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Lawsuit Over Whales, Sea Turtles Entangled in California Crab Gear Advances

Motion Seeks to Hold State Officials Liable for Deaths of Endangered Marine Animals

SAN FRANCISCO— The Center for Biological Diversity is filing a motion for summary judgment today in its lawsuit against California over the state’s commercial Dungeness crab fishery, which is entangling record numbers of endangered whales and sea turtles.

The Center sued the California Department of Fish and Wildlife last year after whale entanglement numbers broke records for [three straight years](#). Today’s motion asks the judge to rule that state officials are violating federal law by failing to prevent these deadly entanglements.

The motion seeks to accelerate the case by resolving the state’s liability promptly without awaiting a trial. That could prevent more entanglements in the coming fishing season.

“Whales and sea turtles keep dying while we wait for California wildlife officials to take entanglements seriously,” said Kristen Monsell, the Center’s oceans program legal director. “Another crab season starts next month, creating a minefield of heavy gear that migrating whales must navigate. We need the court to order state officials to stop causing the injury and death of endangered whales and sea turtles while managing this fishery.”

In 2016 [federal officials confirmed](#) that the California commercial Dungeness crab fishery entangled at least 23 animals, including 19 humpback whales, two blue whales and a leatherback sea turtle. As of late July, at least 22 whale entanglements have been reported in 2018, including at least three humpback whales entangled in California commercial Dungeness crab gear.

Ropes connected to heavy commercial Dungeness crab traps wrap around whales and sea turtles. The ropes cut into the animals’ flesh, sapping their strength and often leading to drowning. Each entanglement of a humpback whale, blue whale or leatherback sea

turtle violates the federal Endangered Species Act. The state is liable for causing these unlawful entanglements because it authorizes and manages the fishery.

In addition to harming individual animals, entanglement in commercial fishing gear is also the primary threat impeding the recovery of imperiled humpback whales, blue whales and Pacific leatherback sea turtles.

The California Legislature this year passed Senate Bill 1309, the Fisheries Omnibus Bill, which recognizes the entanglement crisis. The bill calls for the Department of Fish and Wildlife to do more to address whale and sea turtle entanglements in commercial Dungeness crab gear.

“Legislators are telling wildlife officials to reduce entanglements, but whales and sea turtles need protection now,” Monsell said. “And we need the court to force state officials to finally address this heartbreaking crisis.”

The Center for Biological Diversity is a national, nonprofit conservation organization with more than 1 million members and online activists dedicated to the protection of endangered species and wild places.

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