

NEFSA

New England Fishermen's Stewardship Association

July & August 2025

Sponsored by the 4th Annual Common-Sense Fair

NEFSA Leads the Charge in Washington: Testifying for the Future of Our Fisheries

By: *Dustin Delano*

Earlier this month, I had the honor of testifying before the House Committee on Natural Resources, Subcommittee on Water, Wildlife, and Fisheries. As a fourth-generation lobster fisherman from Friendship, Maine, and as COO of NEFSA, it was an opportunity both deeply personal and profoundly important for our industry. From my earliest days hauling traps alongside my father, I have known fishing is more than a profession—it is a way of life. It is the heartbeat of Maine's coastal communities, shaping our culture, sustaining our families, and forging bonds across generations. But today, that way of life stands on a knife's edge, strained by layers of regulation that too often miss the mark. In Washington, I spoke directly to policymakers about the daily realities fishermen face and urged them to embrace smarter, fairer policies that protect both our marine resources and the men and women who rely on them.

Key Issues Brought to Washington

1. Broken Quota Systems and Flawed Stock Assessments

Fishermen are being asked to stake their livelihoods on assessments from a single federal vessel—the Bigelow—which repeatedly underestimates stocks. This results in quota cuts that have little bearing on what we see on the water. I pressed the committee to support industry-led science, like a current pilot, to expand the NEAMAP survey into federal waters, which would combine traditional knowledge with rigorous data to deliver a truer picture of fish populations.

2. Right Whale Rules that Harm Fishermen but Miss the Mark

Lobstermen have done more than almost any group to protect North Atlantic Right Whales: we have modified gear, reduced vertical lines, and faced closures of our most productive fishing grounds. Yet some measures, like the various seasonal closures, devastate our industry without real evidence of benefit. I advocated for solutions such as non-invasive whale tagging and risk assessment tools that target actual conflict zones, safeguarding whales while preserving our working waterfronts.

3. The Gray Zone Disparity

The disputed waters around Machias Seal Island—where U.S. fishermen abide by stringent regulations while Canadian boats often fish unchecked—pose an unfair, unsustainable imbalance. I called for robust co-management or, ideally, full U.S. sovereignty to level the playing field and protect Maine's fishermen and resources.

Why This Testimony Matters for NEFSA—and All Fishermen

This opportunity to testify was not about a single speech, it was about making sure Fishermen's firsthand experiences and local knowledge finally inform national policy. NEFSA was founded to be that bridge, and our presence in Washington underscores how far we have come in getting fishermen a seat at the table. Policymakers in Washington frequently decide the future of our communities without ever setting foot

on a working dock. By speaking directly to the committee, we brought the authentic voice of New England's fishermen to the halls of Congress. It showed the nation that our issues are urgent, our industry is essential, and our communities deserve to be heard.

A Path Forward

Our message to Congress was clear: we are not asking for a free pass. We are asking for fairness, for science that reflects what is truly happening on the water, and for collaboration that protects both fishermen and marine ecosystems. Fishing is not just what we do, it is who we are. With NEFSA leading the charge, we will continue to fight for policies that ensure our heritage, our families, and our coastal way of life endure for generations to come.



The Crucial Importance of Adequate Insurance Coverage for Fishermen - Especially P&I

By: *Dustin Delano*

Why Insurance Coverage is a Vital Lifeline for Fishermen

Operating a commercial fishing vessel is inherently risky. From unpredictable weather to the hazards of working with heavy equipment at sea, fishermen constantly face dangers that could lead to significant losses. Because of this, carrying adequate insurance coverage on their vessels is not just a prudent choice, it is essential to protect their livelihoods, their families, and the communities that rely on them.

Among the various types of marine insurance policies, Protection & Indemnity (P&I) insurance stands out as one of the most critical. While hull and machinery insurance covers physical damage to the vessel, P&I insurance serves as the vessel owner's liability shield. It covers legal liabilities arising from injuries to crew, passengers, and third parties, as well as damage to other property. Without sufficient P&I coverage, a single accident can threaten not only the vessel but also the owner's entire financial future.

The Jones Act: Protecting Crew — and Exposing Vessel Owners

One of the key reasons adequate P&I insurance is so important is because of the Jones Act, a U.S. law (46 U.S.C. § 30104) that gives seamen the right to sue their employers for personal injury damages if they are injured on the job due to negligence. Under the Jones Act, crew members are granted special protections that are not available to most other categories of workers. This means that employers, typically vessel owners, can be held directly liable for injuries sustained by crew members while

working. Such liability extends to covering medical expenses, lost wages, pain, and suffering, and in some cases even punitive damage. Unlike the standard workers' compensation systems found on land, which often limit recoveries, lawsuits brought under the Jones Act can lead to substantial awards for injured crew members. If a crew member is injured—even by an accident that appears minor at first—the financial consequences for the vessel owner can be devastating if insurance is insufficient.

A Hard Lesson: When Insurance Falls Short

This reality was recently underscored by the experience of one member of the New England Fishermen's Stewardship Association (NEFSA), who found himself on the wrong side of a lawsuit after a crewman suffered a serious finger injury on board. The fisherman only carried \$300,000.00 in P&I insurance coverage on his lobster boat, believing it was more than enough. Unfortunately, when the crew member filed a Jones Act claim, the costs of defense and the potential settlement quickly exceeded that limit. As this unnamed NEFSA member put it: "I thought three hundred thousand would cover anything I might ever face, but once the lawyers, the medical bills, and everything else started stacking up, it was clear it would not be enough. I suddenly realized my boat and even my personal assets were on the line. It was one of the most frightening experiences of my life." Ultimately, this fisherman was forced to negotiate under the weight of possible personal bankruptcy — a harsh lesson that underscores why robust P&I limits are not optional, but critical.

Olaf Aprens, a seasoned maritime attorney based in New England, offered up the following comments for commercial vessel owners.

"First, a fisherman's decision about how much protection and indemnity (P&I) insurance to purchase should be a business decision about how much risk exposure that fisherman is willing to accept for his business and to protect his assets. A fisherman should consult with both his attorneys and insurance advisors before making this decision, and we cannot (and do not) offer general legal advice in this newsletter. That being said, a good way to think about the amount of risk involved is to imagine a bad case scenario where a deckhand becomes seriously injured while working on your boat. Under federal maritime law, when a deckhand becomes injured while working, the boat owner is usually liable for what is called maintenance (the deckhand's general living expenses) and cure (medical bills) regardless of fault. For serious injuries, medical bills can be hundreds of thousands of dollars, and sometimes more. A boat owner can also be liable for Jones Act negligence and unseaworthiness if the injury is the boat owner's fault. Under such claims, a deckhand will sue for his general damages of pain and suffering and for his special damages of lost earnings and lost future earning capacity. If the injury is so serious that the deckhand is unable to work for the rest of his life, then he will claim whatever he was earning annually multiplied by the remaining years he has left in his work life. For a general example, if a 25-year-old deckhand was making \$100,000.00 a year and can no longer work because of his injury, he might claim 40 years of lost earnings, or some \$4 Million just for lost earnings and not including pain and suffering.

What is sometimes overlooked is that your insurance does not just pay for the claim, but it also pays for the investigation and adjustment of the claim and for legal defense costs. It is common for P&I policies to be "eroding," which means that your available insurance limits decrease as these adjuster and lawyer fees accumulate. Legal bills, like medical bills, can be expensive. As another general example, if you have \$300,000.00 in P&I insurance under an eroding policy, and the deckhand's lawsuit costs \$100,000.00 in legal bills to defend, that means there will only be \$200,000.00 left to pay the deckhand's maintenance, cure, and any liability for pain and suffering and lost earnings. What some do not know is that if there is not enough insurance to cover the claim, it is common for plaintiff's lawyers to arrest (seize) the boat as security and sell it at auction to pay for the claim under federal maritime law. Insurance is also typically the first layer of available defenses for one's personal assets. The second layer of defense is often the formation of a corporation or limited

liability company. Much like insurance decisions, the decision about how you structure your business is an individual one and should be made after consultation with your attorney. We help both large and small commercial fishing businesses throughout New England and can be reached at 978-744-8918 and olaf@fsofirm.com"

4th ANNUAL

COMMON SENSE FAIR

Saturday, September 20, 2025 ~ 10 a.m. to 6 p.m.



LITCHFIELD FAIRGROUNDS
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NEFSA Voices Support for MMPA and ESA Amendments to Protect American Fisheries

By: Dustin Delano

The New England Fishermen's Stewardship Association (NEFSA) is proud to voice its full support for the recently proposed amendments to the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA). These thoughtful and timely changes represent a critical step forward in restoring balance to the federal regulatory framework that governs American fisheries. Among the most impactful provisions is the extension of the regulatory pause on North Atlantic right whale regulations affecting the Northeast lobster fishery—an essential measure to protect the viability of our hardworking fleet. NEFSA is especially grateful to the members of the House Committee on Natural Resources, their dedicated staff, and Representative Jared Golden of Maine for championing this cause on behalf of our fishing communities. Giving New England's lobstermen the chance to craft an actual business plan for the next decade without interference from over-reaching right whale regulations is an opportunity long overdue.

For too long, overly precautionary interpretations of the MMPA have imposed crushing burdens on domestic fisheries while failing to address root causes of marine mammal population declines, particularly those driven by foreign fleets operating with far less oversight. The proposed amendments restore congressional intent by prioritizing science-based decision-making rooted in the best available data—eliminating the reliance on worst-case assumptions and biased modeling that have led to impractical and often unjustified regulatory outcomes.

The draft legislation—supported broadly by U.S. fisheries nationwide—modernizes outdated MMPA provisions, introduces clarity to key definitions, and ensures that future regulations are operationally and economically feasible. These improvements are not only necessary but long overdue.

NEFSA commends the bipartisan effort to bring accountability, clarity, and fairness back to federal fisheries management. We remain steadfast in our commitment to protect both our marine resources and the vibrant fishing heritage of New England. These reforms are essential to ensuring that our fisheries can thrive for generations to come.

NEFSA Continues to Grow

Did you know the NEFSA Facebook page is nearing 20K followers? Thank you for your continued support. Together, we are making a noticeable difference as we work for, with, and alongside you.

3 Seas Fish & Lobster Raffle for NEFSA

NEFSA business member, 3 Seas Fish & Lobster hosted a Father's Day BBQ and raffle to benefit NEFSA on June 13, 2025. Guests enjoyed grilled shrimp, chowders, hot dogs, salads, seafood dips, seafood cakes and desserts while sampling wine, beer, & oysters! A raffle to benefit NEFSA netted \$1,200- Thank you, Colby Nunan, owner of 3 Seas Fish & Lobster, we appreciate your ongoing support!



NEFSA - Leading with strength. Grounded in stewardship

By: *Dustin Colson*

At the New England Fishermen's Stewardship Association (NEFSA), we don't just represent the fishing industry—we represent its future. Born from the urgency of the moment and the credibility of lived experience, NEFSA has quickly become one of the most active and respected voices in the fight to preserve the working waterfront. We're not in this to preserve tradition, just for tradition's sake—we're here to ensure that tomorrow's fishermen have a sustainable, dignified, and economically viable place on the water. We bring urgency where others bring delay. We bring clarity where others bring confusion. And we bring real-world insight—drawn from the helms and decks of vessels and the shores of our communities—into every policy room we enter.

Focused advocacy. Measurable impact.

When plans for offshore wind leasing in the Gulf of Maine overlooked the safety, navigational, and ecological impacts on our fisheries, NEFSA didn't wait to react—we organized. We mobilized over 2,500 stakeholders in a statewide petition, presented it directly to Maine's governor, and made clear that meaningful coexistence begins with listening to the people who work these waters every day. In the face of Addendum 27—a proposal that would have increased lobster gauge sizes without adequate stock assessments—NEFSA provided sharp technical input, galvanized harvester opposition, and contributed to a regulatory reversal in Maine. Our efforts helped delay implementation, protect market access, and prevent devastating economic consequences for local fleets. NEFSA continues to be a leading contributor to the shaping of whale conservation policy, advocating for protective measures that are based on accurate risk assessments—not blunt restrictions that compromise working fisheries. We've brought a constructive but firm tone to the regulatory process, ensuring that fishermen's knowledge is part of the solution—not a casualty of it.

An organization built for this moment.

NEFSA's approach is defined by responsiveness, credibility, and respect. We act early, engage directly, and stay present through the entire process. Our team includes seasoned harvesters, advocates, and litigants—all with skin in the game. And we operate with the belief that firm advocacy and productive dialogue can coexist—and must. We don't posture. We participate. And we ensure that New England's fishermen are not only heard but heeded.

Support this work

NEFSA is a new kind of fisheries organization—one that prioritizes unity, clarity, and strength in the face of complex challenges. Your support helps us advocate effectively at every level, produce timely, data-informed policy responses, and keep our coastlines resilient—for harvesters, communities, and generations to come. This work depends on supporters like you—people who value practical solutions, responsible stewardship, and the voices of those who live and work on the water. Join us. Invest in this future. Give at www.nefishermen.org.

Upcoming Fisheries Meetings:

Maine Department of Marine Resources (DMR)

August 5, 2025-Aquaculture Public Hearing - Miss Madisyn, LLC, 1PM, St. George Town Office, 3 School Street, St. George. Proposed location: Deep Cove, St. George River, St. George. Culture Type: Suspended Culture of Marine Algae. Standard Lease, 4.44 acres. Term Requested: 20 years.

August 12, 2025-Aquaculture Public Hearing - Nor'Easter Oyster Co., 1PM, Skidompha Public Library, 184 Main Street, Damariscotta. Proposed location: Johns River, South Bristol. Type: Suspended and Bottom Culture of Shellfish. Experimental Lease. 3.32 acres. Term requested: 3 years.

August 11, 2025-Scallop Advisory Council, 5-7PM, Jeff's Catering & Events Center, 15 Event Center Way, Brewer.

September 9, 2025-Aquaculture Advisory Council Meeting, 9AM-12PM, DMR Augusta Building Room 118, Augusta, or Webinar.

September 23, 2025-Shellfish Advisory Council Meeting Quarter 3, 1-2 PM, DMR Augusta Room 118 or Webinar. FMI or to register: <https://www.maine.gov/dmr/meetings>

Atlantic States Marine Fisheries Commission (ASMFC):

August 5- 7, 2025-Summer Meeting-Westin Crystal City, 1800 Richmond Highway, Arlington, VA 22202. FMI or to register: <https://asmfc.org/events/>

Mid-Atlantic Fishery Management Council (MAFMC):

August 4, 2025-Spiny Dogfish Meeting, 2:30-7PM, Webinar.

August 5, 2025- Longfin Inshore Squid Research Track Working Group Meeting, 1-4PM, Webinar.

August 11-14, 2025- Council Meeting - The Westin Annapolis, 100 Westgate Circle, Annapolis, MD.

August 20, 2025-Spiny Dogfish Advisory Panel Meeting, 2:30-7PM, Webinar.

August 26, 2025-Longfin Inshore Squid Research Track Working Group Meeting, 1-4PM, Webinar. FMI or to register: <https://www.mafmc.org/council-events>



Spotlight on NEFSA Business Member Eric Lundvall, F/V Rayna & Kerstin

Captain Eric Lundvall has been fishing full time since 1985 and is the owner/operator of F/V Rayna & Kerstin, where he is in the mixed trawl fisheries focusing on squid, scup, seabass, whiting, fluke and more out of Galilee, Point Judith, Rhode Island. Proudly feeding Americans for decades, Eric understands the importance of having access to fresh, local, wild harvested seafood, and the economic and cultural importance of the American commercial fisheries. Thank you, Eric, and F/V Rayna & Kerstin for your support! We appreciate you!



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NEFSA Hosts Successful Kid's Fair in Spruce Head

On June 22, 2025, NEFSA hosted our first ever Kid's Fair at Atwood Lobster in Spruce Head, ME. We were joined by the New England Young Fishermen's Alliance, Fishing Partnership Support Services, and Clean Maine Shores for a day to remember. Free NEFSA t-shirts, bracelets, lightweight backpacks, and stickers were handed out to children upon entering. The fair consisted of: face painting, a magician, balloon animal demonstrations and handouts, art with real fish, 2 bounce houses, Atwood Lobster's Hot Rod and Delano Motorsports' car on display, corn hole, survival suit races for kids and adults, a life raft blow up demo, hot dogs, lobsters roll and ribs, and the popular dunk tank! It was a well-attended event and one we plan to continue and to build upon in the future. Thank you to all who partnered with us and volunteered. We could not have done this without you!



NEFSA is a proud supporter of Clean Maine Shores

Clean Maine Shores is a grassroots organization focused on removing plastic and debris from the Maine shoreline while inspiring the next generation to be caring stewards of the natural world. They do this through direct firsthand work and by coordinating volunteer efforts and partnering with schools and organizations for cleanups. Founder Scott Grierson said "We endeavor to encourage an enduring culture of respect for a healthy marine environment. The fisheries are the life's blood of our coastal communities and the food we eat depends upon a clean environment. By removing trash and debris from our shores we help support and respect the natural world, wildlife and those that make a living from the sea." Most recently, Clean Maine Shores has cleaned up Bennet Cove in Southwest Harbor.

