

# THE HILL



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## Court rules against fishing regulator in coral case

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By Julian Hattem  
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A federal court has ruled that the nation's commercial fishing regulator broke the law by ignoring how some activities would affect protected species of coral.

The U.S. District Court for the District of Puerto Rico declared that the National Marine Fisheries Service (NMFS) needed to do better monitoring of the effect that commercial fishing has on protected elkhorn and staghorn coral in the Caribbean.

"The corals in the Caribbean are dying — anyone can see it," Miyoko Sakashita, the oceans director at the Center for Biological Diversity, said in a statement on Monday. "This decision means that there will be enough parrotfish around for a healthy coral reef that could then become home for even more precious reef wildlife."

The NMFS sets rules for fishing in the oceans off of the United States, taking care to preserve fish populations and protect endangered species.

For regulations on fishing in the Caribbean, it used a 2011 report that relied on an "inadequate" assessment of how the coral, which are considered "threatened" under the Endangered Species Act, are affected, according to the court.

As such, Judge Salvador Casellas wrote in his opinion, "this agency violated its substantive duty to ensure that the continued operation of the Fishery did not jeopardize the continued existence of elkhorn and staghorn." Fish use the coral for their habitat. Parrotfish and other creatures eat algae that would otherwise grow out of control in the reef and prevent the coral from thriving.

Catching too many fish would allow for algae to grow and smother the coral, which in turn affects the fish populations.

The Center for Biological Diversity joined with CORALations to sue the service over its fishing rules. Lawyers from Earthjustice handled the case.