

## Maine Climate Council Coastal and Marine Working Group (CMWG)

Thursday, February 15, 2024

9:00 am-12:00 pm

DMR Laboratory, Boothbay Harbor w/Zoom option

### Meeting Summary

The Coastal and Marine Working Group for the Maine Climate Council met for the fifth meeting in a hybrid format, located at DMR Boothbay and Zoom. Patrick Keliher, DMR Commissioner and Megan Ware, Director of External Affairs discussed how DMR is approaching climate change impacts on fisheries and answered a series of questions from working group members. Chuck Bennett, a lobsterman from Sorrento and member of the working group also shared some insights about his observations on the water and how he thinks about climate change impacts. See the appendix for a list of meeting participants.

**Note:** All comments which have been assigned to participants were taken down in paraphrase. Not all comments were captured as they may have been missed or were not pertinent to the broader conversation.

### Meeting Objectives

- Provide an opportunity to learn and share ideas about fisheries management and implications of climate change
- Hear reflections from on-the-water observations and adaptations to climate change
- Learn about progress in the Subcommittees

### Welcome & Agenda

Curt Brown (Ready Seafood) gave a brief welcome and reviewed the tasks and agenda for the day.

Laura Singer highlighted that the CMWG has several draft recommendations prepared and the conversation today with the Commissioner will help to hone those draft recommendations.

### Understanding How DMR is Thinking About Climate Change Impacts to Fisheries

Carl Wilson initiated a conversation with Patrick Keliher, DMR Commissioner and Megan Ware, Director of External Affairs with several questions raised through the Working Group members. Additional questions were asked from other working group members.

### ***Questions/Discussion:***

Carl Wilson has developed some key questions to initiate the conversation with questions that arose from sub-group discussions on the various working topics within the coastal realm.

*C. Wilson: Interstate management – how can the Department change and adapt to changing distribution of species, be it on state or federal waters? Our subgroups are working on strategies and actions based on those strategies. So how is the Department acting in this environment? For example, menhaden has been an unexpected change.*

P. Keliher: Shifting stocks needs to be discussed under the umbrella of quota management, which is always a difficult thing. Within the Atlantic States Marine Fisheries Commission (ASMFC), states want to hold onto quota and the associated economic value that goes with it. Black Sea Bass is a great example of how to deal with shifting stocks. Black Sea Bass is more prevalent here in Maine than previously. They have a predator/prey relationship with lobster to a level that is currently unknown. But also unknown interactions with other local species. While there is interest to target that species, the bulk of the quota is held by the mid-Atlantic states, under ASMFC. Changes to this species management, to re-adjust for the shift in distribution, may need to be done by Congress.

M. Ware: In order for access to work, you need permits and quota. Menhaden was initially allocated as a fixed minimum, while quota is usually assigned by landings data. This allowed Maine to re-start their menhaden fishery with a baseline quota. Additionally, we were able to have quota transfers and other mechanisms that gave way to increased landings over seasons. With the current re-allocation, using recent landings helped secure that higher level of allocation. Menhaden is a rare example or more of an outlier due to the other management options presented in that fishery management plan (i.e. base allocation and set asides). And, we have a vote on that Board. With Black Sea Bass, it's managed both by the ASMFC and the mid-Atlantic Fisheries Management Council (MAFMC) and we do not have a vote at ASMFC nor at MAFMC. Squid management also excludes the northern state.

*C. Wilson: How did we handle the menhaden licensing?*

M. Ware: Menhaden initially started out under our general pelagic license, covering herring, whiting, mackerel and menhaden, which was open access. Then, with the growth of the fishery and the need for different management tools for the fishery, a separate menhaden license (recreational and commercial) was established by the State Legislature. The final step was to introduce limited entry. So, for Black Sea Bass, we have 20,000 lbs of quota, and it's under the general fishing license which is open access.

P. Keliher: For the legislative process, the Department comes at this by understanding the resource, how large it is and how could that pie be shared by harvesters. The goal is to allow for a profitable fishery. There are also infrastructure components. Bait infrastructure was failing due to the loss of herring quota, and so menhaden could fill

that gap. Lobster industry wanted as much access as possible. The Legislature doesn't like to say no and let more people in than was preferred. Similar to state scallops, additional licenses were provided than the resource could perhaps accommodate.

*B. Martens: Allocation and politics when moving fish around and the selling/buying of permits for federal species. What are your thoughts at the federal level when moving permits around, in light of Northern Gulf of Maine Scallops?*

M. Ware: All federal permits are limited access. For example, the federal GoM scallop fishery is doing well, but it takes capital to buy the permit. Some permits are bundled with multiple species and it can be good/bad depending on the status of those fisheries.

*J. Runnabaum: At what stage in the management process starting with data collection, stock assessments, committee interactions or decisions that happen at the council level through to state regulation drafting, how does the Department envision incorporating climate change into the process? How can that process be transparent and move it forward in the climate plan?*

M. Ware: There have been many attempts to incorporate environmental parameters into the stock assessments. The assessment sets the groundwork, with varying levels of success. Sometimes this results in more uncertainty in an assessment. These bodies also have risk policies; additional parameters such as fishing rates, stock status, noted changes in distribution goes into the calculation of risk. Having update to date and recent information are key inputs into the assessments. Monitoring for environmental change is a critical parameter. Reference points are mostly static and there's a shift towards dynamic. Some stocks may rebuild while some others may not recover under the current environmental conditions.

P. Keliher: The assessment piece; we like to think that climate is built into the process, but not always. Another up and coming tool is the MSE (Management Strategy Evaluation). They are staff intensive to conduct but could be a valuable tool in the process. It's about finding the balance while moving forward.

*N. Battista: What is the right level of work or level coming out of this group that will help us gain access to fisheries in the future? What's the right level of elevation?*

P. Keliher: Recommendations to the Department to prioritize specific items, so that we can work towards that goal.

Black sea bass data from the GoM is very limited. Current assessment methods are not capturing that data, and the changing distribution. There's a time delay to incorporating that data into new assessments.

*C. Wilson: Blue crabs; we are getting observations of blue crabs that are also in reproductive capacity. These are not managed by us. But how do we begin to capitalize on new species?*

P. Keliher: We have statutes on emerging species. Early pioneers that would want to engage in these new fisheries, the agency would need to determine basic metrics of the species. It's unknown whether the resource would be commercially viable. Perhaps through a special license.

M. Ware: We would also need to think about permitting, reporting and sustainable harvest. It would be easy to determine permits and reporting, but we are unsure about sustainable biomass.

*C. Wilson: Next subject has been difficult for this group. Equity is now embedded in this sub-group. The University of Maine has a contract working with the larger Climate Council. How do you approach equity within the Department and fisheries management?*

P. Keliher: Access is a tough thing. We have quotas. We have limited access for many licenses. We have both recreational and commercial access for many of our fisheries, including tribal access. We are currently challenged by intertidal access, gentrification of the coast.

*B. Needelman: Fish processing sector are mostly immigrants and minorities but not on the harvesting side. That is an anecdote to leverage policy change. We have an employment base and need for crew, but can't necessarily move that population onto boats. We don't have workforce development and pathways to achieve licenses.*

P. Keliher: There's not a day that goes by that we don't hear comments about not being able to find crew. This could be a focus area. The tough one is the policy change to licenses that are limited entry. If you add, you must take away from somewhere else. This is always a difficult conversation with the Legislature. Perhaps tiered entry is an option forward.

B. Martens: We have long standing permitting in the State of Maine that is hard to change. Identify what new species are coming that we could build equity into the system. There are examples in Canada that prioritized shifting access opportunities.

*L. Singer: In terms of gentrification, with traditional shoreline access and harvest methods within municipal managed fisheries, how does the State approach those conversations to guide policy?*

P. Keliher: The change in Stonington alone, between pre and post covid, is staggering. With hiring of DMR staff, the housing issue has become a major impediment. These conversations are happening now and are related to housing. The issue is not unique to fisheries.

C. Wilson: It's a growing disconnect, where you have fishing and communities but they may be separated.

K. Billings: Shift away from working waterfront and access but also shift of wealth.

*C. Wilson: The next topic is around resiliency and working waterfront. Resiliency is a major theme around working waterfront and infrastructure. How can this group harden up our coast to be more resilient to the storms seen in January.*

P. Keliher: The immediate item to help with the storm damage will see funds go through DOT, with half the funds going towards the coast, but will not cover all the funds needed. This group needs to think about long term solutions. How do we build or rebuilt the coast so that it will weather those new storms? What are our needs? How do we establish potential funding for these needs that could build overtime? A revolving loan component? Access points for a few vs many? Could a private structure become a primary structure?

Comment: Some wharf structures fared better than others. Infrastructure needs to be harder and higher which has impact to permitting.

P. Keliher: Stonington, DEP has been very thoughtful on amending the permitting process. With filled land; it includes the Army Corp of Engineers, and makes the conversation more difficult and the permitting more difficult. This group is in a strong position to make these recommendations to improve this process.

*N. Battista: What we see for working waterfront is that its a business on the shore that helps 20-100+ businesses on the water and it's critical for the economic adaptation of those businesses. We've been struggling with how to link that in the climate plan. There's not a strong "protect natural resource/heritage industry" and support them adapting.*

P. Keliher: The piers in a harbor are part of a community. There's not enough money to go around; there will need to be a matching component. Looking at wharves collectively in a harbor are part of the community.

*C. Bohlen: What are the limits to capital access, as we've just discussed grants for aid. What other levers are available? What does it mean to have capital available?*

Comment: Credit enhancements. Alternative collateral.

### **Industry Adaptations to Climate Change**

Chuck Bennett is a lobsterman out of Sorrento, ME. He shared observations with the changing of species over the last several years. With the presence of menhaden, and now noted inshore presence of tuna and sharks. With the ever continuing growth of green crabs inshore, has observed the absence of lobsters in traps, especially during shed time. He has evolved business from individual harvester to a family coop of sorts as doing a stand-alone enterprise wouldn't have been as successful. Will fish lobster 4 days and harvest menhaden 2 days a week. Currently on the Sorrento board working through the comprehensive planning document.

### **Discussion**

*Comment: Are green crabs a greater negative impact than warming waters inshore with respect to why lobsters aren't inshore?*

C. Bennet: It's a connected issue. Warming waters seem to be the issue that's causing other changes.

*Comment: What does climate change mean to fishermen?*

C. Bennet: Should be a focus on how to gain access to new fisheries and promote diversity.

*Comment: Small towns have a hard time with capacity and helping with paperwork, grant writing etc. Through the Hancock County Planning, networking could help with waterfront infrastructure.*

### **General Comments**

*Comment: Diversifying the Maine lobster fishery is so challenging. There isn't much opportunity remaining. Shrimp is gone. Scallop is hard to get into. Many of the younger fishermen aren't looking outward, but rather just focused on lobster. Financially in the future, it's going to be really difficult as costs increase.*

*Comment: How long does it take to get leases, if fishermen wanted to diversify into kelp farming?*

A. Ellis: The capacity for staff to process applications is an ongoing issue. Recognizing that the application is requesting space out of the public trust requires a throughout process. Lease terms are now 20 years in length. If you're permitted for something very specific, how can you build in flexibility.

*Comment: Diversity represents resilience for our fishing industry. Markets are also important; access to market stimulates harvest opportunities. The work that has come out of SEAMaine could be a useful network here as well.*

## Brief Subcommittee Updates

The subcommittees briefly reported their discussions to date:

- **Fisheries / Aquaculture:** *\*Jes Waller*
  - Adding in fishery and aquaculture considerations to existing work, that was absent from 2020.
  - Drafting new strategies based on topics discussed today
  - Science to support stock assessments and new quota allocations
  
- **Coastal & Marine Habitats / Blue Carbon:** *\*Curtis Bohlen*
  - Update working name to include “coastal habitat”
  - Where do we remind people that healthy coastal habitats is the foundation of strong fisheries?
    - Uncertainty how to push up the habitat element in the strategies and larger document.
  
- **Monitoring:** *\*Ivy Frignoca*
  - Completed adjusting drafts recommendations
  - Clarity needed on whether other groups are addressing components of monitoring in WW
  
- **Working waterfronts / Infrastructure:** *\*Nick Battista*
  - Weekly meetings, focusing on three strategy areas
    - Rapidly increasing resiliency updates to infrastructure
    - Recognition for private sector WW that supports commercial and aquaculture businesses
    - Promoting access and preservation of WW
  - Municipality support

## Public Comment and Next Steps

- Subcommittee work will wrap up by the end of the month (March 1).
- Each subcommittee has been making edits/suggestions using the template, thank you!
- There is no specific formatting needed at this stage. Resolve as many comments as best as possible and send along to Jesica.
- Staff and co-chairs will be pulling all the good work together and looking for overlap, synergy, etc. to have a single working draft.

- Working through that draft collectively will be the work of our last three meetings together as a working group.
- **Note:** the schedule for future meetings is <https://www.maine.gov/future/meeting-calendar>
- The next meeting of the Maine Climate Council is Thursday, March 14th @ 9am via webinar.
- The next Coastal and Marine Working Group meeting is Tuesday, March 19 at the Island Institute from 12:00pm – 4:00pm.

#### Appendix:

Link for Casco Bay Report:

[https://static1.squarespace.com/static/6026cbaf8dfa6838a1b67b5e/t/6543a529b84462676576ba5c/1698932016115/SWG\\_ResidencyGuidanceDoc-110123.pdf](https://static1.squarespace.com/static/6026cbaf8dfa6838a1b67b5e/t/6543a529b84462676576ba5c/1698932016115/SWG_ResidencyGuidanceDoc-110123.pdf)

All files for the Coastal and Marine Working Group can be viewed [here](#).



## Attendees:

### Working Group

	Members	
Carl	Wilson	Maine Department of Marine Resources (Co-chair)
Curt	Brown	Ready Seafood (Co-chair)
Susie	Arnold	Island Institute
Bob	Baines	Lobsterman, member of Maine Climate Council
Nick	Battista	Island Institute
Christine	Beitl	University of Maine
Chuck	Bennett	Independent lobsterman
Kathleen	Billings	Town of Stonington
Curtis	Bohlen	Casco Bay Estuary Partnership
Angela	Brewer	Maine Department of Environmental Protection
Ivy	Frignoca	Friends of Casco Bay (via Zoom)
Jeremy	Gabrielson	Maine Coast Heritage Trust (via Zoom)
Wendy	Garland	Maine Department of Environmental Protection
	Gribbon-	
Jessica	Joyce	Tidal Bay Consulting / DMR Shellfish Advisory Council (via Zoom)
Carla	Guenther	Maine Center for Coastal Fisheries (via Zoom)
Beverly	Johnson	Bates College (via Zoom)
Ben	Martens	Maine Coast Fishermen's Association (via Zoom)
Marissa	McMahan	Manomet
Bill	Needelman	City of Portland
Michelle	Staudinger	University of Maine
Josh	Stoll	University of Maine (via Zoom)
Jocelyn	Runnebaum	The Nature Conservancy (via Zoom)
		Sunrise County Climate Coalition / Maine Youth for Climate
Edge	Venuti	Justice (via Zoom)
Jesica	Waller	Maine Department of Marine Resources
Meredith	White	Maine Department of Marine Resources
Amy	Winston	Coastal Enterprises, Inc.

### Staff/Observers:

Edward	Billings	Town of Deer Isle (via Zoom)
Beth	Bisson	Maine Sea Grant (via Zoom)
Melissa	Britsch	Maine Department of Marine Resources, Coastal Program
Matt	Cannon	Public (via Zoom)
Matt	Davis	Maine Department of Marine Resources (via Zoom)
Rachel	Fischer	Public (via Zoom)
		Maine Department of Marine Resources, Coastal Program (via Zoom)
Kathleen	Leyden	
Meredith	Mendelson	Maine Department of Marine Resources (via Zoom)

Laura	Singer	SAMBAS Consulting/Consensus Building Institute
Melissa	Smith	Maine Department of Marine Resources (via Zoom)
Helena	Tatgenhorst	The Nature Conservancy (via Zoom)
Veronica	Torres	Public (via Zoom)
Abby	Westberry	Public (via Zoom)
Lisa	White	Maine Department of Marine Resources (via Zoom)
Erin	Wilson	Maine Department of Marine Resources (via Zoom)
Nikki	Yanok	Gulf of Maine Research Institute (via Zoom)