Western
Pacific
Regional
Fishery
Management
Council

July 24, 2025

Hon. Howard Lutnick
U.S. Secretary of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Dear Secretary Lutnick,

Executive Order 14276, Section 4(h), directs the Secretary of Commerce, in consultation with the Secretary of the Interior, to review the existing marine national monuments and provide recommendations to the President regarding opening any of them to commercial fishing. As you consider whether such opening is consistent with the intent of the monuments, the Western Pacific Regional Fishery Management Council (Council) would like to provide you with an analysis of the fishing regulations in the monument areas, along with options. The options presented below would allow commercial fishing within the Papahānaumokuākea, Marianas Trench and Rose (*Muliava*) Atoll Marine National Monuments to resume under the management of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). This change is consistent with the goals and objectives of Executive Orders 13921 "Promoting American Seafood Competitiveness and Economic Growth," 14276 "Restoring American Seafood Competitiveness," 14192 "Unleashing Prosperity Through Deregulation," and 14303 "Restoring Gold Standard Science."

Commercial fisheries managed through fishery management plans (FMPs) developed by the Council have operated for decades in the areas now designated as marine national monuments and the Council's precautionary and ecosystem-based approaches to fisheries management have effectively led to the abundance of marine and wildlife resources and "pristine" ecosystem conditions recognized by past President in designating these areas as marine national monuments. This proven track record demonstrates the MSA is the appropriate authority to in maintaining healthy fish stocks and their respective ecosystems, while maintaining sustainable fisheries that provide jobs and food security for the American people. Hawaii-based tuna fisheries provide dockside values in excess of $130 million per year, most of which is provided by the local longline fleet as the largest food producer in Hawaii. Fishing is of vital cultural and economic importance to the American Samoan community and its fisheries and despite healthy fish stocks, they are facing significant economic challenges, including increased fuel, labor, and operating costs, increased competition from foreign fleets and closure of foreign and domestic EEZs to fishing. The CNMI and Guam have not fully developed their fisheries and aspire to increase seafood production for domestic and foreign markets. For these reasons, opening US EEZ waters within marine national monuments will better position US domestic fisheries to compete directly with loosely-regulated and heavily-subsidized foreign fisheries that provide cheap, lower quality products.

Under the MSA, fishery conservation and management measures included in any FMP must be consistent with the 10 national standards and other requirements, including preventing

overfishing, be based on the best available scientific and commercial information, minimize bycatch and fishing impacts on essential fish habitat, ensure safe fishing conditions and comply with other applicable laws, including the Endangered Species Act, the Marine Mammal Protection Act, the National Environmental Policy Act. If commercial fishing is restored in marine national monuments, these provisions will continue to be followed to ensure proper care and management of the objects to be protected Based on our review, Council makes the following recommendations regarding the Pacific Marine National Monuments:

Recommendations

Regarding the Papahānaumokuākea Marine National Monument (PMNM):

1. Allow commercial tuna longline fishing to resume within the EEZ waters surrounding the Northwestern Hawaiian Islands (NWHI) inside the PMNM 50 – 200 nautical miles (nm) seaward of each island and be managed through the MSA. Federal regulations remain in place prohibiting longline fishing within the Protected Species Zone, which extends from shore seaward to 50 nm (1991 Pacific Pelagic FMP Amendment 3). In addition to the area closures, mandatory conservation and management measures for the Hawai'i longline fishery include limited entry permit, annual catch quotas, 101-foot vessel size limit, logbook reporting, at-sea vessel monitoring systems, at-sea federal human observers (with electronic monitoring to be implemented by 2027), protected species mitigation measures and captain/crew training workshops. These fisheries are also subject to other applicable U.S. laws such as ESA and MMPA, as well as international agreements .
2. Allow commercial hook-and-line bottomfish and pelagic trolling fisheries to resume within the EEZ waters surrounding the NWHI from 3-200 nm and be managed through the MSA. Federal regulations remain in place for two NWHI limited-entry programs controlling participation and landings. Regulations established in 1988 and 1999 require federal limited-entry permits (7 in Ho'omalu Zone and 10 in Mau Zone), logbook reporting, minimum trip and catch requirements for permit renewal, maximum vessel size limit of 60 feet, and federal observers to monitor for protected species interactions. Federal regulations also set aside 20% of the permits for Native Hawaiian fishers to provide cultural access to traditional fisheries.
3. Fishing prohibitions established within the NWHI Coral Reef Ecosystem Reserve through Executive Orders 13178 and 13196 will need to be vacated to allow commercial bottomfish and pelagic trolling in EEZ waters from 3-50 nm of the NWHI.
4. Prohibitions will remain on the harvest of seamount groundfish, crustacean, coral reef and precious coral species, and the use of bottom-tending gears, bottom trawls, bottom-set gillnets, poisons, and explosives.

Regarding the Marianas Trench Marine National Monument (MTNMN):

1. No changes to be made to the Trench and Volcanic Units inside the MTMNM.
2. Commercial and non-commercial fishing to be allowed within the Islands Unit EEZ waters from 0-200 nm surrounding the three northernmost islands of Farallon de Pajaros (Uracas), Maug and Asuncion and be managed through the MSA. Existing regulations require federal permits and reporting, and observers (electronic monitoring by 2027) for bottomfish, coral reef ecosystem, crustacean, and precious coral fisheries and allows for customary exchange. Prohibitions remain on the use of bottom trawls, bottom-set gillnets, poisons, and explosives. Area based management, size limits and gear restrictions are required for harvesting precious coral species.

3. Return management authority over fishing activities in the Islands Unit of the MTMNM to the authorities under the MSA.
4. Convey the unencumbered ownership of the 0-3 miles of submerged lands surrounding Uracus, Maug, and Asuncion to the CNMI as originally promised by the federal government.

Regarding Rose (Muliava) Atoll Marine National Monument/National Marine Sanctuary of American Samoa Muliava Unit:

1. Commercial and non-commercial fishing to be allowed within EEZ waters from 12-50 nm surrounding Rose Atoll and be managed through the MSA. Existing regulations controlling participation and catch include longline limited-entry permit (2005 Pacific Pelagic FMP Amendment 11), logbook reporting, federal observers (electronic monitoring by 2027), vessel monitoring systems, gear restrictions, protected species mitigation measure, captain/crew training workshops, and customary exchange. Prohibitions remain on the use of bottom trawls, bottom-set gillnets, poisons, and explosives.
2. The name Rose Atoll Marine National Monument to be changed to Muliava Marine National Monument to reflect its indigenous name and the cultural heritage of the Samoan people.

The Council recommends that any conservation and management measures considered in the future be based on scientific evidence and for fishery monitoring to commence in these areas. Appendix 1 (enclosed) provides a review of the marine national monuments along with options, which details the benefits to fishing, seafood and island communities, impacts to fishery resources, ecosystems and protected species for your consideration. Appendix 2 provides maps of the monument areas with the federal regulatory regime that is currently in place should commercial fishing be allowed in the marine national monuments in the Pacific.

Thank you for your attention to this matter and for assisting the Western Pacific in making US fisheries great again!

Sincerely,

William A Sword
Council Chairman

Kitty M. Simonds
Executive Director

CC: Eugenio Piñeiro Soler , Assistant Administrator for Fisheries

Encl: Appendix 1-WPRFMC Options and Review of the Marine National Monuments
Appendix 2-Maps with the Existing Fishing Regulations in the Monument Areas

Papahānaumokuākea Marine National Monument
Initial Options to Allow Commercial Fishing

1) **Hawaii Longline Fishery**

Option - Allow commercial deep-set and shallow-set longline fishing within 50 - 200 nm in the NWHI

a) Federal monitoring and management now in place to control longline fisheries in the NWHI:
   i) MSA regulations remain in place prohibiting longline fishing within the Protected Species Zone (0-50 nm) in the NWHI. Established in 1991 (Pelagic FMP Amendment 3) to protect endangered Hawaiian monk seals.
   ii) Federal permit and logbook trip reporting required since 1991 (Pelagic FMP Amendment 2). Electronic reporting in all longline fisheries established in 2021 through Pelagic FEP Regulatory Amendment 3.
   iii) Satellite-based Vessel Monitoring System (VMS) on all vessels required since 1994 to monitor and enforce closed areas.
   iv) Mandatory placement of observers required since 1993 for the Hawaii longline fishery (Pelagic FMP Amendment 3 framework procedure). Transitioning towards a mandatory Electronic Monitoring program on all longline vessels, phasing in through 2027.
   v) Limited entry program for Hawaii-based longline fishery with transferable permits, a limit of 164 vessels, and a maximum vessel size of 101 feet in length overall required since 1994 (Pelagic FMP Amendment 7).
   vi) ESA Biological Opinions for the Hawaii deep-set and shallow-set longline fisheries have concluded that the fisheries are not likely to jeopardize ESA-listed sea turtles, marine mammals, seabirds, sharks and rays.
   vii) Annual Protected Species Training Workshops required for longline vessel owners and captains established in 2001, and new requirement for longline crew pending (Council final action taken at June 2025 meeting)
   viii) Seabird interaction mitigation measures required since 2002 in the deep-set longline fishery and since 2004 in the shallow-set longline fishery
   ix) Sea turtle interaction mitigation measures (circle hooks and fish bait) required in the shallow-set fishery since 2004. The shallow-set fishery also operates under a fleet-wide leatherback turtle interaction limit as well as a per-trip interaction limit for both loggerhead and leatherback turtle interactions (last revised in 2020 through Pelagic FEP Amendment 10)
   x) Prohibition of wire leaders in Western Pacific longline fisheries required since 2022 to reduce incidental mortality of sharks and other species, Pelagic FEP Regulatory Amendment 4
   xi) Total effort capped through limited entry (see v. above) and annual catch limits in the Hawaii longline fishery
      (1) Western and Central Pacific Fisheries Commission (WCPFC) limits of 6,554 mt bigeye tuna catch for U.S. longline vessels

(2) WCPFC catch limits of 393.4 mt for striped marlin required since 2025

b) Benefits to the Longline Fishery and US Seafood
   i) Pelagic tuna and swordfish fisheries historically operating within the U.S. EEZ around the NWHI contributed ~10% of catch for fisheries worth $100–125 million per year in dockside value.
   ii) Prohibiting fishing seaward of 50 nm (due to the Monument expansion) reduced longline fishery performance by 7% and revenues by 9%.(2020 NMFS study). Lost revenue (9% revenue/trip) of high-value bigeye tuna equated to about $3.5 million during the first 16 months post-expansion.
   iii) Removal of the Monument will decrease fuel costs, improve catch quality, and improve competitiveness of Native Hawaiian and U.S.-flagged fleets.
   iv) Provides an opportunity for enhanced fishery performance with less travel cost:
      (1) Prior to expansion of the Monument, catch-per-unit-effort for bigeye tuna was slightly higher in the NWHI than other areas (4.22 bigeye per 1000 hooks versus 4.02 bigeye per 1000 hooks in all areas) per NMFS reports
      (2) Swordfish catch rates for all targeted trips was nearly 50% higher

c) Benefits/Impacts to Traditional, Cultural and Historic Sties
   i) Hawaii longline fishery operates hook and line gear deployed in upper surface layer of the ocean and will pose no impacts to
      (1) Native Hawaiian practices/sites, including burial sites, traditional fishing areas and voyaging routes that are integral to the cultural heritage and practices of Native Hawaiian people.
      (2) The protection of historic sites such as shipwrecks and other artifacts of historical importance, including those related to World War II.

2) <u>NWHI Bottomfish Fishery</u>

Option - Allow commercial bottomfish fishing to resume in the NWHI under existing MSA regulations, monitoring and control.

a) Federal monitoring and management now in place to control bottomfish fisheries in the NWHI:
   i) Hoʻomalu Zone Limited Entry program (Northern part of the NWHI) required since 1988 (Bottomfish FMP Amendment 2). Limited entry program caps non-transferable LE permits at 7; requires permits holders to use-it or lose-it (2500 lbs per trip; half must be BMUS; 3 trips/yr); permit qualification criteria includes experience in the Mau Zone.
   ii) Mau Zone Limited Entry program (Southern part of the NWHI) implemented in 1999 (Bottomfish FMP Amendment 5). Program caps non-transferable LE permits 10; use it or lose it requirements (500 lbs BMUS per trip; 5 trip minimum); permit qualification criteria includes experience in the main Hawaii island bottomfish fishery.

iii) Ho‘omalu and Mau Zone LE programs include: 60 foot maximum vessel size limit; federal permit and logbook trip reporting; placement of observers if required by the NMFS for protected species interactions.
iv) Community Development Program reserves 20% of the Mau Zone permits for native Hawaiian/traditional fishing practices (Bottomfish FMP Amendment 5 in 1999) .
v) NMFS’ ESA Biological Opinion determined the NWHI bottomfish fishery was not likely to jeopardize Hawaiian monk seals (last Biological Opinion prior to the monument closure completed in 2002)
vi) Council would need to re-assess and update new permit issuance criteria
vii) NMFS would need to determine and publish an Annual Catch Limit for both limited entry fisheries.

b) Benefits to the Bottomfish Fishery and US Seafood
   i) Historically, about half of Hawai‘i’s bottomfish catch/landings came from the NWHI fisheries (WPRFMC 2000)
   ii) Annual landed values of about $1 million/year (unadjusted inflation dollars) for bottomfish pre monument closure (WPRFMC, 2006).
   iii) Re-establish steady supply of large (filet-size) bottomfish to support nationally acclaimed Hawaii regional cuisine (high-end restaurants/markets) built on Hawaii’s onaga, opakapaka and other bottomfish species.
c) Benefits/Impacts to Traditional, Cultural and Historic Sties
   i) Historical bottomfish fishery used baited hook and line gear (adapted from traditional “kaka line” methods) deployed from from small vessel platforms (<60 ft) has demonstrated to not impact:
      (1) Native Hawaiian practices/sites, including burial sites, traditional fishing areas and voyaging routes that are integral to the cultural heritage and practices of Native Hawaiian people.
      (2) Historic sites such as shipwrecks and other artifacts of historical importance, including those related to World War II.
d) Impacts on protected species
   i) Low to no impacts on Hawaiian monk seals or sea turtles - federal observers were placed on NWHI vessels from 1990-1993 and 2003-2005 to monitor for monk seal interaction with bottomfish fisheries. No documented interactions (i.e., hookings or entanglements) were recorded with marine mammals or sea turtles. The 2002 Biological Opinion identified four reports of monk seal hookings in the NWHI that may be attributed to the bottomfish fishery, and concluded that the rate of incidental hookings to be very low (much less than one monk seal per year) and unlikely to impact the population.
   ii) No impact to coral reefs as the fishery operates in water depth of 200-400 meters and fishes in the water column

iii) Limited interactions with seabirds - federal observers between 2003 and 2005 documented two interactions with non-ESA seabirds during NWHI bottomfish operations, and no impacts to ESA-listed seabirds .

iv) Low to no impacts anticipated for ESA-listed oceanic whitetip shark listed in 2017 - past Biological Opinions for NWHI bottomfish fishery did not evaluate impacts to oceanic whitetip shark as the monument closed the fishery prior to the species listing. The 2022 MHI bottomfish Biological Opinion indicates very low potential for oceanic whitetip shark interactions. The federal observer program from 2003-2005 in the NWHI bottomfish fishery recorded five oceanic whitetip shark interactions, although a more recent review of the data indicate species identification for these records to be uncertain with some or all records likely to be whitetip reef sharks.

3) <u>NWHI Crustacean Fisheries (Lobsters/Kona Crab)</u>

Option - Allow commercial lobster fishing to resume in the NWHI

a) Federal monitoring and management now in place to control crustacean fisheries in the NWHI:
   i) 20 nm prohibited fishing area around Laysan Island established in 1986 Crustacean FMP Amendment 4.
   ii) Federal Lobster Limited Entry Permit required. Limited to 15 transferable permits; limit of one permit per person or entity (1992 Crustacean FMP Amendment 7).
   iii) Annual harvest guideline limits total catch of both spiny and slipper lobsters (1994 Crustacean FMP Amendment 8).
   iv) Size limits; prohibit take of lobsters carrying eggs.
   v) Limit of 1200 traps (1100 can be assembled)
   vi) VMS is required for all vessels
   vii) Daily reporting via VMS for catch accounting to close fishery when quota is met (1997).
   viii) At-sea observers are required as requested by the Regional Administrator
   ix) Traps must have 2 escape vent panels with specified configuration
   x) Traps must be marked.
   xi) Must comply with Monk Seal protective measures

b) Benefits and challenges to the lobster fishery and US seafood
   i) Lobster - most of its lobster catch came from the NWHI generating annual landed values$1.2 million for lobster pre monument closure.
   ii) NWHI lobster fishery will be difficult to resume, at least immediately. Vessels and gear needed to fish are not immediately available. High startup costs were a limiting factor in the late 90s.
   iii) NMFS would need to determine and publish a harvest quota in order to start fishing.

c) Benefits/Impacts to Traditional, Cultural and Historic Sties

i) The lobster fishery uses baited traps that have proven to have no impacts on:
    1) Native Hawaiian practices/sites, including burial sites, traditional fishing areas and voyaging routes that are integral to the cultural heritage and practices of Native Hawaiian people.
    2) Historic sites such as shipwrecks and other artifacts of historical importance, including those related to World War II.

d) Impacts on protected species
    i) Impacts to monk seals have been mitigated through modification to the lobster traps. Protective measure controls and requirements are in place.
    ii) NMFS' ESA Biological Opinion determined the NWHI lobster fishery was not likely to jeopardize Hawaiian monk seals (last Biological Opinion prior to the monument closure completed in 1996 and updated by an informal consultation in 1999)
    iii) Impact to coral reefs are minimal as the fishery operates in water depth of 100-200 meters.

WPRFMC Papahānaumokuākea Marine Monument Review

1. ***Review the historical commercial fisheries that took place in the monument areas currently close to these fisheries and access:***
    a. ***The economic value of the fisheries and related industries***

Bottomfish

- Historically, nearly half of Hawai‘i’s bottomfish catch and generate annual landed values of approximately $1 million for bottomfish pre monument closure (WPRFMC, 2006).
- Closure of the NWHI bottomfish fishery resulted in a direct annual ex-vessel revenue loss of approximately $2.2–3.3 million (inflation-adjusted) [Chan 2020].
- The decline in landings after the 1980s is linked to tighter regulations (e.g., limited entry zones, trip limits), not necessarily a collapse in productivity—indicating potential for managed reopening. (Hawaii 2001 bottomfish FMP)
- Historical revenue data from 1970–1999 further supports the value of the fisheries. Though average revenues were lower than the MHI, the presence of productive years and competitive price-per-pound levels indicate that the NWHI could again become a valuable economic supplement to Hawai‘i’s bottomfish sector if carefully managed.(Hawaii 1999 Bottomfish FMP)

Crustacean

- Lobster - most of its lobster catch came from the NWHI generating annual landed values$1.2 million for lobster pre monument closure.
- Kona Crab - Kona Crab was a non-target species; during the 1997-1999 seasons, 245 Kona crabs were caught (NMFS Observer Data); Low numbers are attributed to the escape vents required for lobster traps

Pelagic Longline

- Operational costs for sustainable tuna and swordfish fisheries would be expected to decline with relatively shorter trip lengths from Honolulu, in addition to less at-sea interactions/competition with competing foreign fisheries
- Pelagic fisheries targeting tuna and swordfish that historically operated within the U.S. EEZ around the NWHI contributed to 10% of catch for fisheries worth $100–125 million per year in dockside value. Most of these vessels fished seaward of 50 nautical miles (nm).
- A 2020 NMFS study found that prohibiting fishing seaward of 50 nm (due to the Monument expansion) reduced longline fishery performance by 7% and revenues by 9%.
- Catch rates for bigeye tuna were 5-10% higher and swordfish catch rates were 50% higher in U.S. EEZ in NWHI (seaward of 50-200 nm)

    b. Community, social, and cultural value of the fisheries

- Loss of local fisheries impacts not just the economy but also cultural practices tied to consumption and sharing of traditional bottomfish species, particularly in Native Hawaiian and Pacific Islander communities.

c. Where fisheries were displaced to or were lost due to spatial closures; impacts on market, community well-being, indirect fishing community impacts

General

- The closure displaced vessels that had fished sustainably in these waters for decades, forcing them into less productive areas, which increased operational costs (e.g., fuel, maintenance) and reduced the availability and quality of fresh local bottomfish and pelagic species in Hawai‘i markets.

Bottomfish

- The NWHI bottomfish fishery that included 10 vessels in the limited entry Mau Zone and 7 vessels in the Ho‘omalu Zone, represented half (50%) of Hawai‘i’s total bottomfish production, significantly contributed to the supply of premium-quality bottomfish species (ex. onaga, opakapaka) highly valued in local markets and high-end restaurants.
- Hawaii regional cuisine chefs build nationally acclaimed restaurants on Hawaii’s onaga, opakapaka and other bottomfish species. NWHI closure cut off steady supply of large (filet) size bottomfish to support that market.

Lobster

- Closure of the fishery removed economic opportunities for limited-entry permit holders (15 permits, about 8 active vessels) who had invested in specialized gear and vessels for the NWHI’s unique conditions.
- Laysan 20 mile lobster closure; Established through the original FMP.

Pelagic

- Establishment of the Monument displaced Hawaii-based longline fisheries to fish primarily on the high seas, where they are in direct competition with foreign fisheries that lack conservation and management measure, monitoring, and ideal fishing practices. These vessels can interfere with Hawaii fishing operations and are often heavily subsidized, often through ‘harmful subsidies’ according to the World Trade Organization.
- Approximately 10% of Hawai‘i’s longline catch, representing high-value bigeye tuna and swordfish, was displaced. This displacement increased fuel costs, reduced catch quality, and undermined the competitiveness of Native Hawaiian and U.S.-flagged fleets.
- Vessels previously reliant on the Monument Expansion Area (MEA) experienced a 9% decrease in revenue per trip, equating to about $3.5 million in lost revenue during the first 16 months post-expansion.
- The 50 nm PMNM closure already represents a substantial conservation footprint. Expansion comprises 30% of U.S MPAs in waters surrounding Hawai‘i.

- ~1,500 swordfish, roughly 10% of longline swordfish catch in all areas, was caught in US EEZ seaward of 50 to 200 nm from NWHI

d. If access were restored, what fisheries would resume

Presumably all fisheries would resume under regional guidance and regulation designations depending on the fishery type.

General

- If access were restored, fisheries could resume under regional fishery management plans and applicable federal and state regulations, depending on the type of fishery

Bottomfish

- Council and fishing community is on record supporting reestablishment of the use it or lose it limited entry Mau and Hoʻomalu Zone bottomfish fisheries,
- Hook and line federal permit and reporting, well-managed bottomfish harvests to support community needs while ensuring sustainable resource use.
- 60 foot vessel limit;
- Observer requirements

Crusteaceans

- The lobster fishery is unlikely to resume, at least immediately. The vessels and gear needed to fish in the fishery are no longer available. High costs for startup was a limiting factor in the fishery in the late 90s. There would also need to be a harvest quota established by NMFS in order to start fishing.
- Other existing regulations would need to be followed including the limited entry permit system, closed areas, harvest restrictions, gear restrictions, etc.

Precious Corals

- The fishery is currently dormant and unlikely to start up with the opening of the monument.
- Permits would be required and annual catch limits would need to be adhered to in order for fishing/harvest to occur.

Pelagic Longline

- Longline fisheries could resume in 50-200 nm around NWHI. The 0-50 nm protected species zone would remain in place that prohibits longline fishing.
- The longline fishery would continue to operate under the existing management framework that includes protections for protected species, a bigeye tuna quota, gear restrictions, limited entry permits, etc.
- Fishery performance for bigeye tuna and swordfish would increase in terms of catch rate while fishing Monument expansion area ,(5-10% for bigeye, ~ 50% for swordfish) while not competing at-sea with foreign fisheries

2. **Next, review all monument resources - the qualities identified for establishing the monument in the Monument Proclamation - and interaction with commercial fisheries**
    a. **Identify significant ecological, scientific, cultural, historical, etc. resources of the monument**

Protection of extensive and unique coral reef ecosystems—home to over 7,000 marine species, including many endemic to the Hawaiian Archipelago—and vital seabird colonies; safeguarding endangered and threatened species such as the Hawaiian monk seal, green and hawksbill sea turtles, false killer whales, and spinner dolphins. The monument also preserves rare deep-sea habitats, seamount ecosystems, and precious corals that form the foundation of deep-reef communities. Additionally, it recognizes the cultural and spiritual significance of the area to Native Hawaiians, honoring ancestral connections, traditional voyaging, and cultural practices. The monument safeguards numerous historic sites, including World War II shipwrecks and Polynesian exploration artifacts.

Presidential Proclamation 8031 (2006)

- “The area, including the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, the Midway National Wildlife Refuge, the Hawaiian Islands National Wildlife Refuge, and the Battle of Midway National Memorial, supports a dynamic reef ecosystem with more than 7,000 marine species, of which approximately half are unique to the Hawaiian Island chain.”
- “This diverse ecosystem is home to many species of coral, fish, birds, marine mammals, and other flora and fauna including the endangered Hawaiian monk seal, the threatened green sea turtle, and the endangered leatherback and hawksbill sea turtles. In addition, this area has great cultural significance to Native Hawaiians and a connection to early Polynesian culture worthy of protection and understanding.”
- “The Federal land and interests in land reserved includes approximately 139,793 square miles of emergent and submerged lands and waters of the Northwestern Hawaiian Islands, which is the smallest area compatible with the proper care and management of the objects to be protected.”

Presidential Proclamation 9478 (2016)

- “...geological and biological resources that are part of a highly pristine deep sea and open ocean ecosystem with unique biodiversity and that constitute a sacred cultural, physical, and spiritual place for the Native Hawaiian community.”
- “Important geological … include more than 75 seamounts, as well as a non-volcanic … biodiverse hotspots in the open ocean that provide habitat for deep-sea species, including sponges, other invertebrates, fish, and colonies of corals many thousands of years old.
- “Recent science demonstrates that seamounts harbor a multitude of species with unique ecological traits, some newly discovered. Seamounts, ridges, and other undersea topographic features are important stepping stones that enable marine organisms to spread”
- “Undisturbed seamount communities in the adjacent area are of significant scientific interest because they provide opportunities to examine the impacts of physical, biological, and geological processes on ecosystem diversity, including understanding the

impacts of climate change on these deep-sea communities. These seamounts and ridges also provide the opportunity for identification and discovery of many species not yet known to humans, with possible implications for research, medicine, and other important uses."

- "many species identified as objects in Proclamation 8031 inhabit previously unknown geographical ranges that span beyond the existing Monument, and in some cases the adjacent area also provides important foraging habitat for these species."
- "Birds from the world's largest colonies of Laysan albatross, Black-footed albatross, and Bonin petrels, as well as significant populations of shearwaters, petrels, tropicbirds, the endangered Short-tailed albatross, and other seabird species forage in the adjacent area…. Great Frigatebirds rely on the adjacent area during chick-brooding periods, when their foraging is focused within 200 miles of the nesting colonies on the Monument's islands and atolls."
- "The adjacent area is a foraging and migration path for five species of protected sea turtles … green and hawksbill turtles … along with the endangered leatherback turtle and threatened loggerhead and olive ridley turtles—migrate through the adjacent area to reach high-productivity foraging areas."
- "Twenty-four species of whales and dolphins have been sighted in the adjacent area. Three of these species are listed under the Endangered Species Act as threatened or endangered: sperm whales, fin whales, and sei whales.
- Cetacean use of the Monument Expansion varies; resident species such as spinner dolphins, false killer whales, and rough-toothed dolphins utilize the area year-round, whereas other species, such as humpback whales, use it as a wintering area. A wide variety of tropical and temperate water dolphin species inhabit the Monument Expansion, including pantropical spotted dolphins, spinner dolphins, striped dolphins, rough-toothed dolphins, and bottlenose dolphins. Several rarely sighted species of dolphin inhabit the area, including Risso's and Fraser's dolphins…. Acoustic evidence also shows that endangered blue whales… visit the area and may migrate past the Hawaiian Islands twice a year."
- "Sharks, including tiger sharks and Galapagos sharks, are key species in the ecosystems of the Monument and adjacent area. These large and highly mobile predators have expansive home ranges and regularly move across the boundaries of the current Monument into the adjacent waters. Additionally, blue sharks, three species of thresher sharks, and two species of mako sharks inhabit the open ocean environment of the adjacent area."
- "World War II shipwrecks and aircraft in the adjacent area, though not identified as objects under the Antiquities Act in this proclamation, are of great historic interest."

b. Identify which resources may be harmed or impaired by resuming commercial fisheries

Resuming commercial fisheries in the Papahānaumokuākea Marine National Monument areas may increase risks to certain resources, although MSA fishery management measures remain in place to minimize such impacts. Coral reefs, which are sensitive to physical damage from fishing gear and anchoring may degraded.

Bottomfish

- Low to no impacts on Hawaiian monk seals or sea turtles - federal observers were placed on NWHI vessels from 1990-1993 and 2003-2005 to monitor for monk seal interaction with bottomfish fisheries. No documented interactions (i.e., hookings or entanglements) were recorded with marine mammals or sea turtles. The 2002 Biological Opinion identified four reports of monk seal hookings in the NWHI that may be attributed to the bottomfish fishery, and concluded that the rate of incidental hookings to be very low (much less than one monk seal per year) and unlikely to impact the population.
- No impact to coral reefs as the fishery operates in water depth of 200-400 meters and fishes in the water column
- Limited interactions with seabirds - federal observers between 2003 and 2005 documented two interactions with non-ESA seabirds during NWHI bottomfish operations, and no impacts to ESA-listed seabirds .
- Low to no impacts anticipated for ESA-listed oceanic whitetip shark listed in 2017 - past Biological Opinions for NWHI bottomfish fishery did not evaluate impacts to oceanic whitetip shark as the monument closed the fishery prior to the species listing. The 2022 MHI bottomfish Biological Opinion indicates very low potential for oceanic whitetip shark interactions. The federal observer program from 2003-2005 in the NWHI bottomfish fishery recorded five oceanic whitetip shark interactions, although a more recent review of the data indicate species identification for these records to be uncertain with some or all records likely to be whitetip reef sharks[1].
- Additional information would be in the Bottomfish FMP EIS prepared by URS Corp in 1998/1999 or so.
- NWHI Coral Reef Reserve - Anchoring - Concern was raised about bottomfish vessel anchoring in the early 2000s. Jarad prepared a PPT for DC folks to understand the size of the anchors and nominal impacts to habitat.

Crustaceans

- Impacts to monk seals - cone size and configuration modified to address entanglement
- Escape vents for incidental/bycatch species
- Impact to habitat - traps are not set on “live coral reefs”. Set in deep water on substates that would not be subject to damage due to traps
- Monk seal protective measures provide authority for the Regional Administrator to implement temporary or emergency measures if there is a report of a monk seal death related to the lobster fishery.

Precious Corals

- Tangle nets banned.
- WESPAC Bank Established
- Only selective gear and methods used.

[1] PIRO SFD and WPRFMC (2019) Biological Evaluation - Potential effects of Main Hawaiian Islands bottomfish fisheries on the oceanic whitetip shark, giant manta ray, and critical habitat of the Main Hawaiian Islands Insular False Killer Whale Distinct Population Segment.

Pelagics

- Monk Seals - 50 nm Protected Species Zone remains in place; no monk seal interactions recorded throughout the history of the the longline fishery's observer program
- Seabirds - Seabird measures in place for the deep-set fishery since 2002 and for the shallow-set fishery since 2004 reduced interactions of longline fisheries with seabirds by around 90% well before the Monument expansion that moved longline fisheries outside 50-200 nm. Black-footed and Laysan albatrosses (two most common species with interactions in the Hawaii longline fishery) range well beyond the EEZ around NWHI and thus fishery-wide bycatch mitigation measures that reduce overall interaction rates are more appropriate than spatial measures.
- Sea turtles - the shallow-set fishery has been required to use large circle hooks and fish bait since 2004, which reduced interaction rates of leatherback turtles by 84% and loggerhead turtles by 95%. These sea turtle measures went into effect well before the Monument expansion, and remain in place wherever the fishery operates. The deep-set fishery uses circle hooks and set gear in deeper waters, which result in significantly lower sea turtle interaction rates compared to the shallow-set fishery.
- Whales/Dolphins - all marine mammals are protected under the MMPA and the Hawaii longline fishery has minimal impacts to ESA-listed marine mammal species. . A Take Reduction Plan developed under the MMPA for reducing interactions between the pelagic stock of false killer whales and the deep-set fishery has been in effect since 2012. The FKWTRP requires the deep-set longline fishery to use weak circle hooks to reduce the proportion of interactions classified as serious injury, The FKWTRP also includes a triggered closure of the Southern Exclusion Zone in the southern portion of the EEZ around the MHI, which partially overlaps with the monument boundary. FKW interactions occur throughout the fishery's range and there is no evidence for higher interaction risk in the EEZ around the NWHI.

c. Identify other uses of the monument areas(cultural and historical uses) and potential for interactions is opened to commercial fishing

The Papahānaumokuākea Marine National Monument protects culturally and historically significant sites, including Native Hawaiian burial grounds, traditional fishing areas, and ancestral voyaging routes, as well as historic artifacts such as World War II shipwrecks. Native Hawaiian traditional, customary, spiritual, and subsistence practices are explicitly recognized and permitted within the Monument and its expansion areas, ensuring the continuation of cultural heritage; however the permitting process to obtain access is extensive and time-consuming. In contrast, commercial fishing is largely prohibited within both the original Monument and its expansion, except for vessels transiting through the area with fishing gear stowed and not in use. Non-commercial fishing is allowed under strict sustainability conditions, maintaining a balance between conservation and cultural practices while limiting commercial extractive uses.

Proclamation 8031:

- “The Monument contains numerous culturally significant sites to Native Hawaiians, including burial sites, traditional fishing areas, and voyaging routes that are integral to the cultural heritage and practices of Native Hawaiian people.”
- “The Monument also protects historic sites such as shipwrecks and other artifacts of historical importance, including those related to World War II.”

Proclamation 9478:

- “Native Hawaiian traditional, customary, cultural, subsistence, spiritual, and religious practices are recognized and permitted within the Monument Expansion area.”
- “The Secretaries shall permit Native Hawaiian practices within the Monument Expansion, ensuring the continuation of cultural heritage and subsistence uses.”

Bottomfish

- Provides continued access to traditional fishing grounds, fishery resources and ability to provide food to the community.

Crustaceans

- Provides continued access to traditional fishing grounds, fishery resources and ability to provide food to the community.

Precious Corals

- Provides continued access to fishery resources and economic opportunities.

Pelagics

- Provides access to traditional pelagic fishing ground and opportunities for Hawaii-based fisheries, particularly the Hawaii longline fishery to operate without interference of competing foreign fisheries
- Does not interfere with any traditional Native Hawaiian activities or impede access for practitioners to access island areas
- Access to historical seasonal swordfish grounds in the eastward side and northern EEZ areas of the NWHI

d. Identify which fisheries may resume with minimal impacts to the monument resources

Bottomfish

- Minimal impacts on PS - monk seals, sea turtles, seabirds, sharks, corals
- Regulated to prevent overfishing
- Use-it or Lose-it Limited Entry Fishery (10 Mau Zone; 7 Hoʻomalu Zone)
- Federal Permit and Reporting
- Observer Requirements as directed by the RA
- 20% of LE permits reserved for indigenous participants through the CDP program
- Bottomfish-Hook and line;
- BiOps on fisheries, etc.

Crustaceans

- Sustainable fishing for crustaceans would continue under the Council's highly regulated fishery that includes gear restrictions, area management, and harvest quotas

Precious Corals

- The fishery has never operated in the NWHI but the strict regulations on selective gear for harvest would provide for additional economic opportunities for Hawaii and the US fisheries.

Pelagics

- Longline- PSZ (0-50nm) will remain in place and no longline fishery will take place in this zone; pelagic gears operate in waters well above the seafloor
- Existing seabird, sea turtle and marine mammal interaction mitigation measures (see 2.b above) will minimize impacts to protected species and ongoing monitoring and review of latest data provides mechanisms for adapting management measures in the future through the MSA process as needs arise
- Trolling-Hook and line, doesn't interact with seafloor

3. **Finally, view all public input specific to fisheries opportunities and re-introduction of commercial fisheries in closed areas.**

Public input suggests that, with appropriate protections and regional management measures- such as spatial zoning, gear restrictions, bycatch mitigation, and effective monitoring - reopening certain fisheries could balance conservation and cultural, economic interests. Advisors to the Council, including Native Hawaiians, have continually recommended removing commercial fishing prohibitions in its reports to the Council. Reports from public meetings on developing fishing regulations for the Monument Expansion Area also note the request for allowing fishing in the NWHI. There were also public comments provided at the national marine sanctuary public hearings for Papahānaumokuākea where participants asked for commercial fishing to resume in the NWHI.

Muliava (Rose) Atoll Marine National Monument
Initial Options to Allow Commercial Fishing

American Samoa commercial fisheries

Option - Allow commercial fishing within 12 - 50 nm around Muliava (Rose) Atoll

1. MSA regulations remain in place prohibiting longline fishing within the LVPA around Rose Atoll (0-50 nm). Council would have to remove it through an FEP amendment.
2. Limited entry system for longline vessels fishing in US EEZ around American Samoa required since 2005 (Pelagic FMP Amendment 11) based on size classes limiting number of vessels over 70 ft to 21, longline vessels required to carry human observers, federal logbook and reporting, and vessel monitoring systems,
    a. Electronic logbooks required since 2021 (Pelagic FEP Regulatory Amendment 3) on all longline vessels over 50 feet,
3. Electronic monitoring in all American Samoa longline vessels expected to be phased in by 2027.
4. Longline gear configuration requirements in place since 2011 (Pelagic FEP Amendment 5) for American Samoa vessels greater than 40ft in length to set hooks deeper to reduce sea turtle interactions.
5. Annual Protected Species Training Workshops requirements pending for longline vessel owners and captains, and new requirement for longline crew pending (Council final action taken at June 2025 meeting).
6. ESA Biological Opinions for the American Samoa longline fishery has concluded that the fishery is not likely to jeopardize ESA-listed sea turtles, marine mammals, seabirds, sharks and rays.
7. Title 50 CFR Chapter VI Part 665 Subpart 1 Rose Atoll Marine National Monument 665.963 Prohibitions
    a. Commercial fishing in the Monument
    b. Non-commercial fishing in the Monument; expect as authorized under permit and pursuant to the procedures and criteria established in 665.965
    c. Transferring of a permit
    d. Commercial fishing outside the Monument and non-commercial fishing within the Monument on the same trip
    e. Fishing within 12 nm of emergent land within the Monument
8. Title 15 CFR Chapter IX Sub Chapter B Part 922 Subpart J
    a. 922-103 Sanctuary wide prohibitions
        i. (a) 1-15 lists all prohibitions that apply to all sanctuaries in American Samoa including the Muliava Unit (Rose Atoll). It does not prohibit commercial fishing
    b. 922.105 Unit Specific Prohibibitions - Muliava Unit
        i. Exemptions for research and scientific explorations
        ii. Vessel discharge requirement for marine sanitation 12 miles seaward of the Atoll
    c. Rose Atoll National Wildlife Refuge - 0-12 nm offshore

b) Benefits to the Longline, alia and single hull vessels and seafood

1. Albacore tuna, the principle target species from American Samoa alia and longline fisheries, supplies the Starkist cannery for its requirement of U.S.-caught albacore. Those vessels need to maintain an Marine Stewardship Council certification to supply the cannery
    a. MSC certification requires albacore to be caught within U.S. waters around American Samoa and opening portion of the Rose Atoll Monument provide more opportunities for fisheries to access an already limited amount of waters.

c) Benefits/Impacts to Traditional, Cultural and Historic Sties

Reopening the area to allow carefully managed Native fishing practices - including traditional subsistence harvests aligned with Samoan culture - could restore opportunities for local communities to reconnect with ancestral practices and strengthen food security. During public meetings held June 2025, community leaders from Mauna (Ofu, Olosenga, Tau) supported restoring access to commercial fishing around Muliava (Rose) Atoll.

WPRFMC Review of the Rose Atoll Marine National Monument

1. **Review the historical commercial fisheries that took place in the monument areas currently closed to these fisheries and assess:**
    a. **The economic value of the fisheries and related industries**

Pelagic Longline:

- Prior to monument designation, the U.S. EEZ surrounding Rose Atoll was utilized intermittently by American Samoa-based longline vessels targeting pelagic species such as bigeye tuna and albacore. The economic contribution was tied to the larger pelagic fishing effort in American Samoa, but activity concentrated within Rose Atoll itself was minimal. Before protection, low-use fisheries and indigenous fishing were allowed under special permits, but no commercial fisheries were actively operating within Rose Atoll boundaries.

    b. **Community, social, and cultural value of the fisheries**

Pelagic Longline

The pelagic fishery supports not only employment in the fishing and cannery sectors but also local food security, providing affordable fish to residents. The cultural importance of fishing to Samoan society is well-documented, with fishing considered a traditional skill and source of pride.

    c. **Where fisheries were displaced to or were lost due to spatial closures; impacts on market, community well-being, indirect fishing community impacts**

General

- The closure of Rose Atoll minimally displaced fishing effort, with vessels adjusting operations to other areas of the U.S. EEZ or international waters. However, the closure reduced flexibility for the fleet to adapt to changing oceanographic conditions and resource availability. This loss of access added to operational challenges—such as increased fuel costs and time at sea—that have contributed to economic pressures on the fleet and a decline in the number of active vessels in recent years.

    d. **If access were restored, what fisheries would resume**

Pelagic Longline:

- If access were restored, it is likely that American Samoa longline fisheries would resume limited operations near Rose Atoll, primarily targeting bigeye and albacore tuna.
- Increase opportunities for the MSC-certified longline fisheries to fish within U.S. waters, as a provision of their MSC certification
- Increase opportunities for for local fisheries to supply the Starkist cannery albacore, which supplies U.S. schools and military

2. **Next, review all monument resources—the qualities identified for establishing the monument in the Monument Proclamation—and interaction with commercial fisheries**

a. Identify significant ecological, scientific, cultural, historical, etc. resources of the monument

Rose Atoll features some of the most pristine coral reef ecosystems in the U.S. Pacific, with unique pink coralline algae that give the atoll its name. The area provides habitat for seabirds (including several globally significant populations), green sea turtles, and giant clams. The area has high biodiversity, with species that rely on undisturbed habitats.

Proclamation 8337 (2009):

"The lands, submerged lands, waters, and marine environment around Rose Atoll support a dynamic reef ecosystem that is home to a very diverse assemblage of terrestrial and marine species, many of which are threatened or endangered."

"One of the most striking features of Rose Atoll is the pink hue of fringing reef caused by the dominance of coralline algae… The marine area provides isolated, unmolested nesting grounds for green and hawksbill turtles and has the largest number of nesting turtles in American Samoa."

"Rose Atoll supports most of the seabird population of American Samoa, including 12 federally protected migratory seabirds, five species of federally protected shorebirds, and a migrant forest bird, the long-tailed cuckoo. Rare species of nesting petrels, shearwaters, and terns are thriving at Rose Atoll… It is believed that Polynesians have harvested at Rose Atoll for millennia and several species, such as the giant clam, were used for cultural celebrations and events."

b. Identify which resources may be harmed or impaired by resuming commercial fisheries

General:

- Resuming commercial fishing could risk bycatch of protected species (green sea turtles, seabirds), potential gear entanglement on sensitive coral structures, and introduction of marine debris.

Pelagics

- Pelagic longline fisheries operate no deeper than 300 m deep, with no interaction with bottom habitats. Existing protected species interaction mitigation and handling/release measures throughout the fishery's range provide safeguards for protected species such as sea turtles and shark.

c. Identify other uses of the monument areas (cultural and historical uses) and potential for interactions if opened to commercial fishing

Reopening the area to allow carefully managed Native fishing practices - including traditional subsistence harvests aligned with Samoan culture - could restore opportunities for local communities to reconnect with ancestral practices and strengthen food security.

d. Identify which fisheries may resume with minimal impacts to the monument resources

Pelagic Longline

- Highly selective, well-managed pelagic longline operations operating with strict bycatch mitigation measures could potentially resume with minimal impact, provided that monitoring and compliance mechanisms are enforced.

3. **Finally, view all public input specific to fisheries opportunities and re-introduction of commercial fisheries in closed areas**

Local leaders, including the American Samoa Governor and Congressional Delegate at the time of monument designation, opposed the closure and have consistently advocated for reconsideration of fishing prohibitions, citing economic hardship and lost opportunities for local fishers and processors. The general public input does not object to fisheries resumption for cultural or economic reasons. The key concern remains the potential for ecological damage—such as harm to seabirds, turtles, and pristine coral habitats—if fishing is not tightly regulated. With regional fishery management oversight, bycatch controls, and continued protections, limited fishing could resume without undermining the monument's ecological integrity. Attendees of recent community meetings in the American Samoa islands of Ta'u, Ofu, and Tutuila in June-July 2025 expressed a strong desire for the Rose Atoll Marine National Monument to be reopened for fishing, specifically requesting an approach that would not burden them with excessive federal requirements. They noted that the area holds the potential to restore opportunities for local communities to reconnect with ancestral practices and strengthen food security.

Mariana Trench, Volcanic Unit and Island Unit Marine National Monument
Initial Options to Allow Commercial Fishing

Mariana Trench and Volcanic Units

Option: Remove or Leave it alone as commercial fishing can occur in the water column; Prohibitions control interactions with the substrate

Island Unit: Uracas, Maug, Asuncion

Option: Allow commercial and recreational fishing within the three northernmost high islands (Islands Unit) in the Mariana Island Archipelago.

a. MSA related Sanctuary/Monument Regs - 665.903 Prohibitions in the Islands Unit
    i. Commercial fishing
    ii. Non-commercial fishing, except with permit
    iii. Transfer of permit
    iv. Commercial fishing outside of the unit and non-commercial fishing inside the unit on the same trip.
b. MSA 665.404 CNMI FEP Regulations for Bottomfish (1/14/2010)
    i. 404(a)(2) Vessels used to commercially fish for, tranship, receive, or land Mariana bottomfish MUS or ECS must have a permit from PIRO issued with that vessel.
    ii. 406(a) Bottom trawls and bottom set gillnets fishing for bottomfish are prohibited.
    iii. 406(c) Poisons and explosives are prohibited for harvesting bottomfish
    iv. 407. Vessels are subject to at-sea observers when directed by RA
    v. 408. BMUS are subject to annual catch limits (7/31/2024)
c. MSA 665.420 Mariana Coral Reef Ecosystem Fisheries (1/14/2010)
    i. 424. Special permit issued by the RA for any person taking or retaining Mariana coral reef ECS.
d. MSA 665.440 Mariana Crustacean Fisheries (1/14/2010)
    i. 442. Crustacean Permit Area 5 vessel permit issued by PIRO to fish for ESC species - spiny, slipper lobsters, kona crab and deepwater shrimp.
e. MSA 665.460 Mariana Precious Coral Fisheries (ESC) (1/14/2010)
    i. 461. ECS Precious Coral Species include Pink (red), Gold, Bamboo and Black Coral species (genus Corallium)
    ii. Precious Coral permit areas for established beds, conditional beds, refugia and exploratory areas.
    iii. 462(a)-(f) - Permit issued by PIRO required by any vessel fishing for, taking or retaining Mariana precious coral ECS
    iv. Only one permit per vessel at any one time.
    v. Only one permit per person at any one time.
    vi. 465. Size limits of 10 inches high for corallium sp., except black coral which is 1 inch diameter or high of 48 inches.
    vii. 464 Gear Restrictions - only selective gear may be used to harvest coral from any precious coral area (no tangle nets).
    viii. 469 - Gold Coral harvest moratorium through June 30, 2028.

WPRFMC Review of the Marianas Trench, Seamount and Islands Units Marine National Monument

1. **Review the historical commercial fisheries that took place in the monument areas currently closed to these fisheries and assess:**
    a. **The economic value of the fisheries and related industries**

Pelagic Longline:

- Historically, commercial fishing effort in the area now designated as the monument was minimal due to the remoteness and depth of the trench and surrounding seamounts.
- Some pelagic fishing for tuna and billfish occurred in adjacent waters.
- The primary economic value of the broader region's fisheries is tied to pelagic fisheries, supporting local markets and distant-water fleets operating from Guam and CNMI.
- Potential to work with foreign fleets to activate PIAFA

    b. **Community, social, and cultural value of the fisheries**

Pelagic Longline

- While direct commercial fishing use of the trench area was limited, the waters of the Marianas Archipelago hold cultural significance for Chamorro and Refaluwasch communities, who have traditional ties to ocean resources.
- Pelagic fishing continues to be culturally important and supports local consumption and community sharing.

    c. **Where fisheries were displaced to or were lost due to spatial closures; impacts on market, community well-being, indirect fishing community impacts**

General

- Given the trench's minimal prior use by commercial fleets, the direct displacement effect was negligible. However, concerns were raised about future fishing potential being foreclosed and about limiting flexibility for the local fishing industry's growth.
- The requirement for permits and government approvals to practice subsistence fishing is seen by some as another layer of restriction reminiscent of historical injustices.

    d. **If access were restored, what fisheries would resume**

Pelagic

- Primarily, exploratory or developmental fisheries targeting pelagic species (tuna, billfish) around seamounts could be pursued under regional management authority.

2. **Next, review all monument resources—the qualities identified for establishing the monument in the Monument Proclamation—and interaction with commercial fisheries**
    a. **Identify significant ecological, scientific, cultural, historical, etc. resources of the monument**

General

- The monument includes the world's deepest marine environment (Marianas Trench), hydrothermal vent systems, and unique deep-sea ecosystems. It preserves habitats for rare deep-sea corals, sponges, and species yet to be described by science.

Proclamation 8335 (2009):
"The Mariana Volcanic Arc contains objects of scientific interest, including the largest active mud volcanoes on Earth. The Champagne vent, located at the Eifuku submarine volcano, produces almost pure liquid carbon dioxide."
govinfo.gov
"The submerged volcanic areas of the Mariana Ridge, the coral reef ecosystems of the waters surrounding the islands of Farallon de Pajaros, Maug, and Asuncion… contain objects of scientific interest."
"Six of the archipelago's islands have been volcanically active in historic times, and numerous seamounts along the Mariana Ridge are volcanically or hydrothermally active… The Mariana Trench is approximately 940 nautical miles long and 38 nautical miles wide… and contains the deepest known points in the global ocean."

b. Identify which resources may be harmed or impaired by resuming commercial fisheries

General

- Commercial fishing could risk gear entanglement with fragile deep-sea corals and habitats, and the potential for bycatch of protected pelagic species.

c. Identify other uses of the monument areas (cultural and historical uses) and potential for interactions if opened to commercial fishing

- The monument safeguards the cultural seascape important to indigenous communities of the Marianas.
- While the trench itself is not a site of subsistence or traditional fishing, its surrounding areas hold cultural significance tied to voyaging and ocean stewardship.

Proclamation 8335:
"Within the Islands Unit of the monument, the Secretary of Commerce shall prohibit commercial fishing. Subject to such terms and conditions… the Secretary… shall ensure that sustenance, recreational, and traditional indigenous fishing shall be managed as a sustainable activity…"

d. Identify which fisheries may resume with minimal impacts to the monument resources

Pelagic

- Regionally managed pelagic fisheries operating in upper water column areas above seamounts could occur with minimal impacts, provided gear restrictions and monitoring are enforced to protect benthic habitats.
- It should be open to hook and line fisheries

3. **Finally, view all public input specific to fisheries opportunities and re-introduction of commercial fisheries in closed areas**

Opening the area to fishing would restore the water back to regional management, a plan strongly supported by the Chamorro and Refaluwasch communities. The primary hesitation is the risk of mismanagement or oversight that could damage fragile ecosystems. However, regional fishery management frameworks and continued conservation measures can provide a path for limited, well-managed fishing to resume without compromising the values for which the monuments were designated. Council advisors have recommended opening the three northern islands of the monument to fishing to allow for both traditional and economic opportunities.

Appendix 2

Maps with the Existing Fishing Regulations in the Monument Areas

NORTH PACIFIC OCEAN

Fishery Management in the Hawaiian Islands

1909 President Roosevelt designated the NWHI as the Hawaiian Islands Reservation (now Hawaiian Islands National Wildlife Refuge) to protect seabirds.

1983 WPRFMC Precious Corals Fishery Management Plan (FMP) prohibited bottom trawling, dredging and other destructive and non-selective gear.

1983 WPRFMC Crustaceans FMP set trap design rules, gear bans, and federal permit requirements to protect monk seals. In 1986, lobster fishing was closed within 20 nm of Laysan Island and in waters shallower than 10 fathoms.

1986 WPRFMC Bottomfish FMP banned destructive gear (trawls, gillnets, explosives, poisons). Closed Hancock Seamount to rebuild armorhead due to overfishing by foreign vessels. 1988 amendment created Nation's first limited-entry program for NWHI bottomfishing.

1987 WPRFMC Pelagic FMP prohibited drift gillnet gear within U.S. EEZ.

1988 USFWS established Midway Atoll National Wildlife Refuge to protect seabird nesting habitat and marine biodiversity.

1988 WPRFMC established bottomfish limited-access system for Ho'omalu Zone; protected species workshop required.

1991-1994 WPRFMC implemented limited-entry, permits, reporting, vessel monitoring system and observers for Hawai'i longline fishery. Established 25-75 nm exclusion zone around MHI and 50 nm protected species zone in NWHI.

1992 WPRFMC established limited-entry program for crustacean fishery.

1996 WPRFMC established program to reduce albatross bycatch in Hawai'i longline fishery.

1999 WPRFMC Community Development Program reserved 20% of Mau Zone bottomfish permits for eligible Native Hawaiian fishermen.

2000 Executive Orders 13178 & 13196 established NWHI Coral Reef Ecosystem Reserve from 0-50 nm offshore. Most fishing allowed to continue at current levels.

2001 WPRFMC Coral Reef Ecosystem FMP, the first U.S. ecosystem-based plan, prohibited destructive and non-selective fishing gear.

2002 WPRFMC seabird bycatch mitigation cut interactions with Hawai'i longline fishery by over 90%. Additional measures like side setting were added in 2006.

2004 WPRFMC implemented sea turtle bycatch measures in Hawai'i longline fishery, reducing interactions by nearly 90%.

2006 Papahānaumokuākea Marine National Monument established from 0-50 nm offshore in NWHI by Proclamation 8031. Banned commercial and non-commercial fishing; sustenance fishing allowed.

2016 Proclamation 9478 expanded monument to 200 nm. Commercial fishing prohibited; non-commercial fishing mostly unregulated.

2020-2024 WPRFMC reduced sea turtle interaction limits, prohibited wire leaders to protect oceanic whitetip sharks, and added tori lines for seabird bycatch mitigation in Hawai'i longline fishery.

2025 Papahānaumokuākea National Marine Sanctuary designated, overlaying existing Monument and Monument Expansion Area.

180° 00'W

Hancock Seamount
28° 00' N

180 Fathom Bank

Hōlanikū
Kure

Kuaihelani
Midway Atoll

Pearl & Hermes Atoll
Manawai

50 nm Boundary

200 nm U.S. EEZ Boundary

HO'OMALU ZONE

NORTHWESTERN HAWAIIAN ISLANDS (NWHI)

Kapou
Lisianski

Pioneer Bank

Laysan
Kamole

Maro Reef
Kamokuokamohoali'i

Raita Bank

Gardner Pinnacles
'Ōnūnui, 'ōnūiki

St. Rogatien Bank

Brooks Bank

Lalo
French Frigate Shoals

Mokumanamana
Necker

Wespac Bed Refugia

Nihoa

Middle Bank

165° 00'W

MAU ZONE

161° 20'W

MAIN HAWAIIAN ISLANDS (MHI)

Kaua'i

Ni'ihau

O'ahu

Moloka'i

Maui

Lāna'i

Kaho'olawe

Hawai'i

N

Miles

0 50 100 200

Papahānaumokuākea Marine National Monument (2006/2016)

MHI Longline Fishing Prohibited Area (1992/2012)

Longline Protected Species Zone (1991); **Coral Reef Ecosystem Reserve** (2000)

Midway Atoll NWR (1988)

Laysan No-Take MPA (1986)

Bottomfish Management Subarea Boundaries (1986)

Precious Coral Conditional Bed (1983)

Precious Coral Established Bed (1983/2008)

Exclusive Economic Zone (1976); **Precious Coral Exploratory Permit Area** (1983); **Crustacean Permit Area** (1983); **Pelagic Fishery Management Area** (1987)

Precious Coral Refugia (1983)

165° W: Division between Ho'omalu and Mau Zones (1988)

161° 20' W: Division between NWHI and MHI (1986) Division between Mau Zone and MHI (1988)

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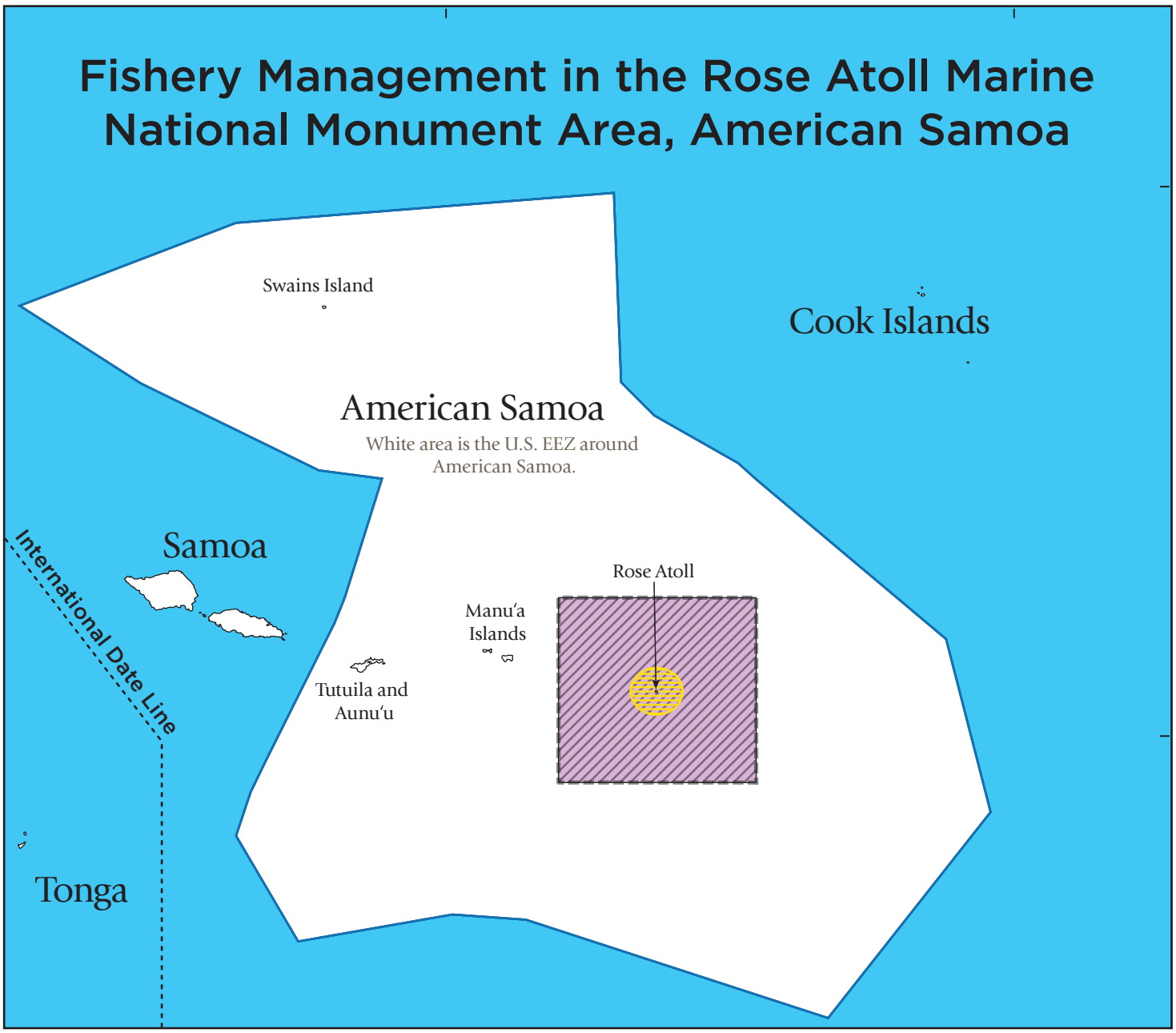
WESTERN PACIFIC REGIONAL FISHERY MANAGEMENT COUNCIL

Fishery Management in the Rose Atoll Marine National Monument Area, American Samoa



Rose Atoll MNM | NMS of American Samoa | 12 nm no-take MPA | Large Vessel Prohibited Area

1983 WPRFMC Precious Coral Fishery Management Plan (FMP) prohibited bottom-trawling, dredging and other potentially destructive and non-selective gear.

1983 WPRFMC Crustaceans FMP implemented permit, data reporting and observer requirements.

1986 WPRFMC Bottomfish FMP prohibited destructive fishing gear techniques such as trawl nets and bottom-set gillnets. An amendment in 1987 established a limited-entry program.

1987 WPRFMC Pelagic FMP prohibited drift gillnet gear within the U.S. EEZ unless authorized by an experimental fishing permit.

2001 WPRFMC Coral Reef Ecosystem FMP established a 12 nm no-take marine protected area around Rose Atoll.

2002 Large Vessel Prohibited Area (LVPA) prohibits vessels longer than 50 feet from fishing within 50 nm of shoreline.

2006 WPRFMC established a limited-entry system for the American Samoa longline fishery requiring federal permits, logbooks and a vessel monitoring system. A mandatory federal observer program was also implemented for the fishery.

2009 Rose Atoll Marine National Monument, established by Presidential Proclamation 8337, allows subsistence and recreational fishing outside of 12 nm with a federal permit. No commercial fishing.

2012 Initially protecting only Fagatele Bay in 1986, the **NOAA National Marine Sanctuary of American Samoa** was expanded to overlay the Monument, and nearby Vailulu'u Seamount.

WESTERN PACIFIC REGIONAL FISHERY MANAGEMENT COUNCIL

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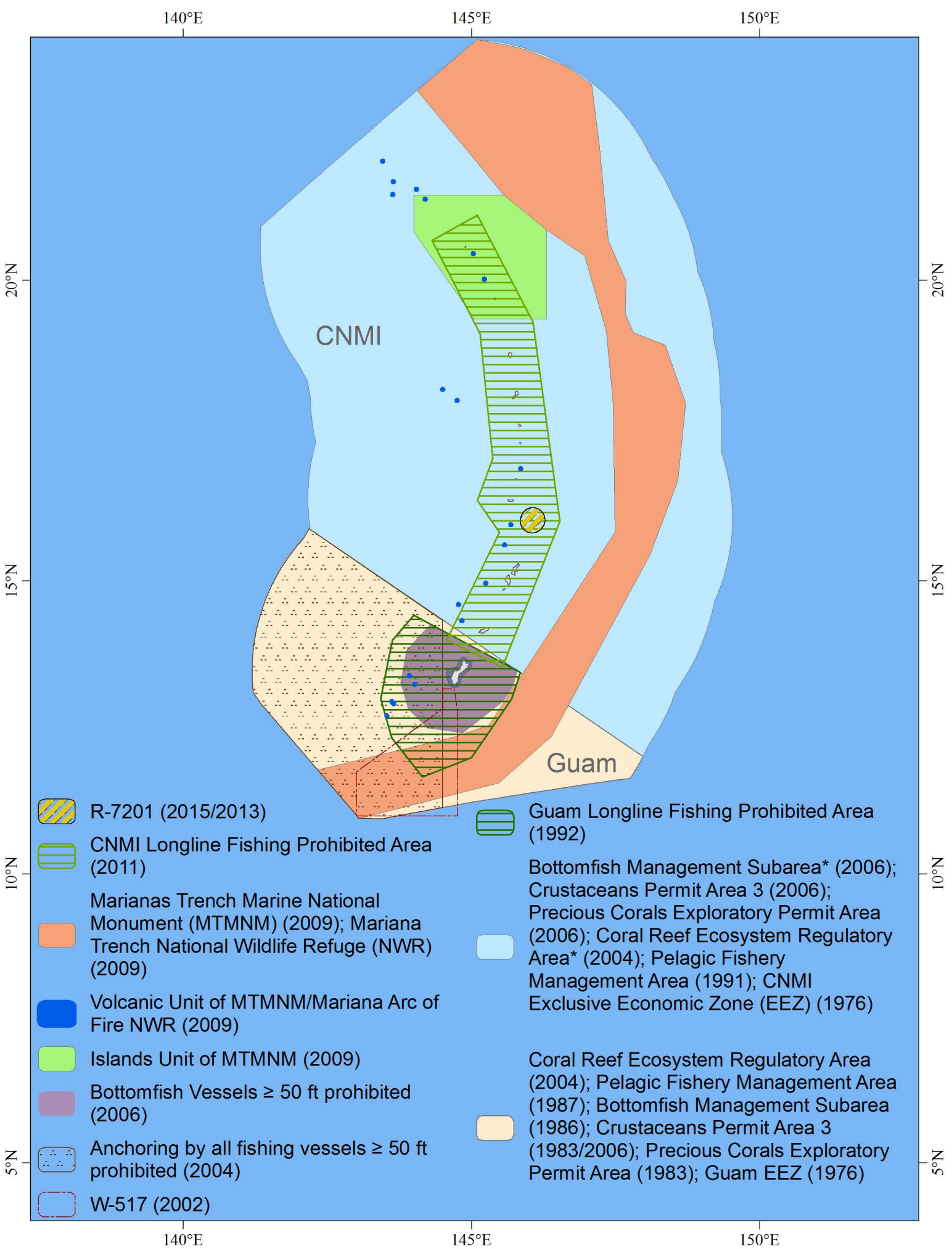

* The Coral Reef Ecosystem Regulatory Area excluded the portion of EEZ waters 0-3 nautical miles (nm) around the CNMI. The Bottomfish Management Subarea was divided in the CNMI Inshore Area, which was that portion of the EEZ shoreward of 3 nm of the shoreline of CNMI, and the CNMI Offshore Area, which was that portion of the EEZ seaward of 3 nm from the CNMI shoreline.