

To: President Barack Obama c/o Michael Tosatto at PRI@noaa.gov>
From: The Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council
Date: August 15, 2014
Re: PRIA Expansion Proposal Recommendations

The Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council (NWHICRERAC) supports the creation of an expanded marine protected area in the central Pacific that will extend to 200 miles around the Pacific Remote Islands Marine National Monument (PRIMNM) and especially Johnston Atoll, Kingman Reef and Palmyra Atoll. Hawai'i has two kinds of biodiversity: colonists and the descendants of colonists. The reef biodiversity of Hawaii is critically dependant on the stepping stones that allow marine life to colonize Hawaii. Several recent scientific findings across a wide group of taxa have given rise to compelling evidence that Johnston Atoll, Kingman Reef and Palmyra Atoll are biological stepping stones for marine species to colonization in the Hawaiian Archipelago.

Genetic research at the Hawaii Institute of Marine Biology shows that Hawai'i receives the larvae of reef organisms from two of the PRIMNM sites -- Johnston Atoll and Kingman Reef/ Palmyra Atoll. The same research programs also show that Johnston, Kingman and Palmyra are among the most important stepping stones for reef biodiversity to colonize Hawai'i. Oceanography studies show that larvae of reef organisms flow from Johnston Atoll to Hawaii by means of two countercurrent corridors connecting the Atoll to French Frigate Shoals and the island of Kauai in the Hawaiian Archipelago.

What this means is that healthy recruitment of reef fauna into Hawai'i depends in part on the health of coral ecosystems at Johnston, Kingman and Palmyra. Some organisms at French Frigate Shoals are more closely related to conspecifics at Johnston Atoll than to those of O'ahu. It is also the source of the NWHI's Acropora corals, which are virtually absent in the Main Hawaiian Islands.

Part of conserving biodiversity is protecting the processes that promote biodiversity and for this reason the protection of the waters around Johnston Atoll, Kingman Reef and Palmyra Atoll are critically important to the protection of Hawaii's marine biodiversity, and especially the unique, pristine and ancient marine ecosystems in the Papahānaumokuākea Marine National Monument (PMNM).

In fact PMNM's boundaries need expansion on a much smaller scale to close two important conservation gaps. The seamounts just outside of the PMNM boundary north of Kure Atoll are heavily used by the critically-endangered monk seals as foraging

grounds. Inclusion of those seamounts would provide added protection not only for the seals, but also for the extensive gold coral beds in which the seals forage. PMNM's southeastern boundary splits Middle Bank in half, and the "open" half is fished by bottomfish boats from Kauaʻi. Given that bottomfish will range over large distances where contiguous habitat allows, opening half of Middle Bank to fishing essentially exposes the Bank's entire population of bottomfish to fishing pressure. Protecting half the Bank protects none of it. The entire Bank needs to be included in the PMNM.

Currently the terrestrial areas, reefs, and waters out to 12 nautical miles (22 km) of the PRIMNM are part of US Fish & Wildlife Service (FWS) National Wildlife Refuge System. PRIMNM living marine resources between 12 - 200 nmi are managed by NOAA Fisheries. Fishing activities by the U.S. purse seine and long line tuna fleets in the Pacific remote islands and atolls (PRIAs) and on the high seas are controlled by the UN Law of the Sea Convention (UNCLOS), the UN Straddling Stocks Convention, the Western & Central Pacific Fisheries Convention (WCPFC), the Magnuson Stevens Fishery Conservation & Management Act (MSA), the Conservation and Management Measures passed by the WCPFC Commission and fishing regulations enacted by NOAA Fisheries. Although no foreign fishing is allowed in the U.S. Exclusive Economic Zone (EEZ), the area around the PRIAs is occasionally fished illegally by foreign fishing vessels. Current enforcement efforts are severely restricted due to the Coast Guard's limited resources and the sheer distances involved in patrolling these remote locations.

Given the prudent level of protection specified in the President's proposal, NOAA's Office of National Marine Sanctuaries (ONMS) is the appropriate federal agency to manage the expanded marine protected area. New national marine sanctuaries in the Pacific become part of the national marine sanctuary system, a network of marine protected areas along the Atlantic, Gulf, and Pacific coasts of the U.S and in Hawaiʻi and American Samoa regulated by the National Marine Sanctuaries Act (NMSA).

Unique among federal statutes, the NMSA provides for a comprehensive, ecosystem-based management system characterized by integrated conservation and robust protection of marine biodiversity, habitat and marine resources. While the NMSA is a multiple-use statute, sanctuary-specific NMSA regulations can prohibit extractive activities in appropriate areas, the taking of certain wildlife, impacts on historical resources and other human activities that could harm marine ecosystems. The NMSA also contains robust enforcement provisions, including civil liability for injury to sanctuary resources.

The ONMS is the primary agency that manages marine sanctuaries in the U.S. and has the most experience actively managing large marine sanctuaries and ecosystems, including management of the very large NWHI Coral Reef Ecosystem Reserve and co-

management of the vast PMNM. As the lead agency ONMS management (with NWHICRER Advisory Council support) led to the designation of a Particularly Sensitive Sea Area by the International Maritime Organization in 2007 to avoid damage to NWHI resources by commercial shipping traversing the great circle route paralleling the PMNM; minimized colonization by invasive alien species through rigorous enforcement of regulations that require the scrubbing of all vessel hulls prior to entering Monument waters; tested and employed remote enforcement techniques; implemented a Vessel Monitoring System and a joint agency permitting system; and established an outreach and education program that emphasizes taking the place to the people instead of the people to the place.

In addition to supporting an expanded marine protected area in the Central Pacific, the NWHICRER Advisory Council recommends that the ONMS be designated as the lead management agency for an expanded PRIMNM from 12 nmi to 200 nmi, with the FWS sharing management responsibilities with ONMS for the PRIMNM just as they do for the PMNM.

Thank you for giving us the opportunity to weigh in on this important proposal.

/s/ Linda M. B. Paul

Vice Chair, NWHICRER Advisory Council