

Federal Government Seeks Public Comments on Proposed Green Sea Turtle Critical Habitat in Western Pacific Region



Public hearing on green sea turtle critical habitat at the Rex Lee Auditorium in American Samoa. Photo: Felix Penalosa.

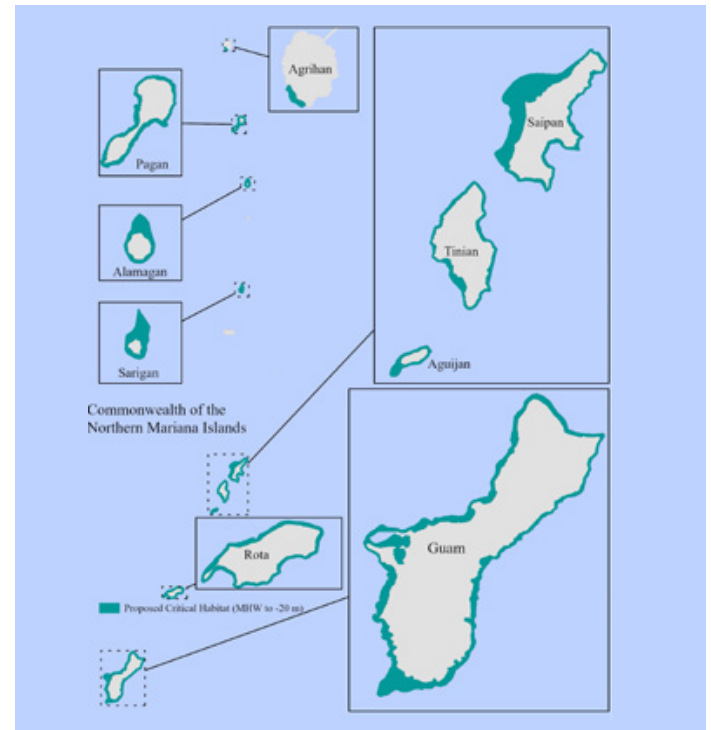
The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) published proposed rules on July 18, 2023, to designate critical habitat for populations of green sea turtles listed under the Endangered Species Act (ESA). Proposed areas include terrestrial (land) and marine habitats in Hawai'i, American Samoa, Guam and the Commonwealth of the Northern Mariana Islands (CNMI).

From Aug. 10 to 30, 2023, USFWS and NMFS conducted joint public hearings on the proposed rules. At the American Samoa public hearing, Taotasi Archie Soliai, Department of Marine and Wildlife Resources director and Council member, expressed concern regarding the accuracy of the data which is crucial to supporting the designation. Despite a few supportive voices, there was a shared concern about adding a layer of bureaucracy and potential impacts on current and future projects that support economic development in the territory. Similar sentiments were shared at the public hearings held in Guam and Saipan. Guam Division of Aquatic and Wildlife Resources staff members expressed frustration that they have been inundated with multiple designations, including the overlap between the current proposal and the previously proposed coral critical habitat. Attendees of the CNMI hearing questioned the decision not to hold public hearings on Rota and Tinian, and raised concerns about the limited amount of community outreach on the complex rule in advance of the hearings. NMFS and USFWS representatives at the hearings acknowledged the issues raised and emphasized ongoing collaboration and the importance of accurate data and science in decision-making.

USFWS and NMFS share jurisdiction for sea turtles listed under the ESA, with USFWS covering terrestrial areas and NMFS responsible for marine areas. Critical habitat is defined as an area that contains habitat features that are essential for the conservation of a species. USFWS is proposing to designate critical habitat on land where green sea turtles bask, nest, incubate, hatch and travel to the sea, which includes beaches, sandy shoals and coastal vegetation between the mean high water line and the beginning of dense vegetation, cliff or coastal structures. NMFS is proposing to designate

marine critical habitat from the mean high water line to 20 meters depth to protect access to nesting beaches, migratory corridors and important feeding and resting areas.

Critical habitat is a way to make sure that activities funded or allowed by the federal government do not harm a species' habitat through the ESA consultation process. It does not create a protected area or limit access on its own, and it does not stop



Map of NMFS' proposed green sea turtle critical habitat designation in marine habitat for Guam and the CNMI. Credit: NMFS.

development or affect actions that do not have federal funding or permits. Most projects move forward without modifications after consultation with USFWS or NMFS. If USFWS or NMFS determines that an activity will likely impact critical habitat, then it must work with the responsible federal agency or other entity to modify the activity or take precautions to protect the habitat.

The public comment period will close Oct. 17, 2023. For more information about the proposed rules, maps of all proposed areas, supporting documents and instructions on how to provide written comments, visit the websites below. 🐢

Additional resources on the proposed rule:

Overview of the USFWS proposed rule to designate critical habitat in terrestrial habitats in the Pacific Islands: www.fws.gov/project/green-sea-turtle-critical-habitat-pacific-islands.

NMFS proposed rule and supplemental materials for critical habitat in marine habitats: www.fisheries.noaa.gov/action/proposed-rule-designate-critical-habitat-green-sea-turtles.