

Environmentalists sue to prod national fisheries service to protect corals

By Christine Stapleton
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Six years after the National Marine Fisheries Service listed two Florida corals as threatened, it has failed to develop a recovery plan, an environmental group alleged in a federal lawsuit filed Wednesday.

According to the suit filed in Tampa by the Center for Biological Diversity, the agency's "failure to develop the plans is a direct violation of its mandatory duty under the Endangered Species Act." The suit said the absence of a plan to protect staghorn and elkhorn corals also violates the agency's policy of developing recovery plans within 2 1/2 years after a species is given threatened or endangered status.

"It's been a long time," said Jaclyn Lopez, attorney for the Center. "It's unclear what the status is."

The Arizona-based nonprofit's mission is to act on behalf of the world's most-endangered animals and plants.

In May 2006, staghorns and elkhorns became the first coral species listed as threatened. At that time, the Service estimated that the species had suffered a 97 percent decline in areas throughout the Caribbean and faced extinction within the next 30 years if not protected.

Palm Beach County is the northernmost home to staghorn coral in the United States. Elkhorn coral occurs as far north as Broward County. Ed Tichenor, director of Palm Beach County Reef Rescue, is a member of the team assigned to draft the recovery plan.

"It's long overdue," Tichenor said, declining to comment on why the plan has not been made public.

Some details were revealed last year, when the service released an outline of the recovery plan. Among the most serious threats are those caused by climate change, including bleaching caused by rising water temperatures and lower pH levels in ocean water caused by carbon dioxide in the atmosphere.

"Overall, elkhorn and staghorn corals continue to decline," according to the report. So much so that the agency plans to downgrade the corals' status to endangered, from threatened.

The spokesperson for the agency said it does not comment on pending litigation.

The suit is not the first legal challenge the center has brought against the agency for allegedly failing to protect the corals. In 2007 the center filed notice of intention to sue the agency for failing to meet a deadline to identify areas essential

to recovery and conservation. Those areas were identified in 2009.

"Time is short for saving coral reefs," Lopez said. "They desperately need a recovery plan and quick action to reduce carbon dioxide pollution."