

**Maine Lobster Industry Issues with the
Final Environmental Impact Statement (FEIS)
Sinking Groundlines Requirement**

- Implementation Date of October 2008 will not work
- Exemption line is too close to shore
 - Exemption line is not based on best available data; whales and Maine lobstermen rarely interact.
 - MLA proposes that exemption line should be based where whales and lobstermen interact.
- Safety Issues
 - Fishing sinking groundlines in rocky bottom habitat poses serious safety issues
 - Sinking groundlines hang down and can cause a boat to get to lean over, rope can snap and recoil into lobstermen and cause hauling block to swing at lobsterman.
- Operational Issues
 - Fishing sinking groundlines in rocky bottom habitat poses serious operational issues
 - Sinking groundlines can not be fished in rocky bottom habitats
 - Field trials have not identified a viable commercial rope that works in Maine's rocky bottom habitats
- Costs are Too High
 - Cost of Compliance is extremely high and borne almost entirely by Maine
 - NMFS significantly underestimates costs
 - Initial average investment for rope of \$15,000 and up to \$40,000
 - Rope replaced every year or two at an annual cost of \$7,500 to \$15,000
 - NMFS significantly underestimates amount of traps which will be lost
 - Amount of traps lost will vary significantly depending on where fishing takes place
 - Lobstermen no longer have ability to recover lost gear (used to get back ½ of lost gear)
 - No estimates of labor costs to change over and maintain gear
 - No estimates of labor costs to adjust fishing methods to try to retrieve gear
- NMFS has not demonstrated the conservation benefit to whales
- Government Accountability Office (GAO) July 2007 Report Findings Include:
 - NMFS has a basic lack of understanding of how the Maine lobster fishery operates and therefore does not accurately assess industry's ability to comply
 - NMFS has no data to estimate lobstermen's ability to absorb the costs; NMFS lacks economic baseline data and makes arbitrary assumptions on cost of rope, amount of gear which will be lost, lobstermen's ability to absorb costs, etc
 - Uncertainties remain as to how many fewer serious injuries or mortalities will result from this rule
 - Maine will bear the majority of the cost of complying with this rule