



Report of the Public Hearing Sessions for the Proposed National Marine Sanctuary in Papahānaumokuākea

*Prepared by Council Staff
May 2024*

NOAA has proposed to designate marine portions of Papahānaumokuākea Marine National Monument (PMNM) as a National Marine Sanctuary. The proposed sanctuary consists of an area of approximately 582,570 square statute miles (439,910 square nautical miles) of Pacific Ocean waters surrounding the Northwest Hawaiian Islands. A draft environmental impact statement (DEIS) and draft management plan (DMP) was prepared in coordination with the State of Hawai'i. NOAA solicited public comments on the proposed rule, the DEIS and the DMP from March 1 to May 7, 2024, including holding public hearings as follows:

- *Virtual Meeting*—April 6, 2024, 9 a.m.-12 p.m. HST.
- *Honolulu, O'ahu*—April 8, 2024, 5 p.m.-8 p.m. HST, Aloha Tower, Multipurpose Room
- *Kāne'ohe, O'ahu*—April 9, 2024, 5 p.m.-8 p.m. HST, He'eia State Park
- *Wai'anae, O'ahu*—April 10, 2024, 5 p.m.-8 p.m. HST, Wai'anae District Park Gym
- *Waimea, Kaua'i*—April 11, 2024, 5 p.m.-8 p.m. HST, Waimea High School
- *Hanalei, Kaua'i*—April 12, 2024, 5 p.m.-8 p.m. HST, virtual due to weather
- *Lihu'e, Kaua'i*—April 12, 2024, 9 a.m.-12 noon HST, Wilcox Elementary School
- *Hilo, Hawai'i*—April 15, 2024, 5 p.m.-8 p.m. HST, Mokupāpapa Discovery Center
- *Kahalu'u Kona, Hawai'i*—April 16, 2024, 5 p.m.-8 p.m. HST, Kahalu'u Ma Kai Site.
- *Kahului, Maui*—April 17, 2024, 5 p.m.-8 p.m. HST, Maui Community College
- *Kaunakakai, Moloka'i*—April 18, 2024, 5 p.m.-8 p.m. HST, Kulana Oiwī

The meeting started with pre-hearing sessions that provided an opportunity to engage meeting attendees on what the DEIS is about and answer any questions. Council staff attended every in-person meeting, along with NMFS PIRO Sustainable Fisheries staff, with a poster explaining the fishing regulations that were recommended by the Council. The lack of attendees at meetings made engagement difficult but those that did participate were provided information that they were otherwise unable to obtain from the DEIS alone.

Each meeting started with an identical format with an introduction by the facilitator, an opening protocol, and instructions. A presentation was given by PMNM Superintendent Eric Roberts on an introduction to sanctuaries and the process for designation. It also included a description of the DEIS alternatives. Ryan Okano, Division of Aquatic Resources, provided information on the cultural impact of the proposed designation as well as the draft management plan. Following the presentation, the hearing was open for three minutes of public comments. When everyone that wanted to provide public comments were done, the public was invited to provide additional public comment.

A summary of the oral comments provided at the public meeting comments can be found on the Regulations.gov. The following list was compiled by Council staff and represents the general comments provided at the public meetings.

- There were comments about allowing the Council to provide the fishing regulations and allowing a back door for commercial fishing;
- Support for the sanctuary due to climate change, fishing pressure, habitat loss, and other reasons that a sanctuary may not be able to control;
- Many commenters noted the proposed sanctuary would lose the OHA co-trustee partnership (and USFWS) as the sanctuary would be between NOAA and State of Hawaii. Some said that there is a monument where everyone is represented but the sanctuary does not allow that;
- Some comments pointed out that the area is already protected and that there wasn't a need for a sanctuary;
- There was confusion on what the Council put forth as recommendations for the proposed sanctuary by a few commenters;
- There were comments that supported each of the alternatives plus the no action;
- Many of the former NWHI Coral Reef Ecosystem Reserve folks provided comments essentially stating that the Reserve is stricter than a sanctuary and expansion of the monument created loopholes to allow activities.
- On Kauai, there were a couple of people that wanted to have continued access for fishing in the NWHI and that closing areas to fishing was counter to being self-sustaining;
- Concerns about monitoring and enforcement of activities in the area;
- Other concerns included military use of the area, deep sea mining, protected species, marine debris;
- There was some support for sustainable fishing practices while others commented that extractive uses is not Hawaiian;
- A few comments also mentioned the lack of advertisement of the meetings.

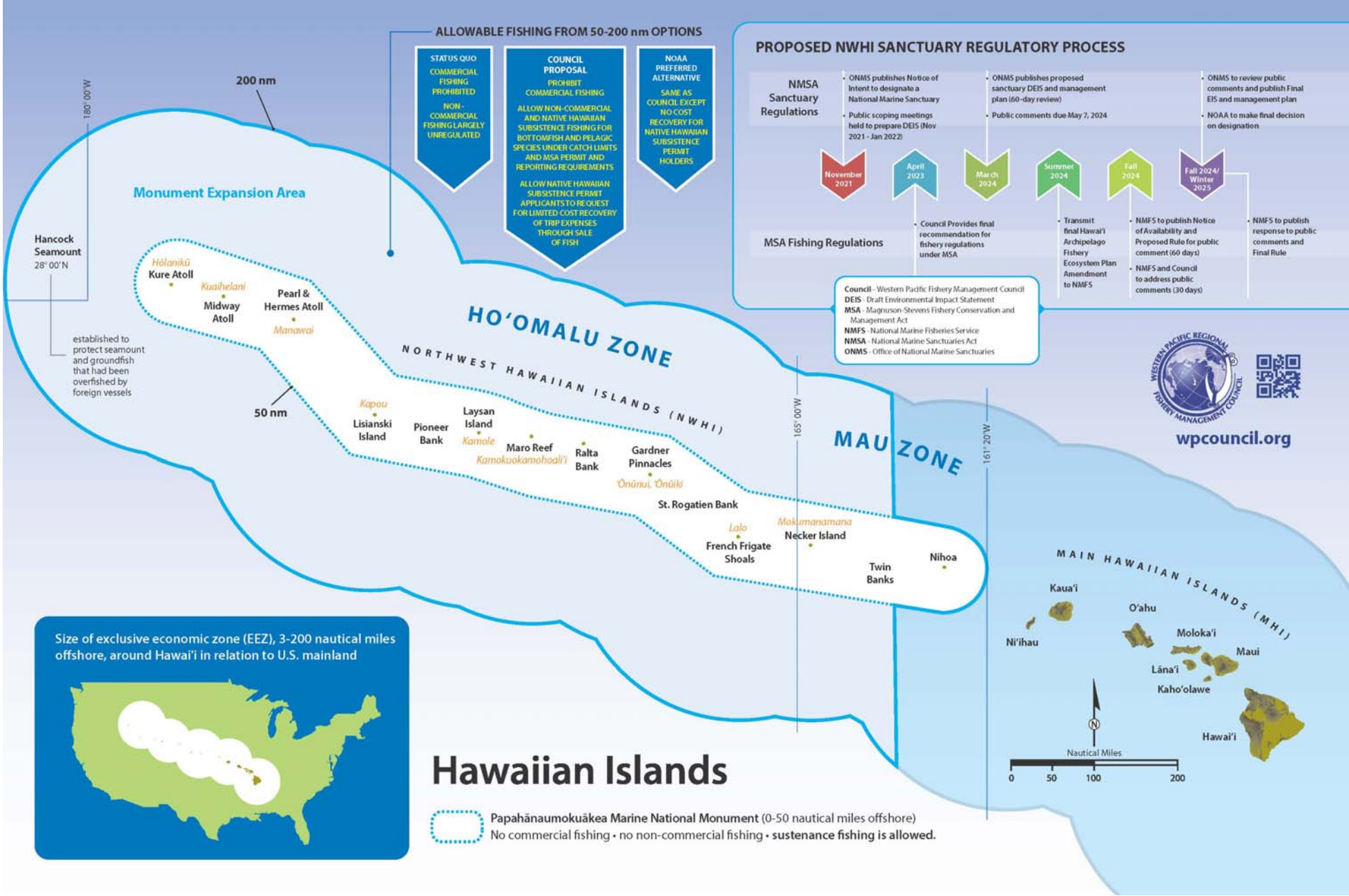
Overall, there were about 61 public comments given between all of the meetings. Some of the meetings were well-attended yet not many public comments were made. With a total of 238 attendees, public comment rate was somewhere near 4% of attendees. Many comments were made in support of the sanctuary but there were comments in support of fishing at each of the meetings. Half of the commenters provided support for one of the alternatives but most provided general support or opposition with very few providing input on the DEIS. ONMS staff is reviewing comments from the meeting as well as those provided online in order to provide responses to comments and finalize the DEIS and DMP for decision by the Secretary of Commerce. No date has been provided for that action but it is expected in the Fall of 2024.

Poster presented at public hearings by Council staff

ALLOWABLE FISHING FROM 50-200 nm OPTIONS

<p>STATUS QUO COMMERCIAL FISHING PROHIBITED</p> <p>NON-COMMERCIAL FISHING LARGELY UNREGULATED</p>	<p>COUNCIL PROPOSAL PROHIBIT COMMERCIAL FISHING</p> <p>ALLOW NON-COMMERCIAL AND NATIVE HAWAIIAN SUSTENANCE FISHING FOR BOTTOMFISH AND PELAGIC SPECIES UNDER CATCH LIMITS AND MSA PERMIT AND REPORTING REQUIREMENTS</p> <p>ALLOW NATIVE HAWAIIAN SUSTENANCE PERMIT APPLICANTS TO REQUEST FOR LIMITED COST RECOVERY OF TRIP EXPENSES THROUGH SALE OF FISH</p>	<p>NOAA PREFERRED ALTERNATIVE</p> <p>SAME AS COUNCIL EXCEPT NO COST RECOVERY FOR NATIVE HAWAIIAN SUSTENANCE PERMIT HOLDERS</p>
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PROPOSED NWHI SANCTUARY REGULATORY PROCESS



Size of exclusive economic zone (EEZ), 3-200 nautical miles offshore, around Hawai'i in relation to U.S. mainland



Hawaiian Islands

wpcouncil.org