

## Consensus Statement from the Western Pacific Fishery Management Council's Ad-hoc Committee on the Socio-cultural and Economic Impacts of Expanding the PRIMNM

The Western Pacific Fishery Management Council (Council) is mandated by law to promote common-sense and effective conservation of the U.S. Pacific Islands' marine fisheries ecosystems and has, in its nearly 40 year history, been a partner in a number of regional efforts that have restricted place-based fishing activities. However, the Magnuson-Stevens Fishery Conservation and Management Act requires the regional fishery management councils to balance the needs of the natural environment with society's need to benefit from species important to commerce, recreation, and subsistence. This is *conservation*, a term often misinterpreted to mean the wholesale prohibition of use and enjoyment of nature (Norton, 1986). *Preservation* can be an easier endeavor than conservation, as it tends to require less effort; lines are drawn, prohibitions are enacted, and enforcement commences. Lock up the place and throw away the key. Conservation, in contrast is management-based, and as such requires public input, examination of cost-benefit, understanding the characteristics of alternative management strategies and, finally, selecting balanced options.

It is in this context that the Ad-hoc Committee has evaluated the proposed expansion of the Pacific Remote Islands Marine National Monument (PRIMNM). If undertaken by President Obama under the assumed authority of the 1906 Antiquities Act, extending the current PRIMNM to the full extent of the Exclusive Economic Zone would increase its geographic footprint by almost 700,000 square miles. For comparison, the expansion area is superimposed over the Gulf of Mexico in Figure 1. Despite the fact that there are habitats under greater threat and of equal or more biological value to the Nation adjacent to the U.S. Mainland, it is doubtful that politicians in those states would willingly allow such a large area to be taken away from their fishermen and fishing communities.

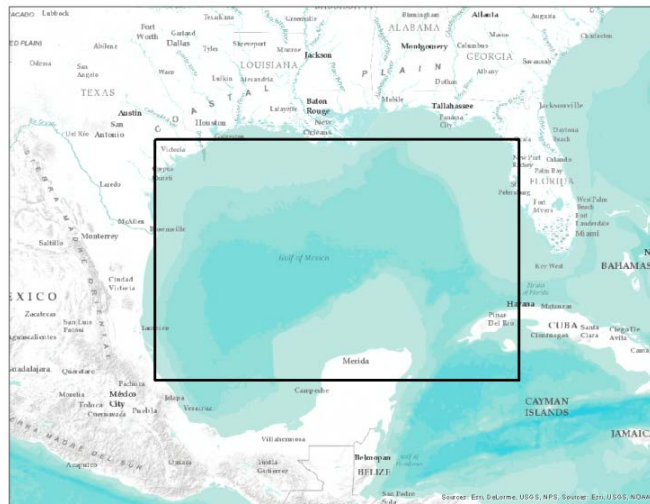


Figure 1. Approximate PRIMNM potential expansion area (695,000 square miles) superimposed on the Gulf of Mexico.

Specifically, the Ad-hoc Committee finds that:

1. The Antiquities Act is an arcane law (Squillance, 2003) that was intended by Congress primarily to protect *objects*, such as landmarks and prehistoric structures, of historic or scientific interest on lands owned or acquired by the U.S Government. Although it is highly questionable that Congress intended for a President to define living plants and animals as “objects” for the purpose of using the Act, or to use it to set aside vast stretches of marine waters, it has, perhaps disingenuously, been used to reserve such waters to protect oceanic habitat, flora, and fauna in recent years (New York Times, 2009).
2. The use of the Antiquities Act circumvents comprehensive public input and influence in the decision-making process. While it is hardly the only federal process that does so, the seemingly inappropriate use of the Antiquities Act in place of a procedurally just (Daigle, Loomis, and Ditton, 1996) process of marine ecosystem *management* suggests Presidents should not use it in these instances. Simply put, a) there are no historic landmarks, prehistoric structures, or archeologically important objects that are not currently protected by the existing PRIMNM boundaries, and b) Federal monuments should not be a substitute for a comprehensive and transparent management process that aims to preserve, conserve, and use (as appropriate) marine ecosystem resources.
3. Many U.S. subjects in the Pacific Islands territories have no voting Congressional representation and cannot themselves vote in Presidential elections. Thus, they lack political voice on these important conservation issues. However, these peoples have inhabited their home islands and have managed their fishery resources according to custom and traditional ecological knowledge for millennia. The President should consider this, and the fact that these islanders currently bear a disproportionate burden in terms of the amount of federal waters Nation-wide that are reserved from fishing.
4. Little to no true ecological value will be realized from expanding the existing Monuments. The Pacific Remote Island Areas (PRIA) are presently closed to all fishing – foreign and domestic – within 50 miles of land, so all coral reef and bottom dwelling animals are fully protected and under no exploitative threat. Beyond fifty miles, only the highly regulated and sustainable U.S. pelagic fishery can harvest the migratory tuna and billfish that pass through the areas.
5. Although proponents of the expansion claim there is little fishing, and hence no reason for fisheries concern in the PRIMNM, in fact between 10% – 20% of some species important to the Hawaii fleet are harvested in waters that may be closed to fishing. These catches consist of highly valuable pelagic species (sashimi grade tuna and swordfish) that feed Hawaii’s families, support its tourist industry, and importantly, are shipped to markets throughout the United States.
6. The proposed expansion represents a “taking” without consultation that differentially and negatively affects Hawaii fishermen and the role that the flow of healthy and sustainably harvested pelagic fish plays in supporting the cultural continuity of various cultures in Hawaii.

7. Proponents of the measure cannot assert that little fishing occurs in the PRIMNM without acknowledging that allowing the well-managed U.S pelagic fishery to continue its “limited” operations would, therefore, have a small ecological impact.
8. In the face of climate change, pelagic tuna and billfish populations are expected to move and productive fishing locations may thus change. The fishable EEZ waters between 50 and 200 miles surrounding the proposed monuments may provide a harvest reserve area for U.S. Hawaiian fishermen if they become climatically displaced from their current fishing grounds.
9. U.S. citizens as a whole consume millions of pounds of pelagic fish each year. The loss of the PRIA fishing grounds to United States fishermen will result in less domestically-caught seafood, which will be filled by fish caught by foreign fleets. These fleets are not subject to the same catch limits, endangered species controls, conservation rules, observer coverage, and monitoring and reporting requirements that U.S. fishermen operate under.
10. The remoteness of the islands ensure very little U.S. Coast Guard enforcement presence. In fact, the issue of enforcement is so important that it was found to be a key factor in why nearly 60% of the world’s marine protected areas are ineffective (Edgar, et al., 2014). Calling a marine area protected does not make it so. In the case of the PRIMNM, it is likely that foreign fishing fleets will simply set satellite-tracked fish aggregating devices adrift through the closed areas, and then harvest the fish on the other side.

The U.S. EEZ waters surrounding the marine national monuments in the Pacific Islands already encompass more than 320,000 sq. miles and constitute 15% of the U.S. central Pacific EEZ. The potential expansion of the PRIMNM could increase that to 45%. This feel-good action would continue in a recent tradition of unfair treatment of U.S. Pacific Islanders regarding federal marine closed areas, while resulting in nearly none of the benefits that Sala et al. (2014) assert in their report to the U.S. government. Specifically, and for the reasons previously articulated, the expanded PRIMNM will not:

- Serve as “havens for all kinds of marine wildlife” beyond their current effectiveness.
- Protect the reef ecosystems by allegedly protecting distant larger tuna. Sala et al.’s claimed trophic connections (e.g., tuna driving baitfish to the surface which in turn feed the seabirds which then allow sharks to feed on chicks and protect the reefs) are stretches and make the report seem like advocacy (rather than objective) science.
- Guard against “shifting baseline syndrome” in the Pacific, as areas, such as those irradiated in atomic bomb testing in the 1950s. In an ecological sense, these places have recovered from the initial impacts of the bombs, and have been largely unpopulated and unexploited for decades.
- Be “ideal places to monitor ocean impacts of climate change,” because of the expense involved in regular studies of these distant areas.
- Earn the President universally “high praise.”
- Be uncontroversial.

- Be neutral to the U.S. Pacific Islands pelagic fishing fleet and U.S. consumers.

If the proposed expansion of the PRIMNM was a solution to a conservation problem, the Ad-hoc Committee could see value in such Presidential action. But, that is not the case. Therefore the Committee strongly recommends against expanding the Pacific Remote Islands Marine National Monument.

## References

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