

**TESTIMONY OF
Patrick Keliher
Department of Marine Resources**

**The Department of Marine Resources (DMR) is testifying
In Support of
LD 1552 An Act to Create the Lobster Innovation Fund
Before the Committee on Marine Resources
Sponsored by Senator Vitelli
Date of Hearing: April 27, 2023**

Senator Reny, Representative Hepler, and members of the Joint Standing Committee on Marine Resources, my name is Patrick Keliher, Commissioner of the Department of Marine Resources, and I am testifying on behalf of the Department in support of LD 1552. I would like to commend Senator Vitelli for bringing this bill forward.

As you have had heard, the six-year pause that was achieved through the Federal Omnibus spending bill provides some time and funding to address many aspects of the interaction between Maine's lobster fishery and the North Atlantic Right Whale. One of these topics is the potential for the use of innovative fishing technologies that could reduce risk to right whales.

Innovative fishing technologies could include many potential solutions that could minimize interactions between lobster gear and right whales. While proponents of ropeless fishing gear generally focus on that particular technology, there are a variety of options that may be appropriate for different segments of the industry.

Like almost everything in the lobster industry, there is no "one size fits all" solution to this problem. Any future requirements should be tailored to such considerations as where the individual is fishing (inshore or offshore), time of year, and other specifics that factor into the actual level of risk the gear presents.

Maine DMR is concerned that in many ways, the challenges associated with transitioning to innovative fishing technologies have been greatly minimized by NOAA and national environmental groups. Bringing gear to the surface is only one aspect of this problem. In addition, gear location, gear conflict and enforcement challenges must be addressed. Many of these issues can only be understood and resolved by the participation of fishermen using these innovative gears and helping to troubleshoot the problems. However, testing gear requires fishermen to fish in compliance with the research project, which is likely to include deviations from their normal decision-making. For example, testing may require them to fish the gear in an area that is less productive than they would normally choose, take additional time dealing with the new gear that negatively impacts their profitability, or require their time in reporting on their experience.

It is reasonable and appropriate that fishermen receive some compensation for these efforts. LD 1552 provides \$1 million in each year of the biennium for DMR to provide stipends to holders of Class I, Class

II or Class III lobster fishing licenses to participate in the testing of new lobster fishing technologies. DMR believes this is a valuable addition to the other sources of funding available to work through these issues in advance of any new federal regulations in 2028.

Thank you for your consideration, and I would be happy to answer any questions you might have.