

# Settlement helps protect sea turtles

By Rachel Revehl • rrevehl@news-press.com • January 27, 2011

**1:10 A.M.** — Sea turtle conservationists are hailing a federal lawsuit settlement reached Wednesday, which they say gives the endangered species more protection in light of increased coastal development.

The settlement comes as a report released Wednesday by the Sea Turtles Conservancy in Gainesville outlines additional moves to safeguard turtles from further harm.

Under the agreement, the Federal Emergency Management Agency, which grants flood insurance subsidies to coastal properties and developments that can't get private coverage, now must first consult with the U.S. Fish and Wildlife Services and the National Marine Fisheries Program. This addresses one of the conservancy's key recommendations.

Additionally, the Sea Turtle Conservancy in Gainesville, along with the National and Florida Wildlife Federations, released a report Wednesday detailing the plight of sea turtles throughout Florida.

This comes on the heels of the Lee County commissioners' decision Tuesday to sign a \$3.5 million contract to pump sand from the Gulf onto Estero Island to create about 1 million square feet of new beach along 1.2 miles north of the Fort Myers Beach Fishing Pier. This will aid turtles by restoring an area of their natural habitat.

"We believe it's a no-brainer," said Gary Appelson, policy coordinator of the Sea Turtle Conservancy. "FEMA's activities in supporting the flood insurance program and in providing funds for emergency restoration of beaches should clearly consider the impacts of those actions on endangered and threatened species."

The lawsuit was filed in July by the National and Florida Wildlife Federations, which alleged FEMA was not following the Endangered Species Act when granting insurance flood subsidies. The more development happening in the turtles' natural habitat, the beach, the more at risk they become. Under those guidelines, FEMA would have had to ensure construction of those properties wouldn't hurt the surrounding environment.

Had FEMA done so, the wildlife federation said, threats to five endangered species of sea turtles — loggerhead, green, hawksbill, leatherback and Kemp's ridley — would have been revealed.

"Florida's economy and Florida's environment are intimately linked, and sea turtle conservation is a major part of that," said Manley Fullerton, president of the Florida Wildlife Federation. "What we're trying to do is reduce intensification of development in low-lying, flood-prone areas because in addition to harming the sea turtles, the more we develop those areas, the more chance there is for the

public to pay potentially catastrophic damage claims.”

Several Southwest Florida conservation groups could not be reached Wednesday for comment.

The 20-page report asserts 90 percent of all sea turtle nesting in North America happens on Florida’s beaches, but is under assault by human activities, including loss of habitat, construction of sea walls to protect waterfront property, artificial light, pollution and careless fishing practices. To combat these, the report outlines a four-part agenda to protect the turtles:

- Uphold funding and support to conservation programs and initiate a re-evaluation of coastal management policies;
- Eliminate insurance subsidies that encourage construction in fragile habitats along the coast (which was done by Wednesday’s settlement);
- Enhance protection of less-developed coastal lands;
- Commit to policies that combat global warming;

According to the settlement, FEMA has 15 days to request an informal consultation with Florida Wildlife Federation and the Natural Marine Fisheries Services to map the negative impact to sea turtles along the flood plains. And within 11 months, FEMA has to prepare and submit a biological assessment of the negative effects to sea turtles brought on by prior flood insurance policies. It also gives FEMA responsibility to pay more than \$54,000 in legal fees to the wildlife federation.