

Lawsuit Challenges Trump OK of Commercial Fishing in Atlantic Marine Monument

Executive Orders Can't Waive Protections for Northeast Canyons and Seamounts Marine National Monument

By [Center For Biological Diversity](#)

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A federal lawsuit filed today says President Trump's June 5 executive order allowing commercial fishing in the Northeast Canyons and Seamounts Marine National Monument was illegal. The [lawsuit](#) notes that the Antiquities Act allows presidents to create national monuments to protect objects of historic or scientific interest, but not to revoke protections.

The lawsuit was filed in federal district court in Washington, D.C. by the Conservation Law Foundation, Natural Resources Defense Council, Center for Biological Diversity and Zack Klyver from Maine.

"Trump's order was illegal because he can't just declare commercial fishing is allowed in a protected marine monument," said Kristen Monsell, an attorney at the Center for Biological Diversity. "The Seamounts monument was created to permanently safeguard this amazing ecosystem and vulnerable species like the endangered sperm whale. Presidents can't be allowed to gut protections by decree as a favor to commercial fishermen."

President Obama created the Northeast Canyons and Seamounts Marine National Monument in 2016 to protect 5,000 square miles of sensitive deep-sea coral reefs and the vulnerable marine life they support. Among those species is the critically endangered North Atlantic right whale, whose declining population of about 400 is threatened by entanglement in commercial lobster gear.

Commercial fishing organizations challenged the monument's designation and ban on fishing, but a federal district court rejected those claims in 2018. That [decision was upheld](#) in December by the Court of Appeals for the District of Columbia Circuit.

"I spend lots of time on the water so I know how important it is to protect this marine monument. My business depends on a healthy ocean," said **Zack Klyver**, co-founder of Blue Planet Strategies. "Trump's attack on New England's prized marine monument is one I take personally. We need to protect our oceans and their abundance of marine life for future generations to experience"

The Trump administration has been trying to roll back protections of national monuments [since early 2017](#) and open them up to mining, fossil fuel, commercial fishing and other

extractive industries. Among the targets in that effort were the Northeast Canyons and Seamounts Marine National Monument and the [Pacific Remote Islands and Rose Atoll](#) Marine National Monuments in the South Pacific.

The Northeast Canyons and Seamounts Marine National Monument is home to unique and incredibly important undersea features and creates an ecologically rich marine environment in which numerous species of marine mammals, sea turtles and fish congregate. It's also home to cold-water coral species that are thousands of years old, along with other marine species found nowhere else in the world.

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