

To whom it may concern:

Given the recent recommendations released by Monterey Bay Aquarium's Seafood Watch Program for American lobster, we write to share important facts about the Maine lobster industry's long history of sustainability and commitment to protecting the endangered North Atlantic right whale. We ask that you will respect the science and evidence outlined below as you consider purchasing American lobster.

In Maine, more than 4,500 lobstermen and women, all of whom are, by law, self-employed, supply eighty percent of the lobster caught in the U.S. These lobstermen and women have been practicing sustainability measures for more than 150 years to protect the health of the lobster stock and the Gulf of Maine ecosystem. Maine's industry has not only worked for decades with state and federal regulators on numerous sets of rules and regulations to preserve our iconic resource, but also instituted every measure asked of them to conserve the endangered North Atlantic right whale.

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 since 2015, with further reductions in 2021. 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. In fact, there has not been a known right whale entanglement with Maine lobster gear since 2004, and right whale deaths or serious injuries have never been attributed to Maine lobster gear.<sup>1</sup> Despite implementing these wide-ranging measures over the past decade, which have removed an estimated 30,000 miles of line from the ocean and have been costly and labor-intensive for fishermen, trends in whale population recovery have been disrupted by recent mortalities definitively linked to climate change, ship strikes, and entanglements in Canadian waters.<sup>2</sup>

Monterey Bay's Seafood Watch Program has produced recommendations based on claims and false assumptions that ignore scientific principles that should underpin any legitimate ratings. The majority of known right whale deaths since 2017 have been attributed to vessel strikes in Canada.<sup>3</sup> Of the thirty right whale mortalities occurring between 2017 and 2019, twenty-three of those whales were found in Canadian waters or were killed as a result of entanglement in Canadian fishing gear.<sup>4</sup> Monterey Bay Aquarium's Seafood Watch Program, however, makes no distinction in its recommendation between lobster caught in the U.S. and lobster caught in Canada. In fact, in its report, Monterey Bay admits that "*due to a lack of*

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<sup>1</sup> [https://rightwhalesandmainelobster.com/wp-content/uploads/2022/09/mlmc\\_maine-lobster-monterey-bay-aquarium-seafood-watch-the-facts.pdf](https://rightwhalesandmainelobster.com/wp-content/uploads/2022/09/mlmc_maine-lobster-monterey-bay-aquarium-seafood-watch-the-facts.pdf)

<sup>2</sup> <https://www.fisheries.noaa.gov/national/marine-life-distress/2017-2022-north-atlantic-right-whale-unusual-mortality-event>

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information, it is often not possible to assign entanglements to a specific fishery.”<sup>5</sup> To impose a “red” designation grounded in inaccurate and incomplete information severely undermines the credibility of the report’s recommendation. Further, the Gulf of Maine is rapidly changing as a result of climate change, and warming waters have coincided with a shift in whale migration patterns resulting in a mismatch of static management measures and the timing of whale habitat use.<sup>6</sup> Recent studies have found that the primary food source for right whales – a species of plankton called *Calanus finmarchicus* – has been steadily decreasing in Maine waters since 2010 as the Gulf of Maine has continued to warm. Sightings of right whales have declined in the Gulf of Maine over the past decade, corresponding with the dramatic decline of *Calanus* in the eastern Gulf of Maine as right whales search elsewhere for food, including in the Gulf of St. Lawrence.

Despite having spent nearly two decades implementing significant, responsible changes to its harvesting practices and gear in order to protect the North Atlantic right whale, including extensive new measures in 2022, lobstermen are being told it is still not enough. Moreover, Seafood Watch ignores the work that has been done to create a sustainable industry. This damages the reputation of its own certification process by misleading retailers and consumers. Maine’s lobstermen remain committed to conserving the resource about which they care deeply and to finding solutions that protect both right whales and the industry on which the state and their communities rely. Spreading misinformation about the sustainability of the lobster fishery and issuing recommendations that ignore the facts risks setting back our shared sustainability goals.

We urge you to consider these facts as you seek to provide customers with seafood options that are not only caught in the U.S., but also from a sustainable fishery. The Monterey Bay Aquarium’s recommendations lack credible evidence, but if followed, will have real world implications for the thousands of hardworking lobstermen and women, their families, and our businesses across Maine. We appreciate your attention to this important matter and hope you will continue to purchase Maine lobster.

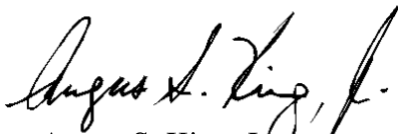
Sincerely,



Susan M. Collins  
United States Senator



Jared Golden  
Member of Congress



Angus S. King, Jr.  
United States Senator



Janet T. Mills  
Governor



Chellie Pingree  
Member of Congress

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<sup>5</sup> Seafood Watch report 39

<sup>6</sup> <https://onlinelibrary.wiley.com/doi/10.1111/gcb.16225>