



CONSERVATION LAW FOUNDATION

SUMMARY: Petition to List the Atlantic wolffish as an Endangered Species

www.clf.org/wolffish

On October 1, 2008 the Conservation Law Foundation (CLF) filed a legal petition to protect the Atlantic wolffish (*Anarhichas lupus*) under the Endangered Species Act. This unique and important fish is facing extinction in New England's ocean waters due to years of overharvesting and destructive fishing practices that have destroyed the underwater habitat it calls home.

The precipitous decline of the wolffish over the past 25 years is a troubling indication that while there is some good news about marine species, like haddock and sea scallops that have been restored to health, our ocean's long term health hangs by a precarious balance and other species like the wolffish and endangered whales are in serious jeopardy.

The wolffish is currently listed by the federal government as a "species of concern" which provides no real protection for the fish. An endangered species listing would require federal officials to implement a plan to protect and restore the Atlantic wolffish and the underwater habitat on which they depend. Marine scientists Dr. Richard L. Haedrich and Dr. Les Watling provided scientific affidavits in support of CLF's petition (both are available in the appendix of the petition). Dr. Erica Fuller and Dr. Les Watling of University of Maine are co-petitioners.

>> To learn more, download legal documents, fact sheets, pictures or video visit: www.clf.org/wolffish

SELECTED QUOTES AND EXCERPTS FROM THE PETITION

The Atlantic Wolffish – Natural History and Range

"Known by fishermen and scientists alike for their ferocious disposition and formidable teeth, they also have life history characteristics that make them extremely unusual.... Notable characteristics include internal fertilization and large eggs brooded exclusively by the males as a 'nest' under rocks for four to nine months." (page 3)

"Wolffish use a series of crushing plates of teeth to feed on crustaceans and are considered important regulators of sea urchin and green crab density. They annually lose their entire set of teeth." (page 4)

>> To view a video of a wolffish grabbing and crushing a crab visit: www.clf.org/wolffish

>> To view map of the wolffish's range please see page 12 of the petition or visit: <http://www.nefsc.noaa.gov/sos/spsyn/og/wolf/animation/spring/>

>> To view a map of the wolffish habitat areas see page 40 of the petition or visit: <http://app2.iris.usm.maine.edu/gulfofmaine-censusdev/wp-content/images/wolffish/fig33.gif>

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A Species in Decline

“In 2003, the Northeast Fisheries Science Center (“NEFSC”), a scientific research arm of NMFS, reviewed the status of the resource and concluded that Atlantic wolffish were ‘overexploited and in a severely depleted state.’” (page 4)

“Atlantic wolffish are seriously imperiled in U.S. waters. Over the last twenty years, the species has experienced dramatic declines in incidence and abundance as well as a contracted range. The species is imperiled due to overutilization caused directly and indirectly by commercial and recreational fishing, habitat loss caused by fishing with destructive bottom trawl and dredging gear, and inadequate regulatory measures.” (page v)

“The present lack of regulatory measures addressing the Atlantic wolffish in any fashion at all creates no incentives to avoid or to minimize its catch as bycatch or to protect its habitat or even educate the public about the peril of the species and actions that could be taken by the public to reduce that jeopardy.” (page 57)

>> See pages 50-51 for a complete description of impact that modern fishing practices have on the survival of declining wolffish populations.

Why the Wolffish Should Be Listed Under the Endangered Species Act?

“Based on all available science, Atlantic wolffish are rapidly headed toward extinction in U.S. waters. This Petition demonstrates that listing the U.S. population of Atlantic wolffish as endangered under the ESA is not only consistent with the relevant legal criteria, but also necessary to prevent its extinction in U.S. waters.” (page 63)

“Once widespread in U.S. waters as far south as New Jersey, the distribution of Atlantic wolffish in U.S. waters in the last ten years has dramatically contracted as its abundance has declined. The isolated populations that remain today are particularly sensitive to destruction of habitat and fishing harvest, and have little chance of recruitment from populations elsewhere in the species’ range. In short, the U.S. population of Atlantic wolffish cannot survive under current fishing practices or a regulatory regime that affords it no protection. It should be listed as endangered under the ESA.” (page ii)

“The Atlantic wolffish must be listed as endangered because the best available science leads to the conclusion that impacts to the species falling under four of the five listing factors [see page 50 for list of five factors] leave it in danger of extinction throughout its range in U.S. waters. Specifically, the U.S. DPS of Atlantic wolffish has been and continues to be affected by habitat destruction and modification, overutilization for commercial and recreational fishing purposes, inadequate existing regulatory mechanisms, and other natural or manmade factors that are all contributing to the Atlantic wolffish’s risk of extinction.” (page 50)

Restoration and Conservation Measures Recommended

>> For a full list of recommended measures see pages 61-63 of the petition

“The designation of critical habitat is essential to the recovery of a species, and takes into account the ecosystem upon which the species depends, one of fundamental purposes of the ESA.” (page 60)

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“The most important conservation measures must reduce direct wolffish mortality - occurring as a result of commercial and recreational fishing - and must protect the biological and structural integrity of Atlantic wolffish critical habitat in U.S. waters. The implementation of targeted, long term area closures to reduce the catch of Atlantic wolffish and protect it from the adverse habitat impacts of mobile fishing gears known to be fished on or near the ocean floor, such as dredges, bottom trawls, and many mid-water trawls will be crucial. Many of these closures can overlay existing groundfish management closure boundaries, thus helping to minimize the impacts to fishermen.” (page iii)

“A second layer of protection must provide possession prohibitions, catch-and-release protocols, and education programs applicable to all commercial and recreational fishermen operating in the Gulf of Maine. Key to the success of all of the protective measures will be development of appropriate and effective monitoring and enforcement mechanisms.” (page iii)

“At minimum, the Atlantic wolffish critical habitat must include the areas including Jeffreys Ledge and Stellwagen Bank, the U.S. portion of the northeast peak of Georges Bank, and the Great South Channel where the remaining sustainable population in U.S. waters presently exists.” (page 61)

ADDITIONAL RESOURCES

>> Scientific affidavits provided by Dr. Richard L. Haedrich and Dr. Les Watling are provided with the petition as Appendix II (page 74) and Appendix III (page 78) respectively.

>> To download all related legal documents, fact sheets, high quality digital photos or video footage visit: www.clf.org/wolffish

>> To view the federal government’s “species of concern” fact sheet (PDF) visit: http://www.nmfs.noaa.gov/pr/pdfs/species/atlanticwolffish_highlights.pdf