

Senator Daniel K. Akaka, Governor George R. Ariyoshi Governor Benjamin Cayetano
29 Kawanakoa Place, Honolulu, Hawai`i 96817

July 22, 2016

The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Re: Proposed Expansion of the Papahānaumokuākea Marine National Monument

Dear Mr. President:

We oppose the proposed expansion of the Papahānaumokuākea Marine National Monument (PMNM). Native Hawaiian rights and Hawai`i State rights have not been considered and there is no transparency in this process. No economic impact study was taken to determine the impact of this proposed expansion.

Hawai`i is the only State in the union comprised of small islands surrounded by the ocean and remotely located thousands of miles from any other land mass. We depend on the ocean for food, livelihood, recreation, and the perpetuity of traditional native Hawaiian cultural practices. Hawai`i is the only State that met the Convention on Biological Diversity's Aichi Target 11 to protect 10 percent of coastal and marine areas by 2020. Nearly 23 percent of the waters surrounding Hawai`i are in no-take reserves even though scientists recommend protecting 20 percent of the waters to maintain healthy oceans.

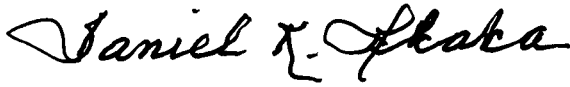
Your office is considering using the Antiquities Act of 1906 to extend the protection of the waters and submerged lands from 50 to 200 miles offshore of the Northwest Hawaiian Islands – we oppose that. That is a 350 percent expansion of the PMNM from 140,000 square miles to 583,000 square miles. The proposed monument area is equal in size to the landmass of all of the West Coast States (Washington, Oregon and California) and Texas combined.

The proposed expansion would include the entire U.S. exclusive economic zone (EEZ) surrounding the Northwestern Hawaiian Islands (i.e., 53 percent of the EEZ around the State of Hawai`i). The expansion would prohibit the State of Hawai`i from using the living and non-living resources within the U.S. EEZ as provided for in the United Nation's Convention on the Law of the Sea, Proclamation 5030 on the Exclusive Economic Zone of the United States, and the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

The proposed expansion will impact the State's ability to continue its trust responsibility to native Hawaiians. The State Constitution (Article XII, Sec 7) says the State shall protect all rights customarily and traditionally exercised for subsistence, cultural, and religious purposes for native Hawaiians. The existing monument (0–50 miles from shore) prohibits free access to traditional fisheries and gathering resources - federal permits are required. The native Hawaiian traditional fishing practice to bring fish and other resources back to their families and communities is prohibited in that area.

Thank you for your time and attention to this matter – we urge you not to expand Papahānaumokuākea Marine National Monument.

Respectfully,



Daniel K. Akaka
U.S. Senator (1990-2013)



George R. Ariyoshi
Governor of Hawai'i (1974-1986)



Benjamin Cayetano
Governor of Hawai'i (1994-2002)

CC: Hawai'i Congressional Delegation
White House Council on Environmental Quality
Secretary of the Interior
Secretary of Commerce
Governor David Ige
Lieutenant Governor Shan S. Tsutsui
Hawai'i State Legislature
Mayors and County Council Members
Office of Hawaiian Affairs
Kamehameha Schools
Association of Hawaiian Civic Clubs
State Council of Hawaiian Homestead Association
Council for Native Hawaiian Advancement
Chamber of Commerce of Hawai'i
Chinese Chamber of Commerce
Filipino Chamber of Commerce
Hispanic Chamber of Commerce
Japanese Chamber of Commerce
Hawai'i Korean Chamber of Commerce
Native Hawaiian Chamber of Commerce
Okinawan Chamber of Commerce
Portuguese Chamber of Commerce
Taiwanese Chamber of Commerce of Hawai'i
American Federation of State, County and Municipal Employees Association
Hawai'i Building Trades Council
Hawai'i Farm Bureau Federation
Hawai'i Government Employees Association
International Longshore and Warehouse Union
United Public Workers