

# MAINE LOBSTER & MONTEREY BAY AQUARIUM

## SEAFOOD WATCH: THE FACTS

The Monterey Bay Aquarium's (MBA) Seafood Watch announced it has placed Maine Lobster on its "Red List," suggesting environmentally conscious consumers should avoid eating it. MBA's decision is purportedly based on the industry's impact on endangered right whales. However, the assessment uses old data, fails to account for the many steps lobstermen have taken to protect whales, and gets several basic facts wrong.

This designation makes little sense as MBA's Seafood Watch listed Maine Lobster as a "Good Alternative" in 2014, and whale protection measures in the industry have only increased since then.

In truth, Maine Lobster is one of the most sustainable seafoods in the world, thanks to the dedication of generations of lobstermen who prioritize protecting the lobster stock and the marine environment—including whales.

Here are the facts behind the claims being made by the MBA assessment:

### CLAIM:

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

**FACT:** Labeling Maine Lobster as unsustainable is counterproductive to protecting the whales, and undermines existing sustainability measures. Further:

- *In spring 2022, Maine lobstermen implemented additional regulatory and gear changes as part of phase 1 of the revised conservation framework outlined in a 2021 biological opinion.*
- *The Maine Lobster industry is and always has been in compliance with federal whale regulations.*
- *Maine lobstermen have near universal compliance since the whale plan went into effect, including the offshore closure.*

### 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 or serious injury 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 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.*
- *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.*
- *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").*

## **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.

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

## **CLAIM:**

Maine lobstermen have resisted efforts to protect right whales.

**FACT:** Maine lobstermen have a sincere desire to protect right whales and have backed that up by making many, many changes to gear over the decades. Further:

- *Maine lobstermen continue to invest considerable time and expense making changes to their gear in order to protect whales.*
- *Lobster industry stakeholders have been at the table at every step of the federal rulemaking process, working toward a scenario where both the whale population and the industry can thrive.*
- *Lobstermen continue to participate in the research process, working with DMR and others to test new whale-safe gear.*

## **CLAIM:**

Oversight and management of the Maine Lobster fishery is inadequate.

**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 regulators with important information on which to base decisions.*

In truth—based on latest regulatory & gear changes, as well as proactive ongoing efforts by Maine lobstermen—the Maine Lobster fishery is doing more than ever to protect right whales, despite little evidence of the fishery's impact on the species.



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