



**Western
Pacific
Regional
Fishery
Management
Council**

June 20, 2016

Honorable Brian Schatz
United States Senator
Hart Building
Suite SH-722
Washington
DC 20510-1105

Dear Senator Schatz:

We are writing in response to your letters of March 23rd and June 16th regarding the proposed expansion of the Papahānaumokuākea Marine National Monument (Monument) in the Northwestern Hawaiian Islands (NWHI).

Despite your assertion that you would not support any expansion that does not adequately consider the interests and importance of Hawaii's longline fishery, which as you note in your letter has fished responsibly in the NWHI for decades, the boundaries you propose for monument expansion eliminate the fishery from a substantial portion of its traditional range.

We are dismayed that you did not consult with the Western Pacific Regional Fishery Management Council (Council) prior to distribution of your letters which have proliferated unsubstantiated statements through the media. For example, insinuating that a "vigorous carbon sink" will be created by drawing a boundary on the ocean is false, as such an action would not make that part of the ocean absorb any more carbon than at present. The Council has federal jurisdiction over the waters within the Northwestern Hawaiian Islands beyond the current monument boundaries under the Magnuson-Stevens Fishery Conservation and Management Act of 1976. We, therefore, request a meeting with you and your staff as soon as possible.

As you yourself note, the Hawaii longline fishery uses "responsible and sustainable practices and has resulted in Honolulu's recognition as one of the nation's ten most productive fishing ports". This fishery is not simply about economics, it is also about the sustainability of the State of Hawaii through local food security (see the State of Hawaii 2050 Sustainability Plan, the Governor's Aloha + Challenge, and the Hōkūle'a Worldwide Voyage Promise to Paeaina).

Most of the seabed in the area from 50 to 200 nm offshore lies beneath three miles of ocean water at a pressure of 440 atmospheres and the deepest that fishing occurs is 400 meters (less than one-quarter of a mile). Why does it need "protecting" in yet another paper park and further layers of federal bureaucracy?

The potential co-trusteeship for Office of Hawaiian Affairs of the current monument is possible without monument expansion. The Native Hawaiians lost free access to this area with the creation of the monument. Permits are required for all activities that are allowed, including the voyages of the canoes of the Polynesian Voyaging Society. The Native Hawaiian Practice Permit is available to everybody, not just Native Hawaiians.

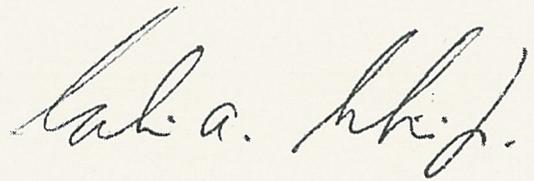
If the Hawaii longline vessels are pushed out of the NWHI, they would have to compete on the high seas with foreign longliners, which operate just outside of the US EEZ around NWHI targeting the same stocks. Furthermore, all foreign vessels including fishing vessels can and do regularly transit the EEZ around the NWHI unhindered, while the Hawaii longline fleet must notify all movements of entry and exit from this zone.

It is essential that you meet with us so that the discussion on your proposal is grounded in truth and science. Please contact Kitty Simonds to arrange a meeting at your earliest convenience.

Sincerely

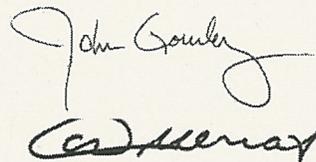
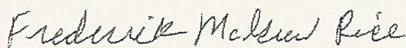


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Council Executive Committee



Frederick M. Rice (Vice Chair Hawaii) William Sword (Vice Chair American Samoa), John Gourley (Vice Chair CNMI), Michael Duenas (Vice Chair Guam)

cc: The President of the United States
Council on Environmental Quality

Supporting Information. For attachment to letter to Sen. Brian Schatz June 20, 2016

- The best available science does not indicate expanding the PMNM will strengthen an ecosystem that sustains tuna, swordfish, sharks, seabirds, sea turtles and Hawaiian monk seals. Tunas, swordfish, pelagic sharks, seabirds, some species of turtles are highly migratory species which forage and spawn based upon a shifting system of gyres, currents, winds and temperature gradients which the proposed monument expansion does not address.
- Seabirds are associated with terrestrial habitats for breeding and nesting. The emergent lands in the NWHI are already protected under the current monument.
- How does closing waters make fishing more productive? Scientific research has shown that the movement of fish and other marine life in the Hawaiian Archipelago flows from the Main Hawaiian Islands to the NWHI and not vice versa. According to scientific research there is no evidence of spillover of larval or adult of species from the monument of bottomfish, coral reef fish, and pelagic fish.
- Expanding the monument will reduce opportunities to understand this ecosystem and would eliminate logbook and observer data collection from the Hawaii longline fishery. Data collected from the fishery is the primary means by which we understand spatial distribution, species composition, stock productivity, and trophic level dynamics of the pelagic ecosystem.
- The only major fishing activity in the NWHI is the longline fishery. The other existing activities—military activities, research and maritime transport—will not be impacted. Eighty percent of the fish caught in Hawaii stays in Hawaii, and fish is the state's number 1 primary production/ food production.
- How will removing longliners improve scientific research? What part of longline fishing is impeding any research efforts within the proposed area of expansion?
- No studies have shown that coral larvae stay within the current monument, the proposed expanded monument or even further. It depends on species. Some are brooders and some are broadcast spawners. Larvae from broadcast spawners are drawn to the open ocean where mortality is high. Once the planular larvae use up their energy reserve, the larva is forced to settle. Without a suitable substrate to settle on the larva will die.
- The Coral Triangle is the center for coral diversity, not the Northwestern Hawaiian Islands. Hawaii is not within the top ten hotspots for biodiversity protection. Further, there are no endangered species of coral in Hawaii.
- How does designating greater expansion of the NWHI create a “vigorous carbon sink”? Carbon sinks act on a basin scale without regard for political boundaries. Expansion will

also not protect against climate change. Studies show that terrestrial systems are the major sink for CO₂ generated by fossil fuels as compared to ocean systems.

- Pushing out the longliners with likely cause these vessels to fish further offshore, and increasing their carbon footprint.
- Reefs in large marine protected areas (MPAs) such as in Papua New Guinea, the Great Barrier Reef, and the Pacific Remote Island Areas were affected from recent coral bleaching, which is a function of temperature. Other protected areas have not prevented coral bleaching from occurring, such as Hanauma Bay and Molokini. MPAs of any size do not prevent coral bleaching.
- The expansion of the monument will add no protection for sunken warships, which have sovereign protection under the Law of the Sea. The Japanese carriers and battleship sunk at the Battle of Midway remain the property and concern of the Government of Japan.
- The Austronesian Expansion into Southeast Asia and Oceania jumped off from Taiwan about 40,000 to 60,000 years ago and progressed through the islands of Indonesia and the major islands of New Guinea and the Solomon Islands, before taking the final leap into Oceania where the descendants of these people became what are now the modern Polynesians.
- According to the Pele legend, the NWHI is an ancient pathway for native Hawaiians. Even until modern times families with generational ties to Nihoa, Mokumanamana and Mokupapapa made seasonal trips to the NWHI. Malama Honua, which began with a navigation of the NWHI, is a modern voyage. The creation of the first monument eroded the native indigenous right to access this area by requiring application for a permit and limiting native practices while in the monument area. In fact, in the interim, that generational practice may have ended because of the barrier created by the original Papahānaumokuākea boundaries and regulations. The only barrier to native access to this area is created by the monument. How is traditional indigenous practice preserved by requiring the acquisition of a permit to access traditional areas?
- Regarding enforcement, the implementation of other monuments in the Western Pacific (NWHI, PRIAs, Mariana Trench) included language that increased enforcement would occur, but this has not happened.
- Based upon the track record of other US Pacific monuments, federal and private funding resources have not been realized and management plans have not been completed. The State of Hawaii has not received funding for their role as a co-manager. The notion that private funding will make up for limited federal funding lacks precedent and would likely be unsustainable.
- Removing the Hawaii fishing vessels from the US EEZ around the NWHI would reduce the 'eyes on the water' that provide additional monitoring of illegal foreign fishing.

- Monument expansion would displace Hawaii longline vessels to the high seas where they would face competition from foreign vessels and increased operating costs to access fishing grounds farther from Hawaii.
- The longer trips could reduce seafood quality for Hawaii consumers. Monument expansion would displace small longline fishing vessels and concentrate them into the EEZ around the main Hawaiian Islands.
- The Hawaii longline fishery does not interact with monk seals. The original monument boundary was based on a Council implemented longline protected species zone. This closure was requested by longline fishermen who recognized their vulnerability to longline interactions with monk seals
- Further, there may be increased importation of fish from countries that have Illegal Unreported and Unregulated (IUU) fishing such as China, and countries such as Thailand and Indonesia which regularly use slaves in fishing operations. This also includes the adulteration of tuna with Carbon monoxide to maintain the appearance of freshness.
- Fishing is intrinsic to all of Hawaii's cultures.