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## **LAWSUIT SEEKS FISHERY CLOSURES TO SAVE ENDANGERED HAWAIIAN MONK SEAL**

HONOLULU, HI--Today three conservation groups filed a lawsuit in federal district court in an effort to save the critically endangered Hawaiian monk seal. Greenpeace Foundation, Center for Biological Diversity, and Turtle Island Restoration Network, represented by Earthjustice Legal Defense Fund, sued representatives of the National Marine Fisheries Service (NMFS) and the Department of Commerce for violating the Endangered Species Act (ESA) and the National Environmental Policy Act (NEPA) by failing to properly manage the Hawai'i-based crustacean (lobster) fishery and bottomfish fishery to avoid harming the monk seals. Among other relief, the suit seeks closure of the fisheries.

The Hawaiian monk seal is one of the most endangered marine mammals on earth. Its total population is now only 1300-1400 animals, and the number has been declining steadily. The monk seal inhabits the Northwestern Hawaiian Islands, with a few seen occasionally around the main Hawaiian Islands. The largest breeding colony is located at French Frigate Shoals, but this population has plummeted by over 50 percent over the past decade, leading NMFS to acknowledge that the species is in "grave jeopardy."

The Hawaiian monk seal is approaching extinction because monk seal pups cannot find enough food and are starving. At the same time, lobster boats, which set up to 1,000 traps each night, pull hundreds of thousands of spiny and slipper lobsters each year out of the monk seal's designated critical habitat in the islands' nearshore waters.

During the 1980s, NMFS's failure to effectively regulate the crustacean fishery resulted in gross overfishing, with over two million lobsters being caught annually. By 1991, lobster stocks had crashed and have never recovered. Yet the lobster fishing continues -- despite NMFS having described monk seal pup survival as having reached a "catastrophically low level." The Bottomfish Fishery, which targets snappers, groupers, and jacks in the Northwestern Hawaiian Islands, also competes with the monk seal, compounding the problem.

Todd Steiner, President of Turtle Island Restoration Network, commented: "We cannot let monk seals starve to death to satisfy our appetite for an occasional lobster dinner. It is unbelievable that we must sue the National Marine Fishery Service to get legally mandated protections for the most endangered marine mammal found entirely within U.S. waters."

Peter Galvin, Center for Biodiversity's president, added: "The Hawaiian monk seal is a vital part of Hawai'i's and the world's natural heritage. We must act now to halt this magnificent species' slide towards extinction."

For more than a decade the Marine Mammal Commission has repeatedly urged NMFS to ban lobster fishing around the monk seal's breeding colonies. Although charged with protecting the endangered animals,

NMFS has stubbornly refused to take effective action, and now the young seals are dying.

Earthjustice Managing Attorney Paul Achitoff commented: "The failure of the National Marine Fisheries Service to protect the critically endangered Hawaiian monk seal is a national disgrace. We will not rest until this agency does its job and follows the law, and until the seals' disastrous decline is reversed."

