



February 17, 2022

Ms. Jennifer Dianto Kemmerly  
Vice President, Global Oceans Initiatives  
Monterey Bay Aquarium  
886 Cannery Road  
Monterey, CA 93940

*RE: Monterey Bay Aquarium Seafood Watch Draft Assessment*

Dear Ms. Kemmerly:

We are writing to express our strong opposition to Monterey Bay Aquarium's Seafood Watch draft assessment that recommends consumers "avoid" lobster and seafood from other fixed gear fisheries caught in the Gulf of Maine and Georges Bank. We also wish to convey our disappointment that you did not engage with Maine stakeholders prior to releasing the draft — a commitment that you had made to us last year, and we therefore request a 30-day extension of the comment period for external feedback. With the significant implications this assessment has to Maine's fishing communities, it is unfortunate that impacted stakeholders will have less than a month to review the assessment and formulate meaningful feedback. As you are aware, the industry and state regulators are currently spending countless hours working to comply with imminent new risk reduction measures; if nothing else, it is counterproductive to force stakeholders to spend the next several weeks choosing between working to reduce risk to right whales and responding to Seafood Watch's draft sustainability certification.

As we have communicated to you before, since the Atlantic Large Whale Take Reduction Team (ALWTRT) process was implemented in 1997, Maine's fixed gear fisheries have implemented significant changes to their harvesting practices and gear specifically to protect the North Atlantic right whale (NARW). These modifications include reducing vertical lines, marking gear, requiring the use of weaker links and rope, and seasonal closures. These measures, which have been costly and labor-intensive for fishermen, preceded the NARW population's doubling in growth over the past two decades - a trend in recovery that may have continued through today if not for mortalities definitively linked to ship strikes and entanglements in Canadian waters.

Given the Maine lobster industry's history of environmental stewardship and continued commitment to protect the North Atlantic right whale, and despite the fact that there has not been a known NARW entanglement affirmatively linked to the Maine lobster fishery since 2004, it is

particularly confounding that Seafood Watch is recommending a “red” or “avoid” rating for U.S. lobster. In fact, according to the draft assessment’s analysis of serious injury and mortality (SIM) to right whales, “Annual SIMs attributed to entanglements in pot/trap gear in Canadian fisheries were 1.55 (190% of PBR), while none were attributed to pot/trap gear in United States fisheries.” It is contradictory for Seafood Watch to acknowledge this reality, while simultaneously proposing that consumers avoid lobster caught in the Gulf of Maine and around Georges Bank. Further, this overlooks the fact that the U.S. lobster industry is complying with federal regulations deemed sufficient for the continued operation of the fishery, misleads consumers, and ultimately disincentivizes efforts by Maine’s fishing industry to adopt sustainable fishing practices.

We urge Monterey Bay Aquarium and Seafood Watch to demonstrate a good-faith commitment to the most accurate data available by delaying the comment period deadline for the draft assessment and request that you will engage in a meaningful and collaborative discussion with industry, stakeholders, and government regulators as this process moves forward. Failing to facilitate a process to do so would appear to run counter to Seafood Watch’s own principle of being “built on a solid foundation of science and collaboration” and “work[ing] directly with producers who want to improve their practices.”

We appreciate your attention to this important matter.

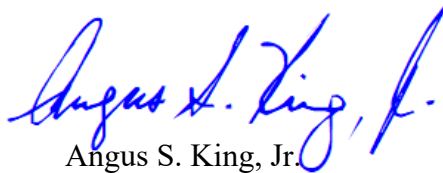
Sincerely,



Jared Golden  
Member of Congress



Chellie Pingree  
Member of Congress



Angus S. King, Jr.  
United States Senator



Susan M. Collins  
United States Senator



Janet T. Mills  
Governor of Maine