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Maine Lobstermen Welcome Major Shift in Federal Whale Policy Following Landmark Court Victory

FOR IMMEDIATE RELEASE
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November 6, 2026 — The Maine Lobstermen's Association (MLA) welcomes a major shift in federal whale policy following its landmark court victory against the National Marine Fisheries Service (NMFS). On November 5, NMFS announced that new scientific analyses indicate U.S. fisheries may be meeting the federal standard for protecting endangered North Atlantic right whales — a dramatic change from the government's previous assessments that misapplied the science and the law, threatened the future of Maine's lobster industry, and were ultimately ruled unlawful.

The announcement marks a significant turning point after years of uncertainty for Maine's lobster industry caused by the threat of increasingly severe federal regulations that were not justified by available scientific observations or the law. It follows MLA's successful federal court challenge, which overturned NMFS's misinterpretation of the law and unjustified reliance on worst-case assumptions in assessing the lobster fishery's impact on right whales.

"This is what we fought for. MLA took the federal government to court and won because its claims about our fishery weren't supported by the science or the law," said Patrice McCarron, MLA Executive Director. "That court victory forced NMFS to change course. Now the government's own analysis is beginning to confirm what Maine lobstermen have been saying for years."

In 2023, the U.S. Court of Appeals for the D.C. Circuit unanimously rejected NMFS's unlawful approach, finding its application of and reliance on worst-case assumptions to be "egregiously wrong." The ruling required NMFS to reconsider how it evaluates fishing impacts on right whales applying correct legal standards.

Under its newly announced preliminary analyses, NMFS expects estimated right whale deaths and serious injuries attributed to U.S. fisheries to be substantially lower than estimated in 2022. The agency indicated those estimates may satisfy the federal “Potential

Biological Removal (PBR)" standard, which is used to assess allowable human-caused mortality under the Marine Mammal Protection Act. The findings remain subject to scientific review.

MLA's work did not stop with its court victory. The association continued pressing federal officials until they actually took steps necessary to implement the ruling and base regulatory decisions on sound science and the law. MLA also worked with industry partners and Maine's congressional delegation to secure a pause in new whale regulations and federal research funding. That funding enabled Maine's Department of Marine Resources (DMR) to gather critical Maine-specific information demonstrating that right whales are extremely rare off the Maine coast and overlap with Maine lobster gear far less than NMFS had assumed.

"They told us we had to make drastic changes or risk losing our fishery. We knew the government's numbers didn't add up," said Sonny Beal, MLA Chairman. "MLA stood up for Maine lobstermen, took on the federal government, and won. We never backed down, and now we're finally seeing the results."

For more than 25 years, Maine lobstermen have made significant and costly changes to their fishing practices to protect right whales. Those efforts reflect the industry's longstanding commitment to conservation.

McCarron credited MLA's members and leadership, its legal team, Maine's congressional delegation, DMR's right whale research team, industry partners, and coastal communities for standing together through years of uncertainty.

"We all stood together when the future of our fishery was on the line," McCarron said. "We fought to keep Maine lobstermen fishing, protect our coastal communities, and preserve a way of life passed down for generations."

MLA will relentlessly follow the next steps to ensure the new analyses are finalized and that NMFS's regulatory decisions are grounded in sound science, fully comply with federal laws, correct errors identified by the court of appeals, and allow Maine's lobster fishery to remain viable for generations to come.

About the Maine Lobstermen's Association

Founded in 1954, the Maine Lobstermen's Association advocates for a sustainable lobster resource and the fishermen and coastal communities that depend on it. MLA is Maine's oldest and largest fishing industry organization, representing lobstermen through policy advocacy, education, conservation, and collaborative research.

For more than 25 years, Maine lobstermen have made substantial changes to their fishing practices to reduce the risk of right whale entanglement. These include replacing floating

groundlines with sinking rope, reducing vertical lines in the water, incorporating weak links and weak rope, marking fishing gear, and complying with seasonal fishing restrictions. These measures have imposed significant financial and operational costs on lobstermen.

Maine's lobster industry is the nation’s most valuable fishery and the backbone of the state's coastal economy, accounting for roughly 75% of the value of Maine's commercial fisheries and supporting an estimated 17,500 jobs and $2 billion in economic activity.