



STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

February 19th, 2021

Michael Pentony
Regional Administrator, Greater Atlantic Region
NOAA Fisheries
55 Great Republic Drive
Gloucester, MA 01930
Michael.Pentony@noaa.gov

Dear Administrator Pentony,

I write to express my grave concern regarding the impact that this Biological Opinion and the Conservation Framework outlined within will have on the character and economy of Maine's coastal communities. In the absence of a significant change, this Framework will necessitate the complete reinvention of the Maine lobster fishery as we know it. The State of Maine is adamant that our federal government must take aggressive action to remedy the inequities of this Framework in the years ahead. The survival of Maine's iconic lobster fishery, and in fact, our heritage, through the future of Maine's independent lobstermen and women, depend on your willingness to act.

Maine fishermen have worked collaboratively with the Department of Marine Resources for over twenty years to develop and implement measures to protect whales. They have been active participants at the Atlantic Large Whale Take Reduction Team table, looking for solutions that both maximize benefits to right whales and remain practicable for safe operations at sea. After two decades and numerous regulations, the Conservation Framework now tells them that for all of their effort, they will face further hardship and additional regulatory actions because we can't adequately account for, or frankly influence, the measures being taken by the Canadian government. This is untenable. Maine, and other U.S. fisheries, should not have to pay an ever-increasing price for the risk facing right whales as they travel into Canadian waters.

As you know, Maine's rural coastal counties are heavily reliant on the lobster fishery. The roughly half billion dollars generated in ex-vessel revenue from the fishery generates an additional \$1 billion in indirect economic impact throughout the supply chain. The Conservation Framework's aggressive risk reduction target leaves little opportunity for the fishery to continue to operate as it has for generations. It is hard for my Administration and the industry to imagine how these targets could not be achieved without a conversion to ropeless fishing—a still highly untested technology which raises more questions than answers. If this comes to pass, it is not only fishermen and their crew who will be impacted by a significant change in the operations of the fishery. Gear suppliers, trap builders, rope manufacturers—all these businesses face a deeply uncertain future as a result of the proposed 98% risk reduction over the

coming decade. And it isn't just the lobster fishery. Our already struggling groundfish industry is facing development of risk reduction measures for gillnet operations next, and mobile gear fishermen will have to bear additional costs associated with obtaining technology that can identify ropeless gear on the seafloor.

I ask that you engage with the State of Maine in a more active partnership to address the concerns raised by the Department of Marine Resources in its comments on the Biological Opinion. It is imperative that the State be involved more directly in NOAA Fisheries' work with Canadian counterparts on the development of risk reduction measures, as well as in addressing the many challenges associated with the adoption of new technologies such as ropeless fishing gear. We remain committed to working with your agency to provide practical solutions to protect whales throughout their range in a manner that is operationally feasible for Maine fishermen and will not cause severe economic hardship for this critically important industry.

Thank you for your attention on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Janet T. Mills', written in a cursive style.

Janet T. Mills
Governor