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Conservation groups sue Obama administration for lack of turtle protection

By Eric Staats / January 9, 2013

Habitat for U.S. populations of loggerhead sea turtles needs better protections, and the Obama administration isn't getting the job done, conservation groups charged in a lawsuit filed Tuesday.

Four groups filed the suit in a federal court in California to try to force the National Marine Fisheries Service and the U.S. Fish and Wildlife Service to designate critical habitat for loggerhead sea turtles on Florida nesting beaches and in Atlantic and Pacific waters where loggerheads feed.

Since September 2011, North Pacific loggerheads, which nest in Japan, have been listed as endangered while Florida loggerheads have been listed as threatened, one step short of endangered status.

The listings triggered a requirement under the Endangered Species Act to designate critical habitat, but regulators said they needed a year to determine where to draw the critical habitat lines.

That deadline has passed without the federal agencies being willing to commit to a new timetable, triggering the lawsuit, said Jaclyn Lopez, a St. Petersburg-based lawyer for the Center for Biological Diversity, which filed the lawsuit with Oceana and the Turtle Island Restoration Network.



Photo by WILLIAM DESHAZER, Naples Daily News - William DeShazer/Staff A loggerhead sea turtle swims in the aquarium during the opening of the new Discovery Center at the Conservancy of Southwest Florida on Wednesday Nov. 14, 2012.

Fish and Wildlife Service spokesman Chuck Underwood said the critical habitat designation is being processed but he could not say when it would be finalized.

A critical habitat designation would add a layer of federal review to environmental permitting for coastal development, beach renourishment and fisheries management.

As protected species, federal decisions already must not jeopardize loggerhead populations. With the added designation, federal decisions must not "result in the destruction or adverse modification" of critical habitat.

Loggerhead nesting bottomed out in 2007 in Florida before hitting a 24-year high in 2012 with surveyors counting more than 58,000 nests.

Southwest Florida was on track for a banner year for sea turtle nesting until tropical storms and heavy surf washed out hundreds of the nests.

Loggerheads also face increasing threats from entanglements in fishing gear at sea and, along the coasts, from rising sea levels and encroaching coastal development, the groups say in the lawsuit.