

Groups say U.S. spending bill dooms right whales to extinction

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A North Atlantic right whale sounds while feeding on plankton in Cape Cod Bay, off the coast of Provincetown, Massachusetts. (Photo: Bill Greene/The Boston Globe via Getty Images)

New York, December 22 (RHC)-- A policy rider included in the must-pass omnibus spending bill unveiled by the U.S. Congress is almost certain to doom the endangered North Atlantic right whale, environmental groups said Tuesday. "It's not an exaggeration to say that this rider will doom the right whale to extinction."

In what Defenders of Wildlife president Jamie Rappaport Clark said was a "last-minute backroom deal," lawmakers including Maine's representatives and senators pushed to include a provision that would give the lobster fishing industry six years before it's required to take action that would prevent right whales from becoming entangled in fishing gear—which has contributed to the species' plummeting population.

The species is down to just 340 individual whales and 70 females of breeding age. Entanglement in lobster fishing gear kills an average of four right whales per year—six times higher than the rate seen as biologically sustainable, according to Defenders of Wildlife.

Non-fatal entanglements can also cause infections and interfere with reproduction. "It's not an exaggeration to say that this rider will doom the right whale to extinction," Jane Davenport, a senior attorney at Defenders of Wildlife, told The Washington Post. "Even if you got rid of all other sources of mortality, entanglements with fishing gear alone are enough to drive the species to extinction by reducing births and increasing deaths."

Some conservation advocates took aim at Maine lawmakers including Sens. Susan Collins (R) and Angus King (I) and Rep. Jared Golden (D), as well as Democratic Gov. Janet Mills, who pushed for the inclusion of the rider.

If passed, the policy will void a federal ruling which directed the federal government to take stronger action to comply with the Endangered Species Act and Marine Mammal Protection Act—setting "a terrible precedent by undermining active federal litigation and overriding science-based decision-making under our nation's bedrock wildlife protection laws," according to Defenders of Wildlife.

"If this rider goes through, there will be blood on the hands of Maine politicians," Erica Fuller, a senior attorney at the Conservation Law Foundation, told the Post. "With the rate we've been killing right whales, extinction is expected to occur between the next 20 to 40 years. In the absence of the new rule, we've got more years of unsustainable killing going on."

The Center for Biological Diversity (CBD) said the omnibus spending bill, which will fund the government through September 2023 if passed, falls far short of what is needed to protect wildlife. The additional funding the draft legislation includes for the Environmental Protection Agency (EPA) "remains a cut in real dollars after accounting for inflation" and is "insufficient to address the decade of flat EPA funding," said the group, while funding for the U.S. Interior Department and U.S. Fish and Wildlife Service are "well short of what's needed to address the extinction crisis."

Brett Hartl, government affairs director for CBD, denounced Senate Majority Leader Chuck Schumer (D-N.Y.) and Senate Appropriations Committee Chair Patrick Leahy as "extinction Democrats who just heartlessly put special interests above our nation's beautiful natural heritage."

"Sacrificing a great whale to extinction in exchange for funding the government is immoral," said Hartl. "Doing so just to give Sen. Schumer another political chit in his pocket is simply pathetic. A hundred years from now, no one will remember or care about the trivial victories Democrats will try to claim in this legislation, but they'll mourn the loss of the right whale."

Last week, CBD was among several groups that wrote to Schumer, Leahy, House Speaker Nancy Pelosi (D-Calif.), and House Appropriations Committee Chair Rosa DeLauro (D-Conn.) warning that the inclusion of the rider "opens the door to similar provisions in the next Congress to circumvent environmental laws and interfere with active judicial and administrative processes."

The bill "will have devastating, irrevocable, extinction-level impacts on the critically endangered North Atlantic right whale," said Clark. "This is a shameful outcome and political dealing at its absolute worst. We are extremely disappointed that congressional leaders are willing to cut this deal based on bad science and bad policy at a time when species on the brink need help the most."

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