOAA on the Wedge Closed Area in the Gulf of Maine. As of today, 1/3/24, there has been nothing released from NOAA on the Final Rule and the industry is all patiently waiting



to see what change is coming their way. Last year, NOAA gave the industry 24 hours to move their gear out of the Wedge Closed Area and let's hope in 2024 more than 24 hours' notice is given to the industry. Stay tuned!

As I remain committed to you, I know that 2024 will certainly be a year full of changes and some expected and most not, but rest assured, the Massachusetts Lobstermen's Association will be right here to help you navigate through the matrix of change all the while fighting the good fight for you!

Safe on the water,

Beth Casoni

Executive Director
Massachusetts Lobstermen's Association



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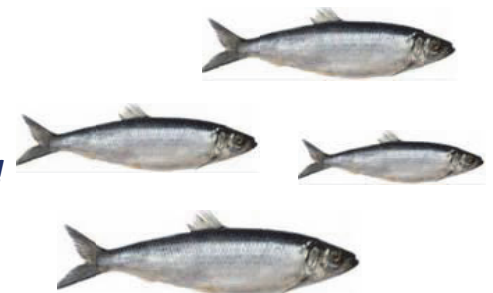
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MLA letter of comment to WCVB on North Atlantic Right Whale segment

December 1, 2023

Kyle Grimes, President & General Manager
via Email: newsmanagers@wcvb.com
WCVB
5 TV Place, Needham, MA 02494

RE: WCVB Right Whale Story on October 23, 2023

Dear Mr. Grimes,

The Massachusetts Lobstermen's Association (MLA) is sending you this letter of comment and concern regarding the story that WVCB aired on the Right Whales on October 23, 2023, as several MLA members contacted us regarding some misinformation that was stated during this segment. The MLA is deeply committed to the recovery of the North Atlantic Right Whale (NARW) as well as our commercial lobstermen here in the Commonwealth.

During the segment it was stated that there are less than 350 right whales left in the world. This is not a true and accurate statement as there is a significant number of right whales in the Southern Hemisphere. *"Today, scientists estimate that there are around 5,000 southern right whales in the world. Southern right whales are protected throughout Australia."*

<https://www.environment.nsw.gov.au/topics/animals-and-plants/native-animals/native-animal-facts/whales/southern-right-whale#:~:text=Today%2C%20scientists%20estimate%20that%20there,NSW%20Biodiversity%20Conservation%20Act%202016>

Currently, the Massachusetts commercial lobstermen are working under the most draconian regulations to protect the NARW in the United States and any misinformation is damaging to their businesses and conservation efforts over the last 35 years. These conservation measures range from removing thousands of miles of floating groundlines, adding a 600 lb. break away at the buoy, 1700 lb. weak vertical lines and a massive 3-month closure to over 11,000 square miles from February 1st through May 15th.

All the Massachusetts conservation measures can be found on the Lobster Foundation of Massachusetts, Massachusetts Commercial Lobstering the Right Way project.

<https://lobsterfoundationofma.org/wp-content/uploads/2022/08/right-way-2-2022.pdf>

Furthermore, the Massachusetts Division of Marine Fisheries Director, Dan McKiernan, recently highlighted all these conservation efforts in a video "Recognizing the Conservation Efforts of Our Massachusetts Lobster Harvesters".

<https://www.youtube.com/watch?v=O8FJLpeckKw&t=73s>

Together the MLA and MADMF are committed to working together on these conservation efforts to protect the NARW.

Established in 1963, the MLA is a member-driven organization that accepts and supports the interdependence of species conservation and the members' collective economic interests. The membership is comprised of fishermen from North Carolina to Canada and encompasses a wide variety of gear types from fixed gear and mobile gear alike. The MLA continues to work conscientiously through the management process with the Division of Marine Fisheries, Atlantic States Marine Fisheries, New England Fisheries Management Council, Bureau of Ocean Energy Management and, the National Oceanic Atmospheric Administration to ensure the continued sustainability and profitability of the resources in which our fishermen are engaged in.

In closing, all we are asking for is that whoever is doing the story to please be mindful and thorough before airing. Any misinformation is detrimental to the ongoing conservation efforts put forth by the Commonwealths commercial lobstermen, the MLA, and its members to protect, reduce and minimize interactions with the NARW have all come from the industry itself. The Massachusetts commercial lobstermen are conservationists and cannot succeed if the ecosystem they depend upon is not healthy for all its species.

Thank you for your thoughtful reflection on our points of concern. Should you have any follow up questions, comments or would like to learn more about all the great work we are doing please feel free to contact me at 508-738-1245.

Kind regards,

Beth Casoni

Executive Director
www.lobstermen.com



VINEYARD WIND

Vineyard Wind 1 Fisheries Compensatory Mitigation Program

Vineyard Wind 1 LLC is constructing an 800 MW offshore wind project located in federal Lease Area OCS-A-0501 approximately 15 miles south of Martha's Vineyard and Nantucket. The lease area (also referred to as the Wind Development Area of WDA) is approximately 63,000 acres where 62 wind energy turbines and one electrical platform will be installed in a grid pattern spaced one nautical mile apart in a north/south/east/west direction.

Vineyard Wind has created a fisheries compensatory mitigation program with a primary objective to provide fair, equitable compensation to commercial fishermen for economic losses attributable to Vineyard Wind 1's construction, operations, and decommissioning activities.

Three escrow funds have been established to compensate affected fishermen in Massachusetts, Rhode Island, and Other States (Connecticut, New Jersey, and New York). Compensation may also be available to fishing businesses (i.e., shoreside businesses) in Massachusetts.

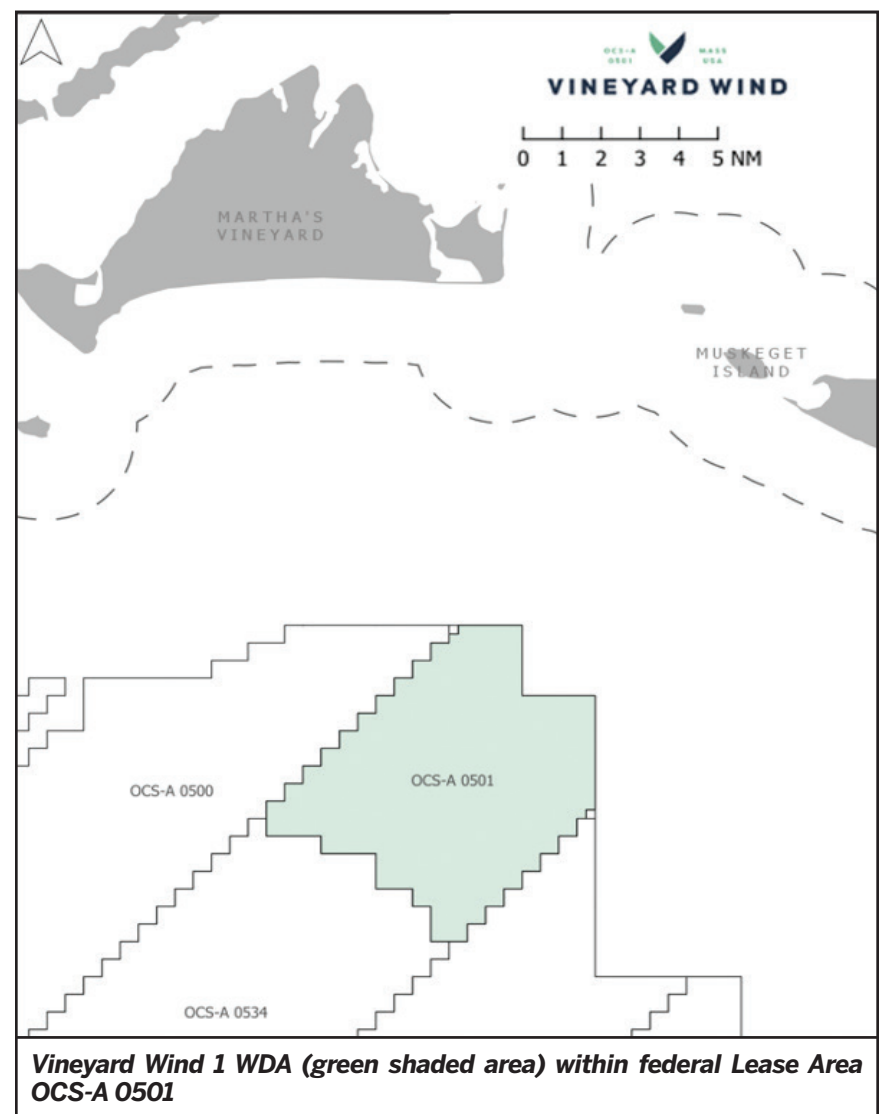
For commercial fishermen, the first phase of the program will be the eligibility phase, which will require commercial fishing vessel owners to qualify for compensation payments based on defined eligibility criteria. Once qualified, a commercial vessel owner may elect to participate in either an expedited claims process or a regular claims process, both of which are based on a commercial fishing vessel owner's historic revenue dependence on the WDA but require different levels of documentary proof. Fishermen will not need to demonstrate economic

impacts from Vineyard Wind 1 in order to qualify for the program or receive compensation payments.

The Vineyard Wind 1 Fisheries Compensatory Mitigation Program is scheduled to be launched in January 2024. Information about the third-party administrator, the program, and how to apply will be available on the program's website: www.vw1fisheriescomp.com. Once the program launches, commercial fishermen will be able to apply to the program to establish eligibility. The program's eligibility criteria for commercial fishing vessel owners is provided on the following page.

Eligibility Criteria for Fishermen

- Commercial fishing vessel owners/operators homeported in Massachusetts, Rhode Island, Connecticut, New Jersey, or New York
- Valid 2023 commercial fishing permit from NOAA Fisheries
- Current government-issued vessel registration showing ownership, or a vessel lease agreement
- Documented fishing activities within the WDA in at least three of the last seven years of the baseline period (2016-2022). Fishing activities can be established by submitting information that includes, but is not limited to, the following:
 - Vessel Trip Reports
 - Vessel Monitoring System information
 - AIS information
 - Fishery observer or At-Sea Monitor information
 - NOAA Cooperative Research Study Fleet information
 - Chart plotter data/images



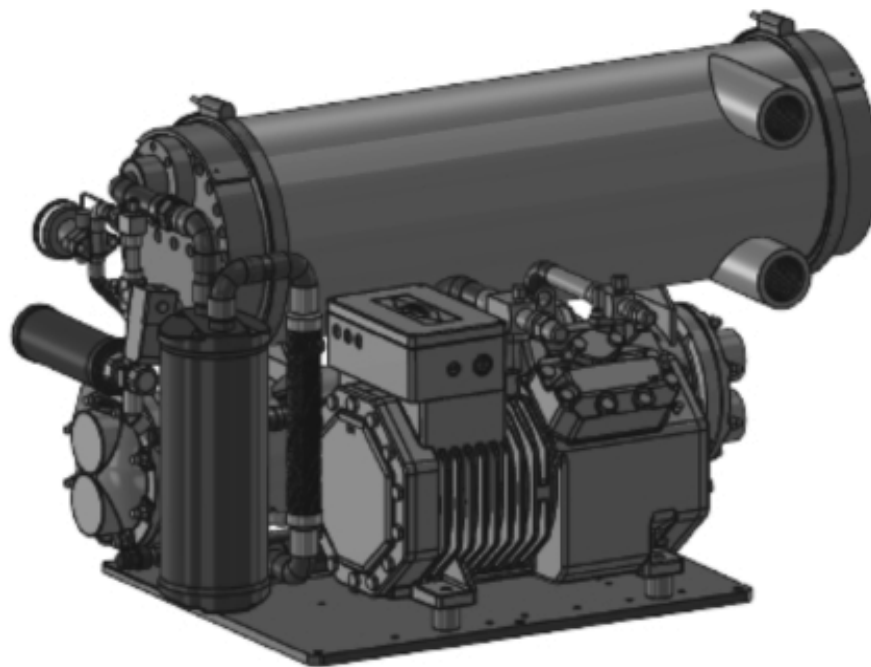
- Logbooks
- Other trip level reporting information that establishes fishing activity in the WDA
- Documented annual revenue from fishing activities in the corresponding three years. Annual revenues can be established by submitting information that includes, but is not limited to, the following:
 - Internal Revenue Service Form 1099 and/or other tax documents that include reported income
 - Sales receipts
 - Dealer slips
 - Dealer compilation reports
 - Other income information that establishes income from fishing activities



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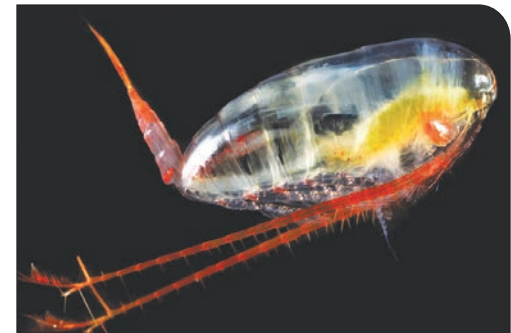
Simonne Dodge, Jennie Rheuban, Stephanie Murphy | WHOI Sea Grant
January 2024

A research team asks how model projections of the lobster population are affected by the abundance and distribution of a key food source



A team of researchers is using models to understand how the lobster fishery will be affected by climate-induced changes in coastal circulation, the development and early life stages of the American lobster, and the abundance and distribution of its optimal prey.

A close-up image of an adult lobster in the lab. Photo: Abbey Sisti, VIMS



A close-up image of Calanus finmarchicus

Photo: Calinus AS

EXPLORE the PROJECT

Building on a project funded in 2019, Modeling Changes in the Lobster Life Cycle, this project includes considerations of lobster prey, specifically Calanus finmarchicus, a sought-after, fat-rich copepod.

A previous study found a strong connection between declines in the abundance of this copepod and declines in lobster settlement. The research team is determining the abundance of Gulf of Maine lobster larvae through both modeling and field collections. They are comparing these data to known abundances of C. finmarchicus to determine how quantities of this prey impact larval lobster survival.

To explore more research stories from American Lobster Initiative, visit our StoryMap collection:

<https://arcg.is/1CHT1j>



RESEARCH FROM AMERICAN LOBSTER INITIATIVE



Photo: Jeremy Collie, URI

A research boat towing a neuston net



Photo: Amalia Harrington, UMaine

Several postlarval lobsters in a small sampling container

READ the RESULTS

The team is also developing a new model framework to predict the survival rate of larval lobsters at different stages until they reach legal harvestable size. They are investigating if this survival rate shifts under possible future climate scenarios or changes in Gulf of Maine ocean currents.

This project is ongoing. More results will be available in the future.

UNDERSTAND the IMPORTANCE

How do different parts of the ecosystem interact and affect each other? How are changing ocean conditions affecting larval lobster distribution? This project provides insight into the relationship between larvae and copepods and how availability of prey might impact larval survival. A holistic view of the larval lobster's community is important for understanding the predation processes at play and the impact these processes have on the future of the American lobster population. The information supports development of a long-term forecast for examining and preparing for changes to this population.



Photo: UMaine Darling Marine Center

Damian Brady, PhD PRINCIPAL INVESTIGATOR

Damian Brady is a professor in the School of Marine Sciences at the University of Maine's Darling Marine Center.



We welcome your feedback.
Email us at lobster@whoi.edu

RESEARCHER HIGHLIGHT



Photo: UMaine Darling Marine Center

Damian Brady – University of Maine

A native of Brooklyn, Damian's path in marine sciences began while working at the NY Aquarium. He attended the University of Delaware to earn his PhD. Soon after moving to Maine in 2008, Damian joined the faculty at the University of Maine, first focusing on water quality

modeling and later applying his water quality monitoring tools to the life cycle of the American lobster. A professor in the School of Marine Sciences, he explores issues related to offshore wind development, aquaculture, coastal water quality, and the American lobster fishery.



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Commercial
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DVA35 – 60 GPM



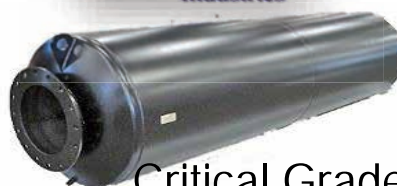
Gresen25P W4
35 GPM – SS Spool



Cross SBA2
30 GPM - Replaces SPW4



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Critical Grade,
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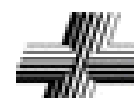


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1200' Coil

Prices based on current stock.



MARINE FISHERIES FIELD RESEARCH GROUP

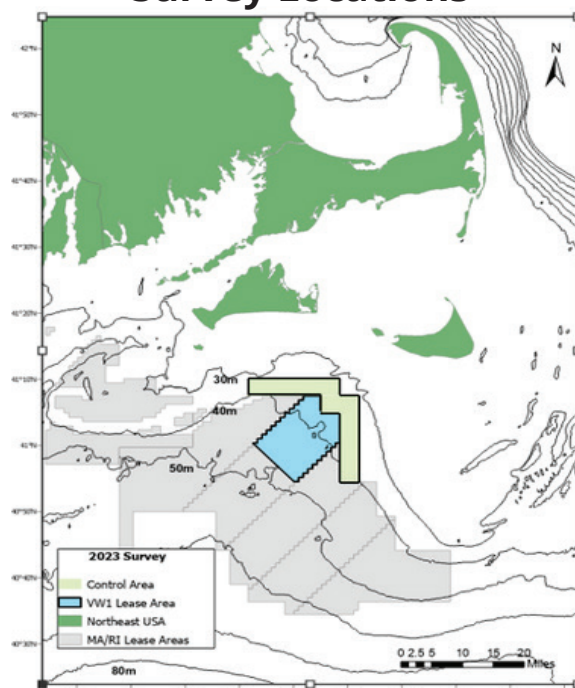
Catch a tagged lobster?

During the Summer/Fall of 2023 SMAST scientists tagged American Lobsters (*Homarus americanus*) to study their abundance, growth, movement, and catchability in the Vineyard Wind 1 (VW1) lease area and adjacent control area. We need your help to collect the information on the tagged lobsters.

If you catch a tagged lobster please record the following information and report it to SMAST via phone at 508-910-6367 or email at Marinefisheriesfrg@gmail.com

1. Tag #
2. Location (GPS or Loran)
3. Catch Date
4. Water Depth
5. Lobster Length
6. Any markings or Shell Disease

Survey Locations



What will I get for a tag return?



For returning information on a tagged lobster you will receive a SMAST Lobster Research hat.

Why return the tags and information?

The information gained from these tag returns will help provide a greater understanding of lobster growth, shell disease prevalence, movement, and catchability. This survey will help to gain a better understanding of the fishery.

What is this project for?

This project is part of a Before After Control Impact Study (BACI). Results will be compared between years and areas to determine how much the density of lobsters in the lease area has changed. The study will take place preconstruction, during construction, and post construction of wind turbines.

CONTACT US

Department of Fisheries and Oceanography
School for Marine Science and Technology (SMAST)
University of Massachusetts Dartmouth
836 South Rodney French Blvd
New Bedford, MA 02744

Andie Painten –
apainten@umassd.edu
Office: 508-910-6393

Kevin Stokesbury –
kstokesbury@umassd.edu
Office: 508-999-8209

Legislation

FROM PAGE 1

AN ACT SUPPORTING FARM DIVERSIFICATION AND SUSTAINABILITY (H.754) filed by Representative Natalie Blais

This legislation changes the duration of a special permit allowing nonagricultural activities on agricultural preservation restriction (APR) land from a maximum of 5 years to at least 1 year, allowing farmers to more easily access the financial benefits of agricultural tourism and other nonagricultural economic development ventures.

“I am extremely grateful that Speaker Mariano and Senate President Spilka elevated the importance of the Commonwealth’s local food system by establishing the Committee on Agriculture. Under the leadership of Chairs Schmid and Comerford, the committee not only heard the bills before the committee but also embarked on a statewide listening tour,” said **House Vice Chair Natalie M. Blais (D-Deerfield)**. “As the State Representative for one of the most rural districts in the Commonwealth, I am thankful for the committee’s decision to advance several bills, including H753 and H754, that will support our farmers in times of disaster and help them to diversify so that they may remain a strong component of our local economy.”

AN ACT RELATIVE TO LOBSTERING CLOSURE MITIGATION (S.552) filed by Senator Patrick O’Connor

This legislation establishes the Lobstering Closure Mitigation Fund. The fund is to be administered by the Department of Unemployment Assistance. The fund would provide financial assistance to lobstermen and women who are financially impacted by seasonal fishing area closures for the protection of endangered marine species.

“This legislation is crucial in helping provide assistance and sustain our lobstermen and women as we navigate our way through the difficult waters of conservation in the face of maintaining the lobstering

industry,” said **Senator Patrick O’Connor (R-Weymouth)**.

“I’m very proud to represent hundreds of lobstermen and women, and I’d like to thank the Joint Committee on Agriculture and the Massachusetts Lobstermen’s Association for all of their hard work to get us to this point.”

AN ACT RELATIVE TO THE REGULATION OF NUTRIENT MANAGEMENT AND FERTILIZER IN THE TOWN OF NANTUCKET (S.2437) filed by Senator Julian Cyr

This home rule petition would allow the town of Nantucket to adopt regulations relative to nutrient management and fertilizer guidelines. Regulations may not be less restrictive than existing state regulations and must be developed in cooperation with the University of Massachusetts Amherst Extension.

AN ACT TO PROMOTE CONSERVATION THROUGH OYSTER SHELL RECYCLING (S.466) filed by Senator Julian Cyr

This legislation establishes a tax credit for individuals and businesses that donate their used oyster shells to an oyster shell recycling organization. The amount of the credit is equal to one dollar per five gallon bucket of oyster shells donated, and any amount of the credit that exceeds the tax due for a taxable year may be carried forward by the taxpayer. An oyster shell recycling tax credit will help divert waste from our landfills and instead facilitate the use of this natural waste product to rebuild our beaches and shores.

“I am grateful to my friends Chair Comerford and Chair Schmid for the Joint Committee on Agriculture’s favorable reports on my bills S.466, An Act to promote conservation through oyster shell recycling and S.2437, An Act relative to the regulation of nutrient management and fertilizer in the town of Nantucket. These two pieces of legislation will help protect the fragile coastal environment of Nantucket, Cape Cod, Martha’s Vineyard and beyond,” said **Senator Julian Cyr (D-Truro)**. “S.466 would utilize a creative and natural approach to revitalizing and conserving natural marine habitat while reducing the

amount of material that ends up in landfills. S.2437 would enable the Town of Nantucket to mitigate the environmental impacts of fertilizer use on the island. Both bills are critical to the sustainability of our natural environment.”

AN ACT PROMOTING DAIRY FARMS (H.89) filed by Representative Gerard Cassidy

This bill makes additional anaerobic digestion biogas-to-energy and landfill gas-to-energy facilities that are already operational and qualified as Class I renewable energy sources eligible to participate in the Clean Peak Standard incentive program.

“I am grateful to Chair Schmid for his continued leadership of the Agriculture Committee. H89 is essential to both the environment and Massachusetts Dairy Farmers,” said **Representative Gerard Cassidy (D-Brockton)**. “I look forward to working with leadership to pass this bill this session.”

AN ACT RELATIVE TO A MUNICIPALITY’S RIGHT OF FIRST REFUSAL OF AGRICULTURAL AND RECREATIONAL LAND (S.45) filed by Senator Michael Moore

This bill would provide municipalities with an increased timeframe to make a determination about whether to exercise their right of first refusal for agricultural land, as well as an increased timeframe to fulfill the purchase and sale contract.

“In current Massachusetts law, cities and towns are allowed to exercise their right of first refusal of agricultural and recreational land when a property owner seeks to sell or use land for non-agricultural or recreational purposes. Existing timelines, however, are short and make it difficult for a municipality to effectively conduct the required due diligence of a potential land acquisition — particularly in communities that have a town meeting form of government,” said **Senator Michael Moore (D-Millbury)**. “This legislation would extend the existing time period a municipality may exercise its right of first refusal and fulfill a purchase and sale contract, if they choose to do so. The bill also establishes a 30-day timeline in

which the seller may accept the purchase and sale agreement. By passing this law, we will give our rural communities more flexibility and a greater say in how their town will grow.”

AN ACT SUPPORTING THE COMMONWEALTH’S FOOD SYSTEM (H.92) filed by Representative Pat Duffy

This bill requires the Massachusetts Food Policy Council to hire a food system coordinator as a full-time employee. The food system coordinator would serve in an advisory capacity to all relevant departments and increase the capacity and efficacy of the Food Policy Council.

“Massachusetts has led the nation with our Food Policy Council and I appreciate that the Agriculture Committee saw that our bill, co-filed with Rep. Daniel Donahue, will strengthen our initiatives by hiring a dedicated staffer,” said **Representative Pat Duffy (D-Holyoke)**.

AN ACT ESTABLISHING A FISHERIES CONSERVATION GEAR GRANT PROGRAM (H.773) filed by Representative Josh Cutler

This legislation establishes a Fisheries Conservation Gear Grant Program to be administered by the Division of Marine Fisheries (DMF). The program would provide funding assistance for the research, development, and acquisition of commercial fishing gear which limits or eliminates the mortality of juvenile or other fish not legally harvestable or harm or mortality to protected species, while maximizing the sustainability and productivity of an affected fishery.

“This grant would provide critical funding assistance for the research, development, and acquisition of commercial fishing gear which would reduce the lethal and sub-lethal impacts of fishing gear on protected species,” said **Representative Josh Cutler (D-Duxbury)**. “The mutual goals of species protection and the promotion of fishing industries can be better achieved with assistance from the Commonwealth through an investment in fishing technologies and direct support for our fishers.”

**SAVE
THESE
DATES**



The Massachusetts Lobstermen's Association

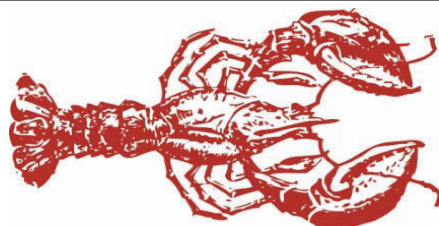
Annual Weekend & Industry Trade Show 2024

March 21-24, 2024

(Vendor setup is on the 21st)

Emerald Resort & Conference Center at Hyannis, MA

**Turn the page for reservation forms and a
sneak peek into some of the events planned!**



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MEMBER / ATTENDEE INFO

Annual Weekend & Industry Trade Show

2024

March 21-24, 2024

Dear MLA member and Annual Weekend attendee.

In an effort to reduce our carbon footprint on the earth we are now going paperless and all the information and registration forms will be sent out in our weekly emails and are available on the MLA's website Annual weekend page www.lobstermen.com. If you would like the registration forms mailed to you directly, please call the MLA office and speak with Tracey at 781.545.6984 Ext.2.

The 2023 MLA Annual Weekend and Trade Show is scheduled for March 21-24, 2024 at the Emerald Resort, 35 Scudder Ave. Hyannis, MA 02601.

<https://theemeraldresort.com>

If you have not attended the Annual Weekend and Trade show in many years, well then this is the year you won't want to miss out on all the fun and camaraderie. There will be lots of giveaways, raffles, great entertainment and laughs with friends you may not have seen in years!

All rooms and booths are on a first come first serve basis. If you would like a specific room or booth location **DO NOT** delay in getting you reservations in early.

The last trade show was a great success thanks to the many MLA members, vendors and show attendees who are dedicated to the fishing industry. The Annual Weekend Committee continues to work hard to bring you new vendors to keep you up to date with all the newest gadgets and equipment in the industry.

If you are interested in helping at the show, please call the office and we will be more than happy to have your help. Let's make this 2024 Annual Weekend one to remember!

See you in March,
Annual Weekend Committee



EMERALD

35 Scudder Avenue
Hyrms, MA 02051
Main Phone: 508-775-7775

**Massachusetts Lobstermen's Association
Annual Weekend and Trade Show 2024
HOTEL RESERVATION FORM**

Thursday, March 21, 2024 - Sunday, March 24, 2024

NAME(S) _____

ARRIVAL DATE: _____ DEPARTURE DATE: _____

ADDRESS: _____

CITY: _____ STATE: _____

DAY TELEPHONE: _____

E-MAIL ADDRESS (REQUIRED): _____

CREDIT CARD TYPE: _____

EXPIRATION DATE: _____

Check Number	Package	Rate
1	1 Night - Room 120	\$120.00
2	1 Night - Room 120	\$120.00
3	1 Night - Room 120	\$120.00
4	1 Night - Room 120	\$120.00
5	1 Night - Room 120	\$120.00
6	1 Night - Room 120	\$120.00
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95	1 Night - Room 120	\$120.00
96	1 Night - Room 120	\$120.00
97	1 Night - Room 120	\$120.00
98	1 Night - Room 120	\$120.00
99	1 Night - Room 120	\$120.00
100	1 Night - Room 120	\$120.00

JOIN THE EVENT!

GO TO

WWW.LOBSMEN.COM



EXHIBITOR RESERVATION FORM

Annual Weekend & Industry Trade Show 2024
March 21-24, 2024

Massachusetts Lobstermen’s Association
8 Otis Place, Scituate, MA 02066-1323
Tel (781) 545-6984
Tracey.Abboud@lobstermen.com

Annual Weekend & Trade Show 2024
March 21 - March 24th 2024 (set up on March 21)
Emerald Resort and Conference Center of Hyannis
35 Scudder Ave, Hyannis, MA 02601

Exhibitor Booth Reservation-2024

Booth’s include a 6’ covered table & 2 chairs

- ☐

1 Booth

\$750
- ☐

2 Booths

\$1050
- ☐

3 Booths

\$1350
- ☐

Electricity

\$95
- ☐

Lift for Engine

\$200

Total Enclosed \$

Set-up begins at 9:00 AM on Thursday (March 21) and must be completely removed by 1:00 PM on Sunday unless other arrangements have been made in advance.

ALL BOOTHS MUST REMAIN
INTACT AND YOU MUST BE AT
YOUR BOOTH BY 8:00 AM Sunday to
qualify for the vendor raffle.
4 CASH PRIZES
THE BOOTH MAY
NOT BE DISMANTLED
UNTIL 10:00 AM SUN. (March 24th)

Company Name:

Address:

City, State, Zip Code:

Daytime Tel: () Fax : ()

Person in Charge of Booth: E-mail:

Primary Product or Service:

(If you are having an engine delivered PLEASE call and schedule a delivery time with Tracey Abboud 781-545-6984 xt. 2 —Thank you)

Special Requests or Needs:

Payment Info:

☐ MasterCard

☐ Visa

☐ Check (Payable to MLA)

Name on card:

Card #

3 numbers on back of card:

Card Exp Date

(You may call this number in)

Signature:

HVMA HAMILTON MARINE



Photo by Wayne Hamilton ©

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PORTLAND
ROCKLAND
SEARSPORT
SW HARBOR
JONESPORT

MAINE

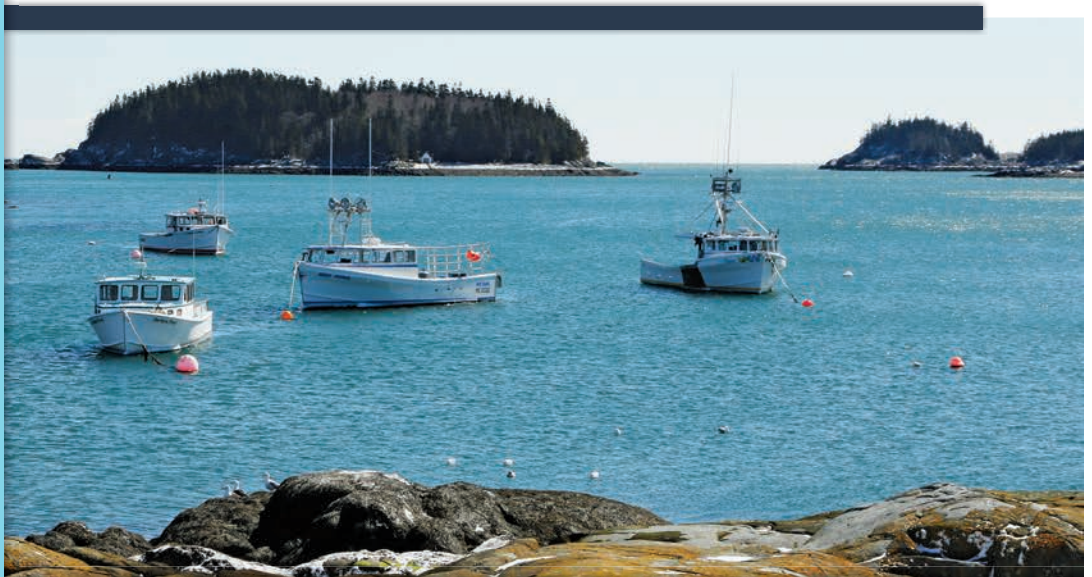
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2024

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HOTEL RESERVATION FORM

Annual Weekend & Industry Trade Show 2024
March 21-24, 2024



35 Scudder Avenue
Hyannis, MA 02601
Main Phone: 508-775-7775

Massachusetts Lobstermen's Association
Annual Weekend and Trade Show 2024

HOTEL RESERVATION FORM

Thursday, March 21, 2024 - Sunday, March 24, 2024

NAME(S) _____

ARRIVAL DATE: _____ DEPARTURE DATE: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

DAY TELEPHONE: _____ FAX: _____

E-MAIL ADDRESS (REQUIRED): _____

CREDIT CARD TYPE: _____ CREDIT CARD NUMBER: _____

EXPIRATION DATE: _____ SIGNATURE: _____

Hotel & Meal Package Options						
Check Choice	Package Type	Nights	Cost Per Package	Friday Evening Buffet	Saturday Evening Banquet Select One per Adult	
					Prime Rib	Seafood Medley consisting of Fish, Scallops & Shrimp
	1 Night Package, 1 Adult	Friday Only	\$160.89	Included	Not Included	Not Included
	1 Night Package, 2 Adults	Friday Only	\$199.90	Included	Not Included	Not Included
	1 Night Package, 3 Adults	Friday Only	\$250.35	Included	Not Included	Not Included
	1 Night Package, 1 Adult	Saturday Only	\$198.89	Not Included		
	1 Night Package, 2 Adults	Saturday Only	\$275.88	Not Included		
	1 Night Package, 3 Adults	Saturday Only	\$364.33	Not Included		
	2 Night Package, 1 Adult	Fri & Sat	\$359.78	Included		
	2 Night Package, 2 Adults	Fri & Sat	\$475.78	Included		
	2 Night Package, 3 Adults	Fri & Sat	\$614.68	Included		
	3 Night Package, 1 Adult	Thurs, Fri & Sat	\$481.68	Included		
	3 Night Package, 2 Adults	Thurs, Fri & Sat	\$597.69	Included		
	3 Night Package, 3 Adults	Thurs, Fri & Sat	\$748.05	Included		



HOTEL RESERVATION FORM

Annual Weekend & Industry Trade Show 2024

March 21-24, 2024

Package prices are inclusive of all taxes, gratuities and service fees.

Additional Hotel Options			
Check One	Additional Nights	Indicate Dates/Number of Adults	Cost
	Hotel Only. No meals included. Rate is per night for 1 or 2 adults. Rate is inclusive of tax.		\$135.05 Per Night

RESERVATION POLICIES

Cutoff Date: All reservations for guestrooms must be made by Thursday, March 7, 2024. After this date, we cannot guarantee the availability of guestrooms or the group rate.

Meal Tickets and Choices: All meal choices for the Saturday night banquet must be made prior to Thursday, March 7, 2024. If meal selection is not made by this date, we cannot guarantee your preferred meal choice. *Meal selections and number of guests in the package may not be adjusted within 10 days of arrival.*

Deposit: We require a deposit of \$100.00 at the time the reservation is made. If the deposit is by credit card, we will charge the deposit in advance when the Reservation Form is received.

Cancellation Policy: If an individual reservation is cancelled (7) seven days or more prior to arrival the deposit is refunded less a \$15.00 service charge. If an individual reservation is cancelled (6) six days or less or the guest does not arrive on the specified dates, the reservation is cancelled for all nights and the deposit will be forfeited. The remaining nights on the reservation will also be cancelled and are not automatically reinstated.

Confirmation: A confirmation email will be sent to you directly from the Emerald Resort/Irish Village.

CHECK-IN TIME AFTER 3:00 PM - CHECK-OUT TIME BY 11:00 AM

Please Fax, Email or Mail completed form to our Reservations Department (1 form per room)

Updated Fax Number: 508-778-6910

Email: stay@theemeraldresort.com

Mail: Emerald Resort / Irish Village 35 Scudder Avenue, Hyannis, MA 02601

Please make checks payable to the Emerald Resort

This form must be received prior to March 7, 2024. Phone or online reservations will not be accepted. Any changes to your reservation must be made by submitting a revised form. Please note change and mark form as "REVISED" to avoid duplicate reservations.



EXTRA MEAL TICKETS

Annual Weekend & Industry Trade Show 2024

March 21-24, 2024

MLA Annual Weekend & Lobster Trade Show 2024
EMERALD RESORT/IRISH VILLAGE, HYANNIS, MA

Order Form for Extra Meal Tickets

Day/Time	Description	Price Per Person	Number Requested	Total Price
3/22/24 Friday Evening Buffet 6:30 pm – 7:45 pm Entertainment TBD 7:45pm to 9:00pm	<u>Buffet Dinner</u> Roasted Tomato Soup Mixed Garden Greens 2 choices of dressings Roasted Chicken with Cornbread and Dried Fruit Stuffing Braised Beef Short Ribs Chefs Selection of Starch and Seasonal Vegetables White Chocolate Bread Pudding Coffee and Tea	\$50.00		
3/23/2024 Saturday Evening Dinner 6:30 pm Dinner Award Ceremony 8:00pm Entertainment TBD 9:00pm – 11:00pm Please choose Entrée	<u>Banquet Dinner</u> New England Clam Chowder Caesar Salad Choice of Seafood Medley consisting of Fish, Scallops & Shrimp or Prime Rib of Beef Warm Rolls Chef's choice of Starch, Vegetable, Dessert, Coffee and Tea (Please Choose Entrée) Seafood Medley consisting of Fish, Scallops & Shrimp - Prime Rib of Beef-	\$65.00		
Total Amount Enclosed: \$				

Name: _____ Tel : _____
Address: _____

☐ Visa ☐ Master Card ☐ Check payable to MLA

Name on Card _____

Card Number: _____ Exp Date: _____

Last 3 numbers on back of card: You may call this number in: _____

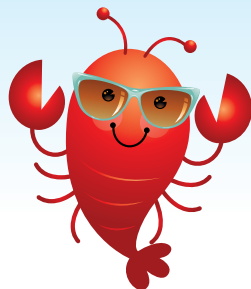
Signature: _____ Today's Date: _____

Mail this form to:
Massachusetts Lobstermen's Association
8 Otis Place, Scituate, MA 02066
Tel. (781) 545-6984



SINGO & TRIVIA / GRAND BUFFET

GRAND BUFFET & "SINGO"



**Bass River Room
Friday, 6:30 PM
March 22, 2024**



DO NOT miss your chance to win one of the cash prizes! *

DON'T FORGET to bring your Pre-paid dinner tickets with you!

** - You must be present to win.*



"Singo" is Bingo in music form!

Each player has a "Singo" card with song titles on it. Steve plays the songs and if you are the first person to have all the song titles on your "singo card" you win the game and receive a prize!

Be ready to show off your knowledge of fun facts and play some trivia following Friday evening's Grand Buffet!

Prepare yourself for lots of laughter and loads of fun playing

"SINGO" & TRIVIA WITH STEVE MONTMAGNY!



Steve has been in the entertainment industry for many years hosting all types of venues on the South Shore and beyond.



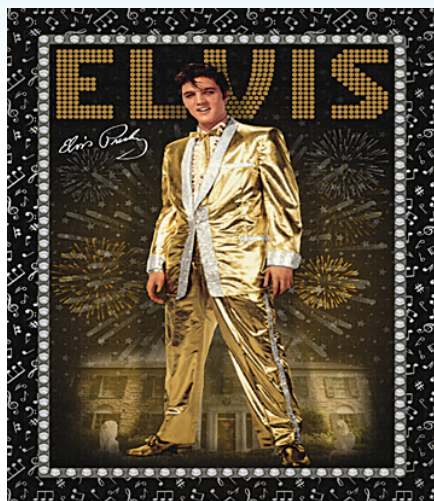


MEMBERS RAFFLE / ELVIS TRIBUTE

SATURDAY EVENING FOLLOWING THE MLA AWARDS BANQUET:



The King of
Rock n Roll



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Jeff Bartlett, Danvers (978) 880-2093	Doug Maxfield, Gloucester (978) 500-3518
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Ryan Browne, Gloucester (617) 803-5799	*Mark Ring, Gloucester (978) 807-4616
Richard Cassola, Beverly (508) 317-5808	Rich Rowell, Danvers (978) 559-9725
Joe Edlestein, Beverly (978) 580-0815	Andrew Santapaola, Gloucester (978) 325-1244
Mike Goodwin, Gloucester (508) 284-4284	Therese Sauvageau, Beverly (978) 836-2732
Matt Gonet, Beverly (978) 985-7262	Ed Smith, Gloucester (617) 257-0916
Doug Heath, Manchester (978) 273-1141	Scott Swicker, Gloucester (978) 290-1441

AREA 2

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DJ Davis, Quincy (617) 785-3754	Peter Mahoney, Hull (781) 925-1416
Charlie Galinauskas, Boston (617) 828-7444	Eric Meschino, Hull (774) 269-6010
*Steven Holler, Boston (617) 590-4579	Paul Mullen, Boston (617) 827-0385
Mike Kohler, Hingham (781) 277-1479	Fred Penney, Boston (978) 375-7873
*Eric Lorentzen, Hull (774) 217-0501	Wes Penney, Boston (978) 667-0895
Chad Mahoney, Hull (617) 680-6593	Frank Perry, Hingham (617) 293-5414

AREA 3

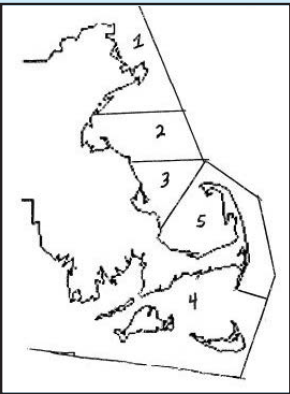
Greg Cook, Scituate (781) 424-7061	*Bob Nihtila Sr., No. River (508) 510-7792
Scott Draper, Manomet (781) 363-0815	Tucker Patterson, Scituate (781) 424-7973
Michael Gallagher, Plymouth (781) 831-8805	Thomas Patterson, Scituate (617) 797-7164
Mike Herb, Gr. Harbor (781) 724-4047	Doug Sibbald, Scituate (781) 844-3601
Daniel Herb, Marshfield (781) 724-6210	Lawrence Trowbridge, Scituate (781) 635-0072
Stoney Holmes, Plymouth (508) 317-9794	*Robert Ward, Whitehorse Beach (781) 336-6447
Kurt Holmes, Plymouth (508) 517-5505	Sean White, Plymouth (508) 317-5628
Peter Merritt, Plymouth (508) 509-5454	

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Mohawk Bolin, Edgartown (508) 692-0894
Jason Drake, Fairhaven (508) 454-2511
Wayne Iacono, Menemsha (508) 645-9698
John Larsen, Menemsha (508) 645-3805
Stephen Larsen, Menemsha (508) 560-5326
*Dave Magee, Mattapoisett (508) 728-4754
Paul McDonald, Menemsha (508) 274-7096
John Stephens, Vineyard Haven (508) 274-4441
*Thomas Tomkiewicz, Rochester (774) 263-0881

AREA 5

Kevin Andrews, Sandwich (781) 953-2446
Brendan Adams, Chatham (774) 216-1081
Ray Bois, Dennis (508) 394-0414
Joel Bois, Yarmouth (508) 364-3914
Rob Duseau, Sandwich (508) 728-4898
Peter Kandrick, Sandwich (774) 313-7596
Dean Karoblis, Sandwich (508) 274-5314
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Michael Rego, Provincetown (508) 237-9754
*William Souza, Provincetown (508) 246-0476
Ken Weeks, Sandwich (508) 430-2140



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



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About

The Energy Efficient Fisheries project, made possible by a generous Congressionally Directed Spending grant and hosted by the Gloucester Fishermen's Wives Development Program, is charting a course towards lower costs, reduced emissions, and higher efficiency for the good of all Massachusetts fishing and seafood businesses. More information at: energyefficient.fish.

Sign up:



Contact Us

Sarah Schumann
Fishery Friendly Climate Action
schumannsarah@gmail.com
(401)297-6273

Loie Hayes
Green Energy Consumers Alliance
loie@greenenergyconsumers.org
(617)380-4741



The Commonwealth of Massachusetts Division of Marine Fisheries

(617) 626-1520 | www.mass.gov/marinefisheries



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Director

Application for the Massachusetts Commercial Fishing Safety Grant Program

Applications are due April 15, 2024

The Massachusetts Division of Marine Fisheries (MA DMF) will provide a one-time payment to reimburse the cost, or a portion of the cost, of safety equipment purchased or serviced for use in Massachusetts commercial fishing. MA DMF is working with the Massachusetts Fishermen's Partnership and Fishing Partnership Support Services to expend \$375,000 in grants for Massachusetts commercial fishing permit holders to re-coop commercial fishing safety costs incurred between July 1, 2023, and April 15, 2024. Eligible items for such grants shall include but shall not be limited to the purchase or servicing of life rafts, survival and exposure suits, personal flotation devices, man overboard recovery devices, and electronic signaling and tracking devices. For more information on this program, please visit mass.gov/dmf/safety. For questions concerning this application, contact MA DMF at dmf.grants@mass.gov.

To qualify, you must meet the minimum requirements below:

- Must have held a 2023 Massachusetts Commercial Fishing Permit and renewed for 2024, and
- Must have incurred safety-related expenses that were paid for on or after July 1, 2023, and must have documentation of the expenses for which you plan to seek reimbursement.

To receive funding through this program, applicants must complete all three sections of this application:

- Section 1: Complete all permit holder information.
- Section 2: Applicants may detail up to \$3,000 in eligible expenses in the Expense Worksheet.
- Section 3: Be sure to read, sign, and date the Certification.

Once all sections are complete, **return the application to the Massachusetts Division of Marine Fisheries, postmarked or emailed by April 15, 2024.** Completed applications may be emailed to dmf.grants@mass.gov or mailed to 836 S. Rodney French Blvd, New Bedford, MA 02744 (Attn: Safety Grant Program). If you are emailing the completed application, please include "Safety Grant Program" and your Massachusetts permit number in the subject line of the email. **It is the applicant's responsibility to check the program website (mass.gov/dmf/safety) to ensure their application is complete and has been received by the deadline, and if not, contact MA DMF prior to April 15, 2024. Applications emailed or postmarked after April 15, 2024, will not be considered for this program.**

A separate application may be completed for each eligible Massachusetts Commercial Fishing Permit. After all applications have been received, MA DMF will review applications and randomly contact up to 10% of applicants for expense documentation (receipts or invoices for items listed in Section 2). To determine a maximum payment amount, MA DMF will divide the program funds of \$375,000 among the qualified applicants and their approved expenses. Qualified applicants will be reimbursed for their approved expenses, up to the maximum payment amount per approved application. MA DMF will mail payments by June 30, 2024, to the approved applicant's mailing address recorded in Section 1 of their application. Checks must be cashed by the expiration date noted on the check.

SECTION 1: MASSACHUSETTS COMMERCIAL PERMIT HOLDER CONTACT INFORMATION

Information Needed for Reimbursement	Fill in Your Information in This Column
Permit Holder Name (check issued to)	
MA Commercial Fishing Permit Number	
Mailing Address (check will be mailed here)	
City, State, Zip	
Phone Number	
Email	

SECTION 2: REIMBURSEMENT EXPENSE WORKSHEET

Complete the worksheet below to detail the allowable safety expenses for which you are requesting reimbursement. When completing the worksheet, please note:

- Expenses must have been incurred between July 1, 2023, and April 15, 2024.
- Expenses must be unique to the commercial fishing operation associated with the permit recorded in Section 1 and may not be duplicated on another qualifying application.
- Expenses must be documented through records kept with the applicant. Do not send copies of receipts with this application. MA DMF will contact up to 10% of applicants to audit their records associated with the expenses submitted for reimbursement.

You may detail costs totaling up to \$3,000, however, MA DMF will only reimburse qualified applicants for eligible expenses up to the maximum payment amount. (Make additional copies of this table as needed).

Description of Safety Item Purchased or Serviced	Unit Cost	Quantity	Date Paid	Total Cost
TOTAL REQUESTED REIMBURSEMENT:				\$

SECTION 3: CERTIFICATION

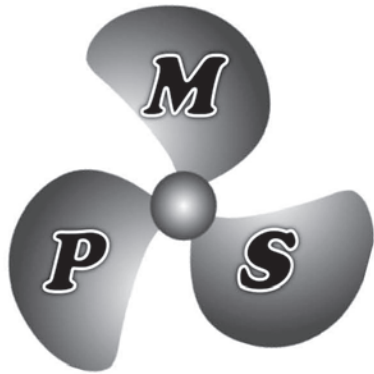
I hereby certify that the information provided in Section 2 is accurate and I have documentation of the incurred expenses. I also affirm that I held a 2023 Massachusetts Commercial Fishing Permit and will renew or have renewed for 2024.

Name: _____
Please type or print the name of authorized individual.

Signature: _____ Date: _____

This application must be signed by a person legally authorized to represent the entity submitting this application.

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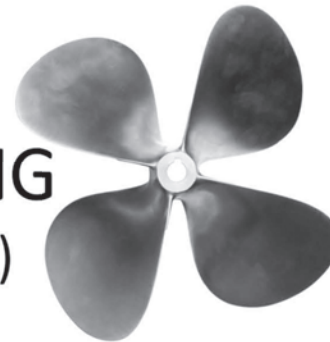
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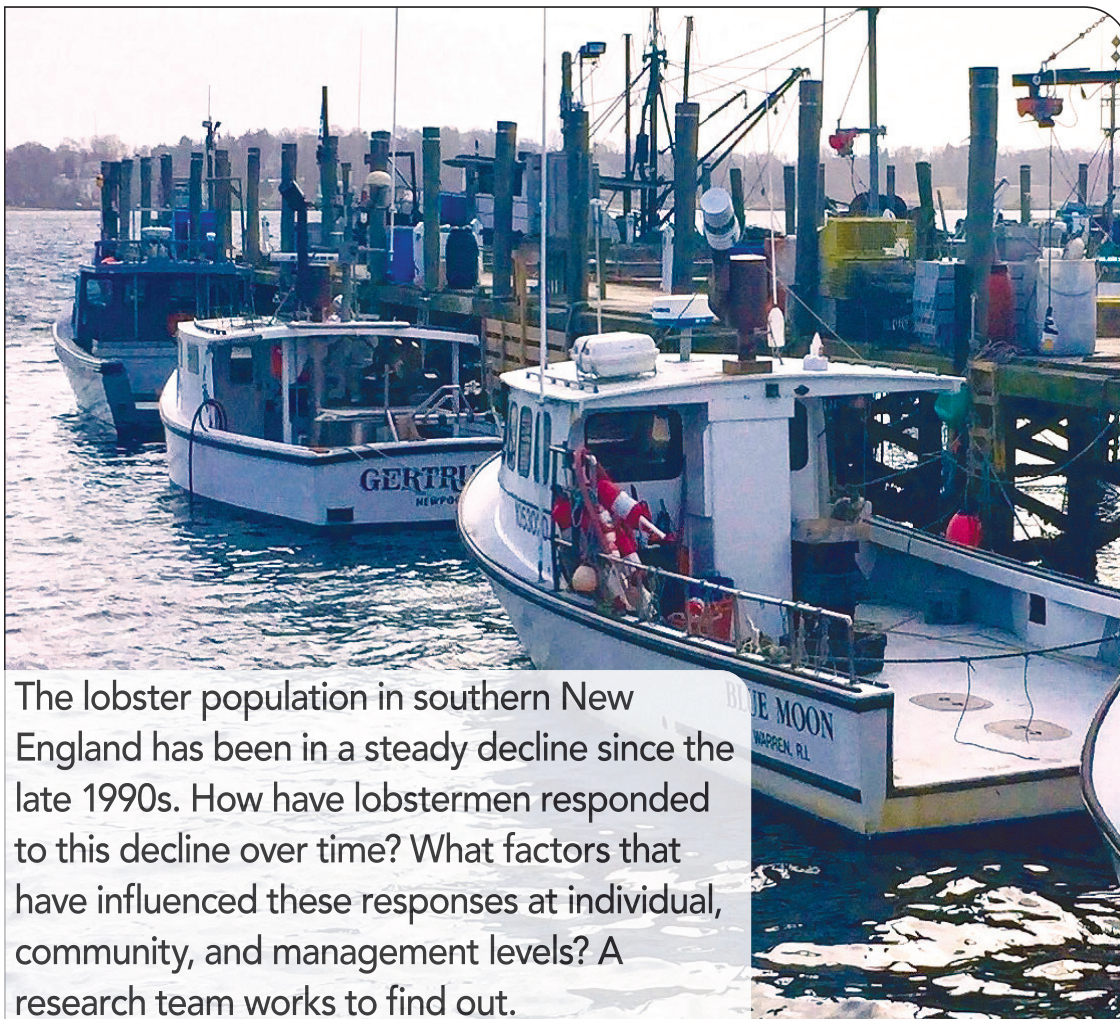
RESEARCH FROM AMERICAN LOBSTER INITIATIVE

Lessons from the SOUTH

Simonne Dodge, Jennie Rheuban, and Stephanie Murphy | WHOI Sea Grant

January 2024

A research team examines southern New England's history to support the lobster industry's future



The lobster population in southern New England has been in a steady decline since the late 1990s. How have lobstermen responded to this decline over time? What factors that have influenced these responses at individual, community, and management levels? A research team works to find out.

Lobster boats off the coast of southern New England. Photo: Katherine Maltby, GMRI



A sampling of articles about the southern New England crash

Collage: S. Dodge, WHOI Sea Grant

EXPLORE the PROJECT

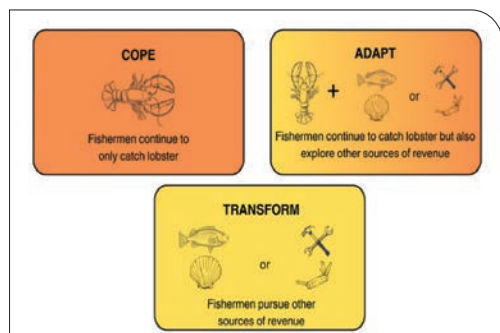
As the Gulf of Maine continues to experience rising temperatures, valuable insights from the experiences of southern New England's lobstermen can contribute to decisions related to the fishing practices and management strategies in Maine's lobster fishery. To conduct their study, the research team used a combination of regional and national news articles about the southern New England lobster decline since the 1990s alongside interviews with current and ex-lobstermen. Together, this information enabled them to analyze differing responses to the lobster decline, the factors influencing these responses, and potential future strategies to support lobstermen's resilience.

To explore more research stories from American Lobster Initiative, visit our StoryMap collection:

<https://arcg.is/1CHT1j>



RESEARCH FROM AMERICAN LOBSTER INITIATIVE



Three primary resilience pathways for lobstermen

Graphic: S. Dodge, WHOI Sea Grant



Lobster traps converted to catch conch on Long Island, NY

Photo: Katherine Maltby, GMRI

READ the RESULTS

Through their news analysis, the researchers found southern New England lobstermen responded to declines in three ways: coping, adapting, or transforming. These responses can shift through a lobstermen's life as they adjust to different life events. Factors impacting the response included: their flexibility in switching fisheries or livelihoods; their available assets and the extent of their financial pressures; their sense of individual and collective control over their futures; their emotions surrounding the declines, including hope, hopelessness, and stress; the levels of family pressures and support they encounter.

UNDERSTAND the IMPORTANCE

A better understanding of how lobstermen have responded to the collapse of the southern New England lobster stock can help identify conditions and decisions that will support and prepare fishing communities in the Gulf of Maine as they adjust to mounting climate change impacts. These insights can guide managers and adaptation planners in making decisions that will best support industry members, as well as inform resilience planning for the lobster fishery more broadly.



Photo: GMRI

Kathy Mills, PhD
PRINCIPAL INVESTIGATOR
Kathy Mills is a research scientist at the Gulf of Maine Research Institute (GMRI).



We welcome your feedback.
Email us at lobster@whoi.edu

RESEARCHER HIGHLIGHT



Photo: Katherine Maltby, GMRI

Katherine Maltby – Gulf of Maine Research Institute

Katherine ("Kat") spent Sunday evenings as a kid in the U.K. watching David Attenborough's "The Natural World," which sparked her love of nature. She earned her PhD in fisheries science at the University of Exeter before working in a range of jobs in the science-policy worlds of

fisheries and climate change. She left the U.K. in 2021 for the Gulf of Maine Research Institute. Kat loves working with different stakeholders to understand the range of social and ecological factors to consider when tackling environmental changes and challenges.



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 our lawyers in Washington D.C. and here in the Commonwealth to fight for you and your industry.

UPDATE 12/29/2023 (Washington D.C.) Case 1:21-cv-02509-JEB - Maine Lobstermen's Association, et al. v. NFMS

Please recall 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.

While the decision in the case is now the law of the land, on November 29, 2023, we filed a Motion to recover the MLA's legal fees and costs expended in fighting against the United States Government pursuant to the Equal Access to Justice Act, which provides in pertinent part that "a court shall award to a prevailing party other than the United States fees and other expenses... incurred by that party in any civil action..., unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust." Here, we rightly argue that the MLA was a prevailing party, the Government's position (in the litigation and at the agency level) was not substantially justified, and consequently the MLA is entitled to recover its legal fees and costs incurred in the matter.

While the Motion is still pending before the Court, the Government asked us to stay that Motion so we could try to negotiate a settlement. We are actively negotiating with the Government and expect to have more news in the next couple months.

UPDATE 12/29/2023 (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 our 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 issued its mandate, briefing has resumed on the motion to dismiss. The NGOs have brought a motion asking the district court to delay enforcing the mandate.

To prevail on the motion to stay, the NGOs needed to not only convince the Court the moving party's need for a stay — that is, the harm to the moving party if a stay does not issue; and (3) whether a stay would promote efficient use of the Court's resources.

The Court was unsympathetic to any of these claims. First, it rightly noted that the NGOs mis-cited case law (a nice way of saying lied) to show he could ignore the D.C. Circuit. He slapped that down and said he cannot ignore the D.C. Circuit, so the issue is done. But then he went further, addressing each stay element.

He decided that the government would be harmed by delays in implementing regulations, and the lobstermen would be harmed by delays in certainty. He determined that the NGOs do not need a stay because it won't affect their other claims. We disagree with that as we think this moots their claims but we don't read this as him saying he's not going to moot their claims, which we have also moved for. Finally, he determined it would not be efficient use of resources.

Overall, this was a pretty definitive rejection of the NGOs theories and to us shows that Judge Boasberg is rightly skeptical of the NGOs claims in light of the D.C. Circuit ruling.

Briefing on the motions to dismiss the NGOs claims based on mootness is ongoing and we do not anticipate a ruling before the end of the year.

UPDATE 12/29/2023 (N.D. California.) Case No.

5:23-cv-04994-BLF; Sawyer, et al. v. Monterey Bay Aquarium, et al.

In the ongoing fight against the Monterey Bay Aquarium and its defamatory statements, our case was recently transferred to the Northern District of California. Our case has since been assigned to Judge Beth Labson Freeman, and our case management conference, which will set the timeline for the remainder of the litigation, is currently set for February 29, 2024.

In the interim, the Aquarium has filed a motion to strike our Complaint. This would function essentially as a motion to dismiss and would end the suit. The basis for their argument is California Civil Procedure Code Section 425.16, which is California's anti-SLAPP statute. For those who are unfamiliar, anti-SLAPP (Strategic Lawsuits Against



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LEGAL DEFENSE FUND

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THANK YOU FOR YOUR CONTINUED SUPPORT!

Public Participation) statutes are a mechanism for defendants to seek dismissal of lawsuits that they allege attempt to infringe upon their First Amendment rights. Of course, it is well-settled law that defamation and libel are not examples of protected speech under the First Amendment. Our argument has always been that the Aquarium is engaging in intellectually dishonest attempts to sway public opinion by twisting the science it claims supports its position: specifically, that despite there being no evidence that Massachusetts fisheries are the cause of any whale deaths, all lobster fisheries, including the Massachusetts fisheries, are somehow unsustainable.

This move does not come as a surprise, and we will ask the Court to deny the motion. The Aquarium specifically acknowledges in its motion that “MBAF . . . expressly acknowledg[ed] when it lack[ed] certain evidence to support its opinion that lobster fisheries endanger right whales.” Note the use of the word “opinion” here – opinions are generally protectable by the First Amendment, which is why the Aquarium has used and likely will continue to use the word in an attempt to convince the Court to see its press release not as an affirmative statement of fact from an organization that calls itself a “leader” in science and conservation, but as nothing more than an opinion protectable by the First Amendment. Should we be unable to convince the Court not to strike our Complaint as is, however, the pleading standards are on our side: courts are widely in favor of granting plaintiffs leave to

amend their complaint in the face of an anti-SLAPP motion to strike. Stay tuned for more, and don’t forget to thank your named Plaintiffs, Arthur Sawyer, Jarrett Drake, Eric Meschino, and Bill Souza, for their ongoing efforts in this fight to protect all Massachusetts lobstermen from unscientific libel and slander.

UPDATE 12/29/2023 NMFS’s Proposed Rule to Permanently Close the Wedge

Last year NMFS illegally extended the 2022 Wedge Closure to close the Wedge from February through April 2023. We challenged this decision in Court and the Court agreed we were right on the law, but ultimately decided not to stop it because we could not show irreparable harm.

NMFS is now at it again, attempting to convert its illegal 2023 Wedge Closure into a Permanent Final Rule. We submitted a robust comment to the proposed final regulation that will explain to NMFS why its proposed final rule is illegal. If and when NMFS issues a Permanent Final Rule, we will file suit to block the illegal Wedge Closure.

If NMFS intends to move forward with its illegal action, we will proceed with litigation against it.

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 working under the strictest conservation rules for the right whales anywhere in the world since 2014. Yet here we are, still fighting these lawsuits to keep the Massachusetts commercial lobstermen fishing.

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

WHERE TO MAKE DONATIONS

Any contribution to the Legal Defense Fund is greatly appreciated.

Donate by mail:

MLA LDF
8 Otis Place
Scituate, MA 02066

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www.lobstermen.com

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MASSACHUSETTS LOBSTERMEN’S ASSOCIATION, INC.
2024 EDUCATIONAL GRANT APPLICATION

This application should contain accurate and detailed information and be accompanied by a copy of your official high school transcript that is signed and sealed.

Name: _____

Home Address _____

City/Town: _____ State _____ Zip _____

Father, Mother and/or Guardian’s Name: _____

Occupation _____

Are they a current member of the Massachusetts Lobstermen’s Association? [] Yes [] No

Are both parents living? [] Yes [] No

Number and ages of siblings living at home: _____

Do you have anyone financially dependent upon you? [] Yes [] No

If yes, please explain: _____

How much financial aid is expected in your first year of college/trade school: _____

Name of High School and year of graduation: _____

Name of college or trade school you expect to enter: _____

Have you been accepted: _____ What is your anticipated tuition: _____

Have you received any other scholarships - If yes, state amount(s): _____

What business or profession do you expect to prepare for: _____

What extra-curricular activities have you participated in: _____

REFERENCES: **Please enclose any letters of recommendation** and **at least two** from the following choices: School Principal, Guidance Counselor, Instructor in your major, Pastor or Minister.

Please write a short paragraph explaining why you are interested in your field of endeavor:

Educational grants are awarded at the descretion of the committee and all decisions are final.

SIGNATURE: _____ DATE: _____

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AD #1 (5/23) **FOR SALE** – 55' wooden offshore lobster boat w/2 fresh 671s. Just off railway. Boat is turnkey. In very good condition. Full electronics & safety gear. Asking 70k OBO. Also have NJ conch license & conch pots could make deal w/ purchase of boat. Boat & gear ready to fish. Also have Virginia Commercial Registration License. Call Joe @ 609-233-4255

AD#2 (9/23) **FOR SALE** – Trap Trailer 6x12 can hold approx. 50-3 footers. Good shape. \$1,200.00 Call Ben 978-578-8882

AD#3 (10/23) **FOR SALE**–Hydraulic Components, parts, and service. Pumps, Motors, Valves and Accessories. Hydraulic Hoses are made while you wait. Great Prices–Same day service (in many cases)–Wide selection of in-stock items. Rebuilt items are occasionally available. ROSE MARINE, Gloucester, MA 877-283-3334

AD#4 (8/23) **FOR SALE** – 400 Lobster traps 36x22 1/2 x 15 New to 5 years old \$60-100 each Call 978-774-4074

AD#5 (10/23) **FOR SALE** – KC Trap & Mesh–Traps-Heads-Finished Kits. Call for more information. 774-280-6638

AD#6 (10/23) **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 (10/23) **FOR SALE** – Bruce Atkinson Novi 38ft 1984. Rebuilt John Deere 6081 375 hp/1500 hrs. by Downeast Diesel. 2 steering stations, 14" ss pot hauler, ss davit, 295 Furuno color machine & tons more. Very well-maintained boat. Available in Gloucester. Reach out with ANY question. Chris 781-424-6946

AD#8 (8/23) **FOR SALE** – SIZE CORRECTION-Warp–Used & some new, mostly knot free. 76 lbs. 5/16, 33 lbs. 3/8 \$99 takes all 508-269-1406 Plymouth.

AD#9 (10/23) **FOR SALE** – In Boston. 60 new yellow cavatorta wire 43.5 x 22.5 x15 lobster traps. Kitchen haul, double parlor hand knit head in rear, 10 gauges ends, bridges & front corner braces. 12-gauge body, side brace, skid plate & side chaffing pieces. Has plastic coated steel runners, plastic corners & plastic runner bumpers. These are quality made traps that you will absolutely love to haul! \$182 each. Call Ed 617-680 -4096

AD#10 (12/23) **FOR SALE** – 500+ lobster traps w/line & buoys 3ft. \$20.00- 4ft.\$35.00, located in Scituate. Can use yard where the traps are stored to get traps ready for use no charge for compressed air or electricity. Call 978-815-1734

AD#11 (10/23) **FOR SALE** – Turnkey Outer Cape Lobster Business: 1981 31ft. BHM Volvo 63P–370 HP, 2 1/2:1Twin Disc, spare wheels, many spare engine parts. OC State permit w/270 tags+ 10%, many endorsements, 400+ traps, ground lines, end lines, flags, Go-Deeps, 200 totes, lids, + trap building tools & equipment. Boat also setup for Dogfish & Mackerel w/all gear, 8x16 trao trailer, 5'x7' walk in bait

cooler, 6000#mooring in Chatham Harbor, fiberglass skiff with 10HP Suzuki 4 stroke & trailer. \$200k Or BRO Steve 978-257-1062

AD#12 (10/23) **FOR SALE** – 31 ft., BHM Lobster boat. 300 hp- John Deere, 2-VHF radios, chart plotter, Furuno fish finder, built in live tank, radar, 3 swivel rod holders. \$65,000.00 Call 508-280-3038

AD#13 (1/24) **FOR SALE** – Wooden conch pots, wood repair stock made to order, call 774-201-0712

AD#14 (8/23) **FOR SALE** – 1980 Bob Rich 40 wooden lobster boat. 471 Detroit diesel, twin disc gear, hydro-slave pot hauler w/diverter valve for other fisheries. Two 75-gal fuel tanks (fiberglass) under deck, full cabin, GPS, Furuno depth sounder, VHF radio, MA coastal Area 1 lobster permit, 800 trap. Federal Area 1 lobster permit w/endorsements (ground-fish/dogfish) 800 pot limit. 140 wire lobster traps, some never used (brand new) 60-70 buoy's, extra ropes, safety equipment, sea anchor, 12 fiberglass skiff misc; lobster related equipment, spare propeller (never used) trap related repair equipment. \$65,000. firm. Bill @ 781-834-7418

AD#15 (12/23) **FOR SALE** – 33 ft. lobster boat 1987 Novi/Scott 150 Ford engine. 600 trap N.H. lobster license 100+ traps, dingy, trap trailer, ropes & buoys. Boat has been out of the water for 3-years. Also, a mooring at Pierce Island. \$54,900.00 Call Douglas @ 603-566-3654

AD#16 (12/23) **FOR SALE** – 22'Sisu Lobster Boat W/150 HP Evinrude OB needs work. Has 12 Hydraulic hauler. Runs off Honda Hydraulics. Power Pack needs work. Comes W/ bunk trailer. Asking \$8000. or B.O. Call Robert@ 5:00 p.m. 617-846-3714 or 617-650-3842

AD#17 (10/23) **FOR SALE** – Federal Area 1 Permit: Offers over \$35.000 will be considered. IHsea@aol.com 781-639-0001

AD#18 (10/23) **FOR SALE** – Airsep- air-cleaner 5 \$100.00 Joel @781-581-0324 or E-mail joel.w.marie@gmail.com

AD#19 (10/23) **FOR SALE** – 5" Superior hauling block-Aluminum construction with stainless sheave \$250. Joel @ 781-581- 0324 or E-mail joel.w.marie@gmail.com

AD#20 (10/23) **FOR SALE** – Spare new stainless sheave for 5" Superior block-\$150. Call Joel at 781-581-0324-E-mail joel.w.marie@gmail.com

AD#21 (1/24) **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 & tide balls. State & federal licenses. As of June 1st, all gear in the water. Baited, tagged & fishing. Buy today & fish tomorrow Complete package \$290,000. Will separate Boat \$210,000, traps \$75,000. state license \$30,000. & fed license \$40,000. Call 978-745-6182, leave message. Serious inquiries only – Pictures available

AD#22 (10/23) **FOR SALE** – In Boston. 60 new black cavatorta wire 43.5 x 22.5 x 15 lobster traps. Parlor haul, double parlor, shrimp mesh, 10 gauge ends, bridges & front corner braces. 12-gauge body, side brace, kitchen brace, skid plate & side chaffing pieces. Has plastic coated steel runners, plastic corners & plastic runner bumpers. These are quality made traps that you will absolutely love to haul! \$180 each. Call Ed 617-680-4096

AD#23 (10/23) **REDUCED-FOR SALE** – Complete lobster business. Area 1 MA State license 800 trap allocation with long history. Dog & shellfish endorsement. 1987 Gummond 31' w/12' beam enclosed cabin w/ "bus" heater 12kts cruise w/20+top end Cummings re-manufactured "Diamond" version 370 HP with 3500 hours. 300+ traps w/ ropes & buoys. 14ft tender w/ 3yr old Suzuki 4s 15 hp w/electric start. GPS/bottom sounder, life jackets, fish totes, etc. Would like to sell as a package but will accept separate offers on boat, license & fishing gear. \$70,000. OBRO Call Bob- 508-224-1664 or e-mail @ roalward@comcast.net Pictures available.

AD#24 (9/23) **FOR SALE** – 1 24X24 Freeman Hatch. Used. In good condition. \$500.00 1 36 foot shear \$300.00 1 4' by 8' trailer \$200.00 Call Ted 401-842-8165.

AD#25 (10/23) **FOR SALE**– Lobster business peripherals: OCLMA permit for 645 tags, dingy, tank, freezer, mixture of wood & wire traps in excellent condition, totes, etc. Serious inquiries only: 774-313-6287 or joneSeven@aol.com

AD#26 (10/23) **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#27 (1/24) **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#28 (1/24) **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. \$190,000.00 Traps & Permits available. Ben@ 978-578-8882

AD#29 (11/23) **FOR SALE** – 2-506 twin disc transmissions 4k for both- priced to sell. Call/text Elaine 339-832-2493

AD#30 (1/24) **FOR SALE** – American Lobster Federal Permit- Area 2-420 trap allocation. \$35,000.00 Call 631-903-2063

AD#31 (9/23) **FOR SALE**– Gill Nets (10 assorted, some new or recent rehangs (Her-cules). Gill net reel, 48" diameter, 42" width. Holds average 4 + panels (1200'). Excellent condition, chain drive, full hydraulics. Complete tub trawl system equipped with 10" hydraulic hauler for retrieving Tub Trawls mounted on net reel. "Jamestown" / Chatham gravity baiter (3-bushel size). Four totes set up with stainless magazine hook storage 125 hooks (500 total), 300 additional hooks storage system (four totes), fast and simple to use. Over half mile, set up for Cod, blue fish, Spiny Dog fish, or what have you. Loads of extra clips, gangions, boxes of Brand-new Mustad E-Z Baiter hooks. Two survival suits (like new 3 years old). Still mounted on boat, can demonstrate until mid-September. Located in Freeport, Long Island, New York. Hoping to get \$1500.00 – 2000.00. We can talk. Call or text Captain Rich Hunter. 347-836-5382, I will most likely get back to you after 6:00 pm that evening. Be glad to answer any questions.

AD#32 (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 & wash-down 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 \$18,000 call/text Tony 774-239-1599

AD#33 (10/23) **FOR SALE** – 50ft., Jersey boat 2-671 Detroit engines-twin disc transmissions-wiring needs to be finished, frame upbuild for lobstering. 30k or best offer. For more info, call-text Elaine 339-832-2493

AD#34(12/23) **FOR SALE** – Area 1 Coastal lobster permit \$25,000.00 Call Pete @ 508-364-5980

AD35 (1/24) **FORE SALE**-Wooden conch pots, wood repair stock made to order, call- 774-201-0712

AD#36 (7/23) **FOR SALE** – 120 Green & Yellow lobster traps 36x24x14 – Some hoop heads & some shark heads. In good shape. Call 508-951-6400

AD#37 (12/23) **FOR SALE** –Lobster traps & rope Approx. 150 – 48" & about 25 – 36" lobster traps **FOR SALE** some free. Most need work. Some are just cages. \$20 for the best... free for the rest. Extra doors, new head sets, runners, window weights, 20 pot trawls of 7/16" ground lines, & miscellaneous also available. Prefer the traps go in minimum lots of 50 traps. Will crush & scrap what is left. Must clean out-Pickup in Hull -Email jnak388@hotmail.com for more info.

CLASSIFIEDS continue on Page 42

AD#38 (1/24) **FOR SALE**– 200 45" Friendship lobster traps 8-6 years old \$25.00 each Call 508-510-7792

AD#39 (1/24) **FOR SALE**– 32" – 4 blade Dyna Quad Prop-2 1/2" bore, left hand \$2,500.00 Call 508-510-7792

AD#40 (1/24) **FOR SALE**– 1-34" Hytorg prop 2 1/2" bore, left hand \$1,000.00 Call 508-510-7792

AD#41 (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#42 (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.

AD#43 (7/23) **FOR SALE**– Outer Cape Lobster Permit-511 trap allocation. \$150,000. Traps available will send pictures upon request, most are 1-3 years old. Call Eric @ 508-255-8526

AD#44 (8/23) **FOR SALE** – 2002 40 hp Johnson Outboard motor long shaft, tiller steering, trim/tilt Electric and manual start Extra parts and manuals Been in storage for past 3-4 yrs. \$1,500. Call 508-246-4009

AD#45 (8/23) **FOR SALE** – 1985 25ft., Privateer Lobster Boat. Fresh water cooled Mercruiser v8 engine-260 hp. Runs great-spare re-built engine. A IO spare re-built prop-hydraulics steering new in box. Re-built 4-wheel trailer. Gantry system to lift boat off trailer. Garmen chart plotter GPS Map Garmen depth sounder-fish finder. VHF radio. Engine has stainless steel heat exchanger. Stainless steel exhaust risers. 50-30" lobster pots ready to fish. 100 spare buoys 2- coils rope-440 gal refrigerator lobster tank-platform scale for weighing. Ice chipper. 3- 28" scallop drags-system is ready to fish. X-actic polar box 48x44x36- 5-boat stands. 8' Pram- Many other items- Call between 4-7 p.m. \$20,000.00 508-979-0568

AD#46 (10/23) **FOR SALE** – Complete business – 31' BHM, rebuilt engine and transmission 2021, New shaft and propeller, Area 1 State only lobster permit, 700 wire traps and all the rope, buoys and more. Sold as a complete package Asking \$100,000 or best reasonable offer. Call Steve at 508-224-6610

AD#47 (12/23) **FOR SALE** – Traps- 50 3ft yellow shrimp mesh brand new, ergos, composite runners skid plate, all corners reinforced, stainless bait spike, seal proof door latches, 4 corner bumpers & plastic edging all around extra clips built to last \$120 each. 50 -3 ft shrimp- Call 978-774-4074"

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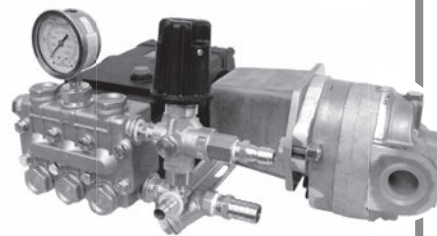
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