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For Immediate Release
Lawsuit Launched to Stop Deaths and Injuries to Whales from
California Drift Gillnet Fishery

(Olema, CA) June 21, 2017 - - In response to the Trump Administration killing a rule last week that would protect whales, Turtle Island Restoration Network filed a formal [notice of intent](https://seaturtles.org/wp-content/uploads/2017/06/TIRN-v-NOAA-60-Day-NOI.Final-6-21-2017-1.pdf) (<https://seaturtles.org/wp-content/uploads/2017/06/TIRN-v-NOAA-60-Day-NOI.Final-6-21-2017-1.pdf>) to sue the National Marine Fisheries Service (NMFS) over its failure to prevent excessive whale deaths in the California Drift Gillnet Fishery.

“This is Turtle Island's answer to the Trump Administration’s latest attempt to

undo 'hard cap' protections from the California driftnet fishery, which kills more marine mammals than all other observed West Coast's fisheries combined," said Todd Steiner, biologist and executive director of Turtle Island.

Weighing up to 90 tons, humpback whales are one of the largest animals to have ever existed on Earth. Migrating up to 25,000 km (16,000 mi) each year, humpbacks peacefully feed off the California coast for krill, small shrimp-like animals, and small fish, often accompanied by their young, which they nurse for six months.

Like other large whales, the humpback was a target for the whaling industry. Once hunted to the brink of extinction, its population fell by an estimated 90% before a 1966 moratorium. While stocks have partially recovered, entanglement in fishing gear, collisions with ships and noise pollution continue to impact the West Coast population.

Driftnets are huge mile-long nets that catch anything that swims into them and are often described as "curtains of death." Driftnets were banned on the high seas by the United Nations in 1994. On the West Coast, Oregon and Washington have already ended this unsustainable fishery, and the remaining fleet of less than 20 vessels continues to kill and injure thousands of untargeted animals including whales, dolphins and sharks.

The California Drift Gillnet Fishery has been documented as killing or injuring more marine mammals, including humpback whales and sperm whales than all other observed fisheries on the West Coast.

The Fishery seriously injures or kills a wide variety of marine mammals, which is most likely attributable to the gear it uses, and the locations where it fishes.

Based on data from 1990-2014, NMFS has estimated that one in four whales entangled in fishery gear is killed or seriously injured, and entangled whales that continue to drag fishing gear can die slow, painful deaths.

"For too long, the Fisheries Service has allowed the CA driftnet fishery to injure and kill too many whales," said Andrew Ogden. "Our aim is to compel the federal government to do its job and stop this needless carnage."

Turtle Island alleges that the NMFS is in violation of ESA's prohibition on taking the endangered humpback by exceeding the permitted levels for incidental take in 2015 and 2016.

Turtle Island also alleges that the NMFS is also in violation of the ESA, which requires the reinitiation of consultation regarding the Fishery's interactions with the endangered humpback whale, including its failure to ensure accurate monitoring of all humpback whale interactions and produce reliable scientific data on incidental take.

The petition outlines the case why the NMFS is in violation of both the ESA and MMPA in authorizing this fishery and concludes that it will continue legal action in 60 days if not corrected.

[Resources and photographs](#)

(<https://seaturtles.org/resources/ca-drift-gillnet-resources/>)

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