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Conservationists Seek Re-instatement of Delaware Crabbing Moratorium

Delaware Riverkeeper Network, American Littoral Society and Delaware and NJ Audubon Societies continue efforts to save Red knots from extinction.

June 28, 2007, four conservation organizations from the Delaware Bay region filed a request with the Delaware Superior Court to appeal the court's ruling vacating the moratorium on horseshoe crab harvesting imposed by the Delaware Department of Natural Resource and Environmental Control ("DNREC"). DNREC has decided not to appeal the court's decision to the Delaware Supreme Court. The conservation organizations – Delaware Riverkeeper Network, American Littoral Society, Delaware Audubon and New Jersey Audubon – say they are seeking to step into the State's shoes to uphold the moratorium as part of their continuing efforts to save the imperiled red knot from extinction.

"A moratorium on the bait harvest of horseshoe crabs is critical if we want to protect the Red Knot *rufa* from extinction. The entire world is watching. Secretary Hughes took the right action with the moratorium. It is important that the community stand up and support the horseshoe crab harvesting moratorium." stated Maya van Rossum, the Delaware Riverkeeper.

"In the past, the vast numbers of horseshoe crab eggs deposited on our beaches sustained our shorebirds. Overharvesting of crabs reduced the availability of the Red Knot's food source. While the crab population has stabilized, numbers are still too low to provide sufficient eggs to rebuild and sustain the Red Knot population." explained Nicholas DiPasquale of the Delaware Audubon Society.

"We believe it is imperative that we make every effort to fight for the horseshoe crabs, the red knot, and the sound marine resources management decisions by both the State of New Jersey and Delaware to impose complete moratoriums on horseshoe crab harvesting for at least the next two years in both states," declared Eric Stiles, NJ Audubon.

The Delaware Superior Court ruled that the head of DNREC did not have a scientific basis for choosing a full moratorium on horseshoe crab harvesting over an alternative proposal for a male only harvest of 100,000 horseshoe crabs. However, according to attorney John Fritschie who is amongst those representing the groups, "the court failed to accord deference to the State's role as manager of the wildlife within its boundaries and the judgment of the Secretary of DNREC that the most conservative course was required due to the dire state of the horseshoe crab population, the past history of drastic over-harvesting, and the likely extinction of the red knot

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in the near future.” Ken Kristl, also legal counsel to the groups, observed that “the near certainty of female by-catch and the lack of enforceability of a male only harvest further provide more than adequate support for the moratorium.”

The groups are being represented by attorneys at the Delaware Riverkeeper Network’s River Resources Law Clinic, the MidAtlantic Law Center located at Widener Law School and local counsel Vivian Houghton, Esq. of Wilmington, DE.