

**Congress of the United States**  
**Washington, DC 20515**

February 24, 2021

The President  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear Mr. President:

We write to bring to your attention a serious issue threatening the Maine lobster and fishing industries, and the countless families and coastal communities that depend on them. The National Oceanic and Atmospheric Administration (NOAA) is moving forward to meet a court-ordered May 31, 2021 deadline to finalize a new rule and Biological Opinion (BiOp) to protect the endangered North Atlantic right whale. If implemented, these efforts may ultimately shut down Maine's lobster fishery by 2030. With the potential closure of the lobster and other fisheries at stake, we write to focus your attention on the outcomes to avoid in the final stages of this regulatory process and to encourage your administration's urgent action to address the significant threats to right whales in Canadian waters, as well as from vessel-strikes in both Canada and the United States.

Maine's lobster industry is an economic engine for the state, generating approximately \$1.4 billion annually and supporting the livelihoods of 4,500 lobstermen and thousands of Mainers employed through lobster dealers and seafood processors, vessel and trap manufacturers, restaurants, and other coastal businesses. In 2019, Maine led the nation in lobster landings, hauling in more than 100 million pounds of lobster valued at \$485 million. As you know, lobster is regularly the highest-value species harvested in the United States — a direct result of strict adherence to conservation measures that sustain the resource. The men and women who work in our lobster industry play a significant role in Maine's economy, but they often feel left out of their government's decision-making processes.

Maine's lobstering community has demonstrated their long-standing commitment to protecting right whales. They have used weak links since 1997 and gear marking since 2002; implemented sinking ground lines in 2009; and reduced vertical lines in 2014. Maine fishermen have made these modifications, and they have worked. According to data collected by NOAA Fisheries, out of the ten right whale entanglements in U.S. lobster gear occurring from 1997 through 2017, eight occurred before 2009 and the other two involved gear from Massachusetts that was successfully removed. Since 2002, there has not been a single right whale serious injury or mortality that has been attributed to the Gulf of Maine or Georges Bank lobster fishery.

During this same time period, however, 16 documented entanglements have been attributed to Canada. Moreover, Canadian entanglements and vessel strikes have significantly hampered the recovery of right whales in the past five years, with more than a dozen right whale deaths since 2017 attributed to Canada. This is particularly worrisome as right whales increasingly migrate through areas that overlap with Canadian shipping lanes as well as lobster and snow crab fisheries that are not subject to equivalent whale protection measures. Maine lobster gear has not been conclusively tied to any right whale deaths in nearly a decade. That is why since April 2019, Maine's lobster industry has raised the alarm over NOAA Fisheries' pursuit of reducing Maine's risk to right whales by 60 to 80 percent. Given what we know about the right whales' movements to colder Canadian waters, Maine fishermen appear to be taking the blame for a problem that is rooted in a changing ocean climate.

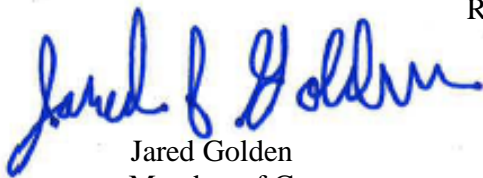
Last month, NOAA Fisheries released a draft rule to protect the North Atlantic right whale under the Atlantic Large Whale Take Reduction Plan as well as a draft Biological Opinion (BiOp) on ten fishery management plans, including the U.S. lobster fishery. Alarming, the BiOp's Conservation Framework calls for a 98 percent risk reduction from the U.S. lobster fishery by 2030. If implemented, this level of reduction over the next decade would be a death knell for our nation's lobster industry. It would require lobstermen and women to make significant changes to how they harvest the resource, including the use of "ropeless" fishing gear when it is not technologically or economically viable. Given what we know — and what the data clearly demonstrates — about the low risk of Maine's lobster fishery relative to other activities, we oppose a proposal that has the potential to destroy thousands of livelihoods, hundreds of coastal communities, and the economic backbone of our state. This frustration is compounded by NOAA Fisheries' recent refusal to provide a modest extension for the public comment period on the BiOp. Lobstermen need more than five weeks to understand and comment on more than 1,000 pages of material and a new model that, if finalized, may upend their livelihoods.

Too often regular, hardworking Americans — like lobstermen — get left behind by laws and regulations that benefit those with the financial means to influence the political, governmental, and regulatory process. Acting on behalf of Maine lobstermen on this issue is an opportunity to show that your administration is on the side of everyday Americans who contribute to our local, state, and national economies. Maine lobstermen want to do their part to help the right whale survive and they deserve to know that the steps they are being asked to take will have the intended positive effect on right whales. Yet according to the draft BiOp's projections, even if *all* ten federal fisheries that it covers were completely shut down, the North Atlantic right whale population would *still* decline at the same rate as it would under the 98 percent risk reductions that are currently pending finalization.

When former President Trump came to Maine last year to meet with our lobster industry, you [tweeted](#), "President Trump can try and shift blame all he wants, but the fact is Maine's hardworking lobstermen and women are hurting under his watch. They deserve better. And as President, I will work to protect the livelihood and safety of the fishing community." Maine's lobstermen are seeking your assurance that they can continue to provide for their families, that their communities will survive, and that their children will be able to continue Maine's long-standing lobstering heritage.

We urge you to recognize the impact these proposed conservation measures will have on our lobstermen, fishermen, and the entire seafood industry in the state of Maine. We stand ready to work with you to ensure that Maine's lobster industry and the right whales will survive for generations.

Respectfully,



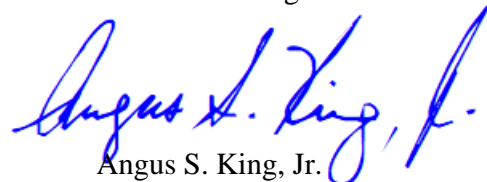
Jared Golden  
Member of Congress



Chellie Pingree  
Member of Congress



Susan M. Collins  
United States Senator



Angus S. King, Jr.  
United States Senator