

Audubon intervenes to protect ocean monument for puffins

June 15 2019, by Patrick Whittle



In this Aug. 1, 2014, file photo, an Atlantic puffin comes in for a landing on Eastern Egg Rock, a small island off the coast of Maine. The National Audubon Society is getting involved in a lawsuit over the future of a national monument located in the ocean off New England because of the area's importance to birds. Fishing groups sued in federal court against creation of Northeast Canyons and Seamounts Marine National Monument by former President Barack Obama in 2016. Audubon says the nearly 5,000-square-mile area of ocean is especially important to Maine's vulnerable Atlantic puffins. (AP Photo/Robert F. Bukaty, File)

The National Audubon Society is getting involved in a lawsuit over the future of a national monument in the ocean off New England because of the area's importance to seabirds, especially colorfully beaked puffins.

Fishing groups sued in [federal court](#) against creation of Northeast Canyons and Seamounts Marine National Monument, which former President Barack Obama designated in 2016. The case is on appeal. Court documents show Audubon has moved to file a friend-of-the-court brief in favor of keeping the monument.

Lawyers for the fishing groups have said the monument was illegally created by Obama using the Antiquities Act. The groups include fishermen, such as lobstermen and crabbers who contend the creation of the monument has created an unfair hardship for them because it restricts where they can [fish](#).

But the nearly 5,000-square-mile area is especially important to Maine's vulnerable Atlantic puffins, said Karen Hyun, vice president of coasts for Audubon. Protecting the monument area from [commercial fishing](#) will help provide the birds with a reliable food source, she said.

The health of the puffin population is a tourism boost for Maine, Hyun added.

"It's really important for the sustainability of these birds," Hyun said. "It's a species that people come to the Maine coast to see, to participate in puffin watching tours."

A spokesman for the National Oceanic and Atmospheric Administration, which oversees fisheries and oceans for the [federal government](#), declined to comment.

U.S. District Judge James Boasberg granted the Trump administration's

motion to dismiss the suit against the monument last year. The groups appealed to the U.S. Court of Appeals for the District of Columbia Circuit.

Oral arguments are not yet scheduled, said Jonathan Wood, an attorney for the fishing groups. The fishermen's contention that the Antiquities Act applies to the land and not the sea should be enough to overturn the creation of the [monument](#), Wood said.

"A century of presidential practice, judicial precedent, and the Constitution's separation of powers all show that the answer is no," he said.

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