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Nonprofit moves forward with lawsuit to protect Hawaiian honeycreeper

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COURTESY DAN CLARK/USFWS

The Center for Biological Diversity has filed a lawsuit against the U.S. Fish and Wildlife Service, saying the agency has failed to designate critical habitat and develop a recovery plan for the threatened iiwi, Hawaii's cherished forest bird.

The Center for Biological Diversity today filed suit against the U.S. Fish and Wildlife Service for failing to designate critical habitat and develop a recovery plan for the iiwi, a cherished forest bird in Hawaii.

The move comes five months after the [national nonprofit filed a formal notice of intent to sue](#) due to lack of progress. The [suit](#) was filed in U.S. District Court for Hawaii.

“The beautiful iiwi needs our help and it needs it now,” said Maxx Phillips, the center’s Hawaii director and staff attorney, in a news release. “The U.S. Fish and Wildlife Service’s foot-dragging is unacceptable. Without the protections provided by critical habitat and a valid recovery plan, iiwi will continue down a heartbreaking path towards extinction.”

Iiwi, or *Drepani coccinea*, are medium-sized honeycreepers with bright, red plumage, black wings and distinctive, curved bills used to drink nectar.

The iiwi was [listed in 2017 as a threatened species under the Endangered Species Act](#) due to extensive threats from mosquito-borne diseases such as avian malaria, as well as loss of habitat due to rapid ohia death and climate change.

Once abundant across the state — from the coastal lowlands where they foraged for food to the high mountain forests where they nested — the iiwi today can only be found in a narrow band of forest on East Maui, and elevated windward slopes of Hawaii island, and on Kauai.

They are now gone from the islands of Lanai, Oahu, Molokai and West Maui, the center said, and the Kauai population is likely to go extinct within 30 years.

Under the act, the agency is required to designate critical habitat with its listing determination and develop a recovery plan for the bird — but has failed to do so, according to the suit.

Phillips said there are measures the USFWS could take right now — including the restoration of upland forests at higher elevations, fencing off of potential breeding areas, and eradication of ungulates such as pigs, which create breeding grounds for mosquitoes.

The USFWS, in a December letter to Phillips after receiving the notice of intent to sue, said development of a recovery plan for iiwi is underway under the leadership of its Pacific Islands Fish and Wildlife Office, and that a draft should be available for public review in the Federal Register by October.

The USFWS said, however, that it could not offer a timeframe for designating a critical habitat for iiwi due to its “national workload within the limited budget Congress has set.” The agency already has a [5-year National Listing Workplan](#) for 12-month petition findings and status reviews, and will need to prioritize its workload.

Among those priorities, the agency said, are the designation of critical habitat for 14 Hawaiian species, including the picture-wing fly, by Feb. 28, 2023 as a result of a settlement with the center following an [earlier lawsuit](#).

The center says Hawaiian forest birds are in crisis, with 68% of Hawaii’s known endemic bird species have already gone extinct because of habitat loss, disease and invasive predators.

“The longer that the service drags their feet, the closer these species come to a tipping point of going extinct,” said Phillips. “Time is of the essence. Any delay is really inexcusable.”