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## Groups threaten suit over sea turtle deaths

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The Miami Herald

NEW ORLEANS -- Four conservation groups said Tuesday they will sue the National Marine Fisheries Service and officials in Louisiana, Mississippi and Alabama unless the agency and states do more to protect endangered sea turtles.

Record numbers of sea turtles are being drowned in shrimp nets, and the Fisheries Service should stop all shrimp trawling in the Gulf of Mexico until it can ensure that all trawls are equipped with escape hatches for sea turtles, the groups said in a news release.

“Sea turtles in the Gulf of Mexico that were lucky enough to survive the oil spill are now dying in fishing nets,” said Jaclyn Lopez, staff attorney at the Center for Biological Diversity, one

of the four groups. “Killing endangered sea turtles is unacceptable and will drive them to extinction. This lawsuit is a clarion call to the Fisheries Service: Sea turtles need emergency action now to save them.”

The groups cited NMFS reports that 603 sea turtles have been stranded along the coast this year: 211 in Mississippi, 59 in Louisiana, 50 in Alabama and 283 in Texas. The 320 in Mississippi, Louisiana and Alabama are far above the average total of 97 a year for those three states, the groups said.

About 600 sea turtles also died in the months after the oil spill - but it wasn't clear how many had swallowed crude and how many drowned in fishing nets in the rush to catch shrimp and fish in areas not yet reached by the spill.

Five kinds of sea turtles live in the Gulf of Mexico; four are endangered and the fifth is threatened, or considered likely to become endangered. Most of those found on shore are juvenile Kemp's ridley sea turtles, which live closer to shore than the other species or adults of their own.

Necropsies of turtles that washed up this year and last indicate that most probably drowned in shrimp nets, according to the conservation groups.

Although copies of the notice were sent to the governors of Texas and Florida, the groups don't plan to sue officials in those states because their regulations aimed at saving sea turtles already go beyond federal requirements, said Chris Pincetich of Turtle Island Restoration Network.

Defenders of Wildlife and the Sea Turtle Conservancy also joined in the notice giving potential defendants 60 days to act before a suit is filed under the Endangered Species Act.

Olivia Watkins, a spokeswoman for the secretary of Louisiana's Department of Wildlife and Fisheries, said they had not received notice about the pending action and would have no comment at this time.

Pincetich said only a tiny percentage of dead sea turtles wash ashore, and calculations by the groups indicate that shrimpers have probably killed more turtles through May 28 than they are allowed to in a year.

The groups' notice asks the Fisheries Service to close shrimping in the Gulf of Mexico until it requires the escape hatches, called turtle excluder devices or TEDs, on all commercial shrimp trawls and nets, and enough observers to enforce those regulations.

Federal law requires TEDS in shrimp trawls, but not on surface nets. Some shrimpers say TEDS release turtles but also let out much of their legitimate catch.

The conservation groups also want NMFS to determine whether oil and dispersants contributed to the strandings and to prepare an environmental impact statement taking the oil spill and the past two years' stranding data into account.