

# MAINE LOBSTER & MONTEREY BAY AQUARIUM SEAFOOD WATCH: THE FACTS

The Monterey Bay Aquarium's (MBA) Seafood Watch program is considering placing Maine Lobster on its "Red List," meaning environmentally conscious consumers should avoid eating it because of the potential impact on endangered right whales. MBA's assessment, however, uses old data, fails to account for the many steps lobstermen have taken to protect whales, and gets several basic facts wrong.

In truth, Maine Lobster is one of the most sustainable seafoods in the world, thanks to the dedication of generations of lobstermen who protect the stock and the marine environment. Lobstermen have also been at the forefront of discussions about how to protect right whales and have made changes over the years to gear, making it less likely to entangle whales. Here are the facts behind the claims being made by the MBA assessment:

## CLAIM:

Despite difficulties in determining gear origin, the presence of Maine Lobster gear in the Gulf of Maine suggests whale entanglements should be assigned to the Maine Lobster fishery.

**FACT:** This ignores statistical trends from known entanglements, as well as data showing right whales have shifted their late spring/summer foraging grounds from the Gulf of Maine to the Gulf of St. Lawrence to chase their main food sources.

- *Entanglements where a fishery can be determined as responsible show a decline in U.S. cases between 2010 - 2019.*
- *The majority of Maine lobstermen fish within 3 miles of the Maine shore, where whales are rarely detected.*
- *MBA is holding the Maine Lobster industry accountable for known deaths caused by Canadian fisheries and ship strikes.*

## CLAIM:

Current protection measures have been unsuccessful.

**FACT:** This ignores data showing a lack of entanglements in Maine gear, as well as a rebounding of the right whale population. Further:

- *There hasn't been a right whale entanglement attributed to Maine Lobster gear since 2004.*
- *No right whale death has ever been attributed to Maine gear.*
- *MBA's Seafood Watch listed Maine Lobster as a "Good Alternative" in 2014. Since then, the Maine Lobster fishery has implemented even more changes to protect right whales.*
- *Beginning from the first right whale protections in 1997, the whale population increased from 295 to 450, up until a 2017 research paper revealed that the population was in decline.*
- *Since 2009, known entanglements in U.S. lobster gear have fallen 90% compared to the 13 years prior.*

### CLAIM:

Any fishery with rope in the water poses an equal threat to right whales.

**FACT:** Treating all fisheries and rope the same undermines efforts Maine lobstermen have made to make gear safer, as well as Seafood Watch's purpose to distinguish between fisheries working to improve sustainability measures and those that aren't. Further:

- *Maine lobstermen have eliminated all floating rope (the type of rope most likely to entangle whales) from the surface as well as 27,000 miles of floating ground rope.*
- *80% of rope recovered from right whales between 2010 and 2018 is not consistent with the rope most typically used in the Maine Lobster fishery (greater than 1/2" rope recovered from right whales, the fishery uses smaller than 1/2").*
- *MBA acknowledges changes in 2009 and 2015 made by the Maine Lobster fishery to sinking ground line and vertical line configurations, including the addition of "weak links," without acknowledging those changes' potential for mitigating whale entanglements.*

### CLAIM:

Maine lobstermen have resisted efforts to protect right whales.

**FACT:** Lobster industry stakeholders have been at the table at every step of the federal rulemaking process. Further:

- *Maine lobstermen have near universal compliance since the whale plan went into effect, including the offshore closure.*
- *Lobstermen continue to participate in the research process, working with DMR and others to test new whale-safe gear.*
- *Lobstermen have each spent tens of thousands of dollars on whale-related gear modifications in recent years, spending money from their own pockets to protect whales.*

### CLAIM:

Oversight and management of the Maine Lobster fishery is not adequate for scoring.

**FACT:** Federal and state monitoring for right whales has increased and Maine requires compliance even in state waters. Further:

- *Maine has increased gear marking, and state/fishery specific marking is now on all Maine Lobster gear, including in exempt areas.*
- *Despite increased aerial and vessel monitoring of whale populations, there have been fewer entanglements discovered in the U.S. lobster fishery since 2010.*
- *Maine's Department of Marine Resources (DMR) is continually researching gear modifications, as well as implementing additional sound traps to listen for whales, providing managers with important information on which to base decisions.*

### CLAIM:

"Red Listing" the fishery will help protect right whales.

**FACT:** Labeling Maine Lobster as unsustainable undermines an active rulemaking process that will result in better protections for the whales. Further:

- *The 2021 biological opinion resulted in a non-jeopardy finding for the fishery.*
- *The Maine Lobster industry is and always has been in compliance with federal whale regulations.*
- *Maine lobstermen are actively implementing phase 1 of the conservation framework outlined in the biological opinion for a May 2022 target date.*

