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Lawsuit filed to protect habitat for 14 Hawaii Island species

By West Hawaii Today staff | Tuesday, October 29, 2019, 12:05 a.m.

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Courtesy photo A picture-wing fly, or *Drosophila digressa*.

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Courtesy photo 'Aku, or *Cyanea tritomantha*.

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Courtesy photo Ho'awa, or *Phyllostegia floribunda*.

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Courtesy photo A picture-wing fly, or *Drosophila digressa*.

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Courtesy photo 'Aku, or *Cyanea tritomantha*.

KAILUA-KONA — The Center for Biological Diversity on Monday sued the secretary of the Interior and U.S. Fish and Wildlife Service for failing to protect and designate critical habitat for 14 endangered species found on Hawaii Island.

The rare wildlife includes 12 plants, one anchialine pool shrimp and one picture-wing fly. The center said the species are highly vulnerable to extinction because of their small populations and desperately need protected habitat. They are threatened by agriculture and urbanization, invasive species, nonnative ungulates, wildfire, erosion, natural disasters, sedimentation and climate change.

"These special species are found nowhere else besides Hawaii Island, so if they disappear from here they'll be lost forever," said Maxx Phillips, the center's Hawaii director. "Anchialine pool shrimp and the rest of this group needed habitat protection years ago, but they're not getting it from the anti-wildlife Trump administration."

The center is seeking an order declaring the Fish and Wildlife Service to be in violation of the Endangered Species Act and establishing prompt deadlines for the service's issuance of proposed and final rules designating critical habitat for the Big Island species.

The center said it filed the lawsuit Monday after the Fish and Wildlife Service did not respond to an Aug. 27 written notice informing it that it was in violation of the Endangered Species Act.

The endangered species at issue are *Bidens hillebrandiana* ssp. *Hillebrandiana* (ko'oko'olau); *Bidens micrantha* ssp. *Ctenophylla* (ko'oko'olau); *Cyanea marksii* (haha); *Cyanea tritomantha* ('aku); *Cyrtandra nanawaleensis* (ha'iwale); *Cyrtandra wagneri* (ha'iwale); *Phyllostegia floribunda*; *Pittosporum hawaiiense* (ho'awa and ha'awa); *Platydesma remyi*; *Pritchardia lanigera* (lo'ulu); *Schiedea diffusa* ssp. *Macraei*; *Schiedea hawaiiensis*; *Stenogyne cranwelliae*; *Drosophila digressa* (picture-wing fly); *Vetericaris chaceorum* (anchialine pool shrimp). It also recognized a taxonomic change for *Mezoneuron kawaiense* ('uhi 'uhi), which was formerly listed as *Caesalpinia kawaiense*.

The lawsuit stems from the 2013 listing by the Fish and Wildlife Service of 15 plant and animal species in Hawaii as endangered.

The Endangered Species Act requires the service designate critical habitat for any endangered species, yet so far the agency has only designated critical habitat for two of the species, according to the Center for Biological Diversity. To date ko'oko'olau and haha are the only two species with a designated critical habitat.

"Species with designated critical habitat are more than twice as likely to be in recovery as those without it," Phillips said. "To ensure these special plants and animals are around for generations to come, we must protect the places where they live."

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Critical habitat protections would prohibit federal actions that would destroy or harm such habitat and help preserve what remains of these species' limited native range, according to the center.

The center stated in the lawsuit, filed in U.S. District Court in Honolulu, that the action is being taken on behalf of itself and its "adversely affected members.