

“(The government’s) own data show that the lobster fishery is the least significant cause of right whale serious injury or mortality, while ship strikes, gillnets and the Canadian snow crab fishery pose much greater risks,” said Patrice McCarron, the group’s executive director.

In April, five of the association’s members who serve on the Atlantic Large Whale Take Reduction Team voted in favor of a proposal to [reduce Maine buoy lines by 50 percent](#) and use weak rope toppers on buoy lines in deep waters to reduce the risk of entangling an endangered right whale.

All but one of the people who serve on the National Marine Fisheries Service task force voted in favor of the proposal, which is now being considered as a foundation for new fishing regulations expected out in 2020. The lone no vote was an environmentalist who believed the proposal didn’t go far enough.

Federal regulators have highlighted the near unanimous nature of that vote during [recent field meetings](#) in Maine and other New England fishing states as they solicit public comment on its pending regulation. The changes will be tough, but your fishermen agreed to it, they told angry crowds.

But now the trade group is yanking its support, claiming federal officials forced a vote without giving the task force adequate notice or accurate data to do the right thing, for the industry or the endangered whale, whose numbers are now believed to be at about 400.

The International Fund for Animal Welfare, one of the [environmental groups engaged in the right whale debate](#), expressed disappointment with association’s withdrawal but said it shouldn’t derail the collaboration needed to address the crisis facing the whale and ensure the long-term success of the lobstering industry.

It is following in the footsteps of Maine’s Department of Marine Resources, which in July was ordered by Gov. Janet Mills to [come up with an alternative plan](#) to protect Maine’s [\\$485 million lobster industry](#) in the “face of absurd federal overreach.” Marine Resources has until the end of the month to come up with its plan.

The agency hopes it soon will be able to present the details of its plan to the councils of the seven lobster zones.

The Maine Lobstermen’s Association echoes the opposition that Maine has expressed with the Take Reduction Team’s conclusions. Both agree the right whale is in trouble but stress that the state’s lobstermen aren’t why. The fishery could close tomorrow, they argue, but the right whale would still be on the brink of extinction.

From 2010-18, National Marine Fisheries Service data show ship strikes accounted for 48 percent of right whale serious injury and deaths; Canadian snow crab pots, 31 percent; gillnet fishing, 13 percent; trap gear of unknown origins, 4 percent; and U.S. trap gear, 4 percent, McCarron notes in her Aug. 30 letter.

Right whale protections adopted by lobstermen in 2009 and 2014 are working, leading to a large decline in U.S. entanglements, McCarron said, from seven cases prior to 2010 to only one case, a non-serious injury in Massachusetts lobster gear, since, according to NMFS data.

Maine lobster gear has been found on only one entangled right whale, she said, and that whale was not hurt or killed. Rope that has been removed from whales recently entangled are not representative of the kind of rope that Maine lobstermen use, according to new state survey data.

McCarron claims regulators under reported the impact of gillnet fishing on right whales to the task force. Commercial ground fishermen use gillnets, or meshed nets set between two buoys that are anchored on the bottom with weights, to catch species that swim into it, such as cod or flounder, tuna or salmon.

The NMFS has identified New England ground fish such as cod, haddock, pollock and flounders, as well as monkfish, dogfish and skates, as gillnet fisheries that have frequent right whale interactions. Between 2010 and 2013, a gillnet was the likely cause of one out of every three right whale entanglements.

The data presented to the task force at the time of the vote underplayed the role of gillnetting in at least two recent entanglements, the lobstermen's association determined: a dead whale found off Nantucket in 2014 and an injured whale found in mesh and line in 2014, both of which were entangled by gillnets but listed as unknown causes.

"This means that the only documented serious injury or mortality known to have occurred in U.S. fishing gear did not originate from Maine and likely resulted from gillnet gear, not lobster gear," McCarron said. "These findings fundamentally change our understanding of the relative role of gillnet and trap gear."

Efforts to help the right whale that focus exclusively on the Maine lobster industry will fail, she said.

"Maine cannot stem the decline of the right whale population on its own," McCarron said. "It is past time for all stakeholders in the effort to ensure a thriving future for right whales to examine and address the multiple stressors and threats to the species that occur outside of our waters."

Even conservation groups pushing for more right whale protections from Maine lobstermen concede the recent focus of right whale conservation in the U.S. on the lobster fishery has been to the exclusion of all other fisheries, allowing them to escape scrutiny and regulation.

Six wildlife groups – the Conservation Law Foundation, Oceana, the Whale and Dolphin Conservation, the Center for Biological Diversity, the Defenders of Wildlife and the Humane Society – sent a letter to the New England Fishery Management Council in February calling on regulators to require more whale protections of gillnetters.

Scientists estimate only 411 right whales remain. The species has been on the brink of extinction before, most recently in 1992, when its population bottomed out at 295. It rebounded to about 500 in 2010, but low calving rates, ship strikes and fishing line entanglements have sent its numbers tumbling, yet again.

Federal regulators admit they don't have all the answers about the right whale's declining numbers. Not all whales that die are found, and those that do can drift for hundreds of miles and suffer predation from sharks, making it difficult to pinpoint the cause or location of death.

Even those who were definitely entangled can swim with the ropes and gear trailing behind them a long way. Many found injured or dead from entanglement injuries don't have any rope left on them. Of those with rope, most can't be traced back to a particular fishery or location, regulators say.

Even though the chance of entanglement in U.S. fishing gear may be low, regulators say even one whale death a year is too many for the species to survive, given its low number of breeding-age females and the increasing amount of time that now passes between calvings.