

The Current Green Blog

<http://blogs.current.com/green/2010/01/04/the-penguins-are-suing-obama/>

The penguins are suing Obama

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The Center for Biological Diversity and Turtle Island Restoration Network announced that they intend to sue the Obama administration for illegally delaying protection of penguins under the Endangered Species Act.

“The Department of the Interior failed to meet the December 19, 2009 legal deadline to finalize the listings of seven penguin species that are threatened by climate change and industrial fisheries. Until the listings are finalized, these penguins will not receive the Endangered Species Act protections they need to recover.

“While sea ice melts away and the oceans warm, the Obama administration is frozen in inaction. Instead of protecting penguins and taking meaningful steps to address global warming,” said Shaye Wolf, a biologist with the Center for Biological Diversity, “our government is dragging its feet while penguins are marching toward extinction.”

“Penguins face a double whammy from the threats brought by climate change and industrial fisheries that deplete the penguins’ food supply and entangle and drown the penguins in

longlines and other destructive fishing gear. They deserve protection under the Endangered Species Act,” said Todd Steiner, executive director of Turtle Island Restoration Network.

In 2006 the Center filed a petition to list 12 penguin species under the U.S. Endangered Species Act. In December 2008, the Interior Department proposed listing seven penguin species as threatened or endangered — African, Humboldt, yellow-eyed, white-flipped, Fiordland crested, and erect-crested penguins and a few populations of the southern rockhopper penguin — while denying listing to emperor and northern rockhopper penguins despite scientific evidence that these penguins are threatened by climate change.

While today’s notice challenges the Interior Department’s illegal delay in finalizing the listing of seven penguin species, the Center and Turtle Island Restoration Network also intend to file suit against the Interior Department for unlawfully denying Endangered Species Act protections to emperor and rockhopper penguins.

“So far the Obama administration has done even less for penguins than Bush did,” said Wolf. “Interior Secretary Salazar seems unwilling to complete the final steps to protect some penguin species started by the Bush administration, let alone correct the Bush administration’s illegal denial of protection to the emperor penguin. Where’s the change we were promised?” Climate change and industrial fisheries pose the primary threats to penguins, although many species of these charismatic birds also face threats from oil pollution, predators, and habitat destruction. Warming oceans and diminished sea ice have wreaked havoc on penguin food availability. For example, krill, an essential food source not just for penguins but also for whales and seals, has declined by as much as 80 percent since the 1970s over large areas of the Southern Ocean with the loss of sea ice. Less food has led to population declines in species ranging from the southern rockhopper and Humboldt penguins of the islands off South America to the African penguin in southern Africa.

Ocean acidification, resulting from the ocean’s absorption of human-produced carbon dioxide, is expected to produce lethal conditions for key marine organisms at the base of the Southern Ocean food web as early as 2030, which will have cascading effects on penguins. Industrial fisheries that deplete the penguins’ food supply and entangle and drown the penguins in fishing gear also pose a significant threat to these unique animals.

Listing under the Endangered Species Act would provide broad protection to penguins from a variety of threats, raise awareness of their urgent plight, and increase research funding. Federal approval of fishing permits for U.S.-flagged vessels operating on the high seas would require analysis and minimization of impacts on the listed penguins. The Act also has an important role to play in reducing greenhouse gas pollution by compelling federal agencies to look at the impact of the emissions generated by their activities on listed penguins and to adopt solutions to reduce emissions.

Protecting penguins will require national and international action to slow climate change. Leading climate scientists have concluded that the atmospheric CO₂ level must be reduced to less than 350 parts per million to prevent dangerous climate change and protect vulnerable species like penguins. Doing so will require the United States to cut its greenhouse gas emissions to 45 percent or more below 1990 levels by 2020. However, President Obama pledged an

insufficient 3-percent reduction in the Copenhagen Accord.

For more information on penguins and a link to the federal petition, please see:

<http://www.biologicaldiversity.org/species/birds/penguins/index.html>

For information on how penguins are harmed by climate change and on the importance of reducing atmospheric CO₂ to less than 350 parts per million, see our “350 Reasons to Get to 350” Web page:

http://www.biologicaldiversity.org/programs/climate_law_institute/350_reasons/index.html”