



**WISHTOYO**  
CHUMASH FOUNDATION

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**Lawsuit Challenges Trump Administration's Failure to Protect Pacific Humpback Whales Threatened by Fishing Gear, Ship Strikes, Oil Spills**

SAN FRANCISCO— The Center for Biological Diversity, Turtle Island Restoration Network and Wishtooyo Foundation today sued the Trump administration for failing to protect humpback whale habitat in the Pacific Ocean, where the animals face threats from fisheries, ship strikes and oil spills.

Today's lawsuit, filed in federal district court in San Francisco, aims to force the National Marine Fisheries Service to follow the Endangered Species Act's requirement to designate critical habitat within one year of listing a species as threatened or endangered and not authorize actions that would damage that habitat. Two Pacific Ocean humpback populations were listed as endangered and a third as threatened in September 2016.

"As cargo ships and crabbing gear slaughter West Coast humpbacks, the Trump administration won't lift a finger to save these magnificent whales," said Catherine Kilduff, a Center attorney. "The federal government needs to protect critical humpback habitat that's prone to oil spills and dangerously dense with fishing gear and ship traffic. These whales need urgent action, not more delays."

One population of endangered humpback whales that feeds off California's coast numbers around 400 individuals, meaning any death or injury from entanglement could hurt the entire population's recovery. At least 54 humpback whales were found tangled up in fishing gear off the West Coast in 2016. Entanglements cause injuries and death as the ropes cut into animals' flesh, sap their strength and lead to drowning. Many incidents in 2016 were clustered around the biologically rich Monterey Bay, where migrating whales come to feed.

"We will continue to compel the Trump administration to abide by environmental laws and protect humpback whales from California's industrial fisheries, ship traffic and oil spills," said Todd Steiner, biologist and executive director of Turtle Island Restoration

Network. “Protecting humpback habitat now helps secure their future and the health of our imperiled ocean ecosystems.”

Ship strikes and oil spills are the other major threats to West Coast humpback whales. A study [found](#) that an estimated 22 humpback whales off California, Oregon and Washington die each year after being hit by ships.

On Jan. 4 the Trump administration released its plan to invite offshore oil and gas drilling into every ocean in the country — despite the fact that such drilling can be lethal for whales. In 2015 endangered humpback whales were observed swimming in the Refugio oil spill, which dumped at least 21,000 gallons of crude oil into the ocean. The spill killed hundreds of marine mammals and birds, including dolphins and sea lions.

“Since time immemorial, Chumash people have shared our home waters of the Santa Barbara Channel with humpback whales. They have a deeply respected role in our culture, guiding and protecting our maritime people as we navigate through the channel. In reciprocity, the Chumash people play a strong role in protecting our magnificent relatives as they face increasing threats from ship strikes, entanglement, and gas and oil development,” said Alicia Cordero, First Nations program officer for the Wishtoyo Foundation. “Ensuring proper designation of critical habitat for these populations of endangered humpback whales is a core responsibility for Chumash people, keeping our millennia-old commitment to all our relations and preservation of our culture.”

Critical habitat protection would help safeguard ocean areas essential for migrating and feeding. The designation would ensure that federally permitted activities do not continue to drive humpback whales to the brink of extinction by destroying important areas. Evidence shows that endangered or threatened species that have protected critical habitat are twice as likely to show signs of recovery as those without it.

Humpback whale populations that need critical habitat were [identified](#) in 2016 by the National Marine Fisheries Service, including the threatened Mexico population that feeds off the U.S. West Coast and Alaska and the endangered Central America population that feeds almost exclusively off California and Oregon.

*The Center for Biological Diversity is a national, nonprofit conservation organization with more than 1.6 million members and online activists dedicated to the protection of endangered species and wild places.*

*Turtle Island Restoration Network is a global nonprofit whose mission is to inspire and mobilize people around the world to protect marine biodiversity and the oceans that sustain all life on Earth.*

*Founded in 1997, Wishtoyo Foundation is a 501(c)(3) nonprofit grassroots organization that enhances the well being of communities by preserving and protecting Chumash Native American culture, and the natural resources all people depend upon throughout California and the traditional Chumash range in Ventura, Los Angeles, Santa Barbara and San Luis Obispo counties. To learn more about Wishtoyo visit us at [www.wishtoyo.org](http://www.wishtoyo.org).*