

Overview of Public's Longstanding Support for Protecting the Northwestern Hawaiian Islands



The Native Hawaiian community and the general public in Hawai'i continue to express overwhelming support for the strongest possible protections of the Northwestern Hawaiian Islands (NWHI) by testifying at more than 30 public hearings, attending over 100 public meetings, supporting resolutions, providing input in numerous consultations, and serving on the Reserve Advisory Council (RAC). In the past five years, over 100,000 letters, faxes and emails have been sent by the public to federal and state officials supporting the strongest possible protections for the NWHI.

As part of this process, the NWHI Hui emerged as a broad network of kupuna (some with ties to the NWHI for over half a century), cultural practitioners, fishers, scientists, divers, and local citizens associated with 'Ilio'ulaokalani Coalition, Environmental Defense, KAHEA, and Sierra Club – specifically to focus on the protection of our kupuna islands, the NWHI. Working together for the past five years, the Hui has worked to broaden and ensure transparency of the public process, analyze documents, brief decisionmakers, develop educational materials, foster national partners and ensure public participation.

Early Native Hawaiian Land Claims and Protection Efforts – The NWHI are of great significance in Native Hawaiian culture and history. Ancient 'oli and mele (chants and songs) tell of the fire goddess Pele and her family traversing the NWHI and stopping there on their way to the Main Hawaiian Islands. Throughout history, Native Hawaiians have been deeply involved in reclaiming and protecting these islands. In 1822, Queen Ka'ahumanu and members of the royal family sailed to Nihoa and formally annexed it to the Kingdom of Hawai'i. King Kamehameha IV dispatched a ship to sail up the chain of the NWHI and authorized all lands to be included in the Kingdom. He sailed to Nihoa in 1857. In 1885, Queen Liliu'okalani voyaged to Nihoa.

November 1997 – members of Hui Malama I Na Kupuna O Hawai'i Nei sailed to Nihoa to reinter the iwi (bones) of nine ancestors who had been taken to Bishop Museum by archeologist Kenneth Emory in 1923. This voyage recognized the cultural importance of Nihoa and the NWHI as a vital part of the Island chain. Two Hawaiians on this voyage later served on the RAC of the NWHI Coral Reef Ecosystem Reserve.

July 2000 – Kupuna lead a two day community meeting on O`ahu of 65 people from five islands to determine protection needs for the NWHI. A Native Hawaiian commercial bottomfish fishermen from Maui presents a proposed protection plan for the NWHI. A local diver and environmentalist presents a draft statement of protection principles. After substantial debate, this consensus-based plan – titled Malama I ka Moana – was used to create the 84 million acre NWHI Coral Reef Ecosystem Reserve.

July/August 2000 – 1,100 written comments submitted and over 430 testify in person at the series of public "Visioning" meetings held by White House throughout the islands. The vast majority of testimony supports strong protection of the NWHI. A third of the comments supported the Malama I Ka Moana community plan.

October 2000 – 5,556 people, alerted by Environmental Defense and KAHEA, send letters and faxes to Hawai'i's congressional delegation and the Clinton administration encouraging support for the declaration of the proposed NWHI Reserve as a national monument, housed under the Department of Interior, and oppose any plan to place the Reserve under the Department of Commerce.

November 2000 – 5,781 people send faxes to Hawai'i's Congressional delegation and then-Governor Cayetano urging strong protections for the NWHI.

December 2000 – President Clinton signs the Executive Order (E.O.) establishing the 84 million acre Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve. The E.O. limits access the federal

waters of the NWHI, protects Native Hawaiian cultural access rights, and states that any further protection measures – including a possible sanctuary -- must supplement and complement protections in the E.O. Hui members, including Native Hawaiian fishermen, are invited to attend the President’s signing ceremony in D.C.

December 2000 – approximately 8,400 written comments are submitted to officials and over 250 people attend public hearings on the E.O. held on the five Main Hawaiian Islands and in Washington, D.C. Most testified that the closures were far too limited. Less than 1% of the written comments state that the proposed closures are too restrictive. The Western Pacific Fishery Council (Wespac) is the only federal agency to testify. Staff for the U.S. Fish and Wildlife Service and the state Department of Land and Natural Resources, including some of the leading coral reef experts in the Islands, said a gag order prevented them from testifying.

January 2001 – The second NWHI E.O. is issued, reducing the size of some of the closed areas at the request of Wespac and the state Department of Land and Natural Resources, while making the closures permanent.

August 2001 – 17,400 people send faxes to Secretary of Commerce Dan Evans saying “Hands Off the E.O.s” and “support strong protections,” in response to Wespac’s attempt to gut the EOs and NOAA’s weak stance.

February 2001 - First meeting of the NWHI Coral Reef Ecosystem Reserve Advisory Council (RAC). Public participation, transparency, and vigilance against conflicts of interest are tenets of the RAC charter. Voting members include three representatives of the Native Hawaiian community (including one kūpuna), three representatives of the conservation community, three non-federal governmental marine researchers, and one representative for each key stakeholder: commercial fishers, recreational fishers, ocean-tourism, education, the State of Hawai‘i, and the public-at-large. Representatives of federal agencies are non-voting members.

June 2001 - The RAC submits detailed comments to the National Office of Sanctuaries (NOS) calling on the agency to develop a stronger Draft Reserve Operations Plan, one that addresses the Native Hawaiian cultural significance of the NWHI, the need for immediate and stringent enforcement measures, and access permits and routine surveillance of the area.

February 2002 – State of Hawai‘i Department of Land and Natural Resources (DLNR) withdraws its fishery plan for the shallow reefs and lagoons of the NWHI after overwhelming testimony called for the strongest possible protections of the NWHI.

March 2002 – National Oceans Service (NOS) releases an error-riddled Draft Reserve Operations Plan which prompts the RAC pass a resolution requesting NOAA to rewrite the Reserve Operations Plan to include:

- a detailed description of the Native Hawaiian cultural and historical importance of the NWHI,
- its earlier statement about the need to protect endangered Hawaiian monk seals, and
- regulations necessary to enforce the E.O.

April 2002 – Over 4,700 people write to NOS urging rejection of the proposed Reserve Operations Plan and insisting that it be redrafted to meet the needs of the resource and the protection measures established by the publicly supported E.O.

May 2002 – Over 4,570 people write to Wespac opposing their plans to harvest deep-sea coral and coral reef fish in the NWHI. The National Marine Fisheries Service (NMFS) rejects Wespac’s plans for the NWHI, declaring that they conflict with the NWHI E.O.

May 2002 – Over 11,100 people submit written testimony and over 1,000 people attend NOAA’s scoping meetings that formally initiated the Sanctuary designation process. Although NOS has never released the results of the hearings, copies of the written testimony reveal most support the strong

protection for the NWHI.

May 2003 – Over 100 scientists echo public’s demand for conservation-oriented management measures at a NOAA-sponsored conference held in Honolulu.

June 2003 – Over 1,500 people send letters, faxes and emails to Secretary of Commerce insisting that Wespac’s proposed fishery management plan for the NWHI be rejected because it violates the E.O., expands fishing, opens the lobster fishery, and initiates coral harvesting in the NWHI Reserve.

September 2003 – Ten Hawaiians sail on the Hokule’a (Polynesian Voyaging Society’s canoe) to reclaim and reestablish connection with the mana (energy) of Nihoa.

October 2003 – Research consultants to NOAA advise against commercial fishing in the NWHI. Sustainable Resources Group, Int’l. (SRG), under contract with NOAA, holds 18 meetings with a range of interest groups over a period of four months. Kupuna emphasize that commercial fishing is not appropriate for the NWHI. The results of these meetings lead SRG to recommend against any commercial fishing operations in the NWHI. This report can only be found on Hui websites, as NOS staff has attempted to bury the SRG report.

March 2004 – *E Mau Ke 'ea – NWHI*, a film addressing fishing in the NWHI and the public process to protect these Islands was produced by `Iliio`ulaokalani Coalition on `Olelo Public Broadcasting. The half hour program featuring Kumu Hula Vicky Holt Takamine, Native Hawaiian fisherman Isaac Harp and scientist, Stephanie Fried from Environmental Defense, covered a range of topics.

May 2004 – 25,800 public comments sent to NOAA urging that the operations plan to manage the Reserve closely reflect the protection measures in the E.O. And in a historic voyage, the Hokule’a traverses the entire NWHI. This Navigating Change effort retraces the path of ancient voyages using traditional navigational techniques and stops at each island for ceremony and chants to reestablish connection with the Islands.

June 2004 – Over 400 of the world’s leading marine scientists from over 250 of the world’s most prominent institutions in 68 countries echoed local calls for stringent NWHI protections.

July 2004 – A position paper by UH Hawaiian Studies students, Kekuwa Kikiloi and Kamuela Enos was widely circulated prior to public hearings on the proposed state refuge in the NWHI. The paper states that:

“After the spirit separates from the body after death, they travel in the ocean in a north-west direction past the islet of Lehua on route to pō (creation). These islands, which are remembered as ancestral homelands, provide stopping points in which our ancestors’ spirits reside for periods of time. Opening this area up to the general public and commercial fishing will disrupt the sanctity of this area.”

July/August 2004 – Over 100 people throughout the state testified in enthusiastic support of the state’s new proposal to establish a refuge in the state waters of the NWHI, where Native Hawaiian cultural access rights to the NWHI are protected, but no commercial fishing is allowed.

August 2004 – A two day workshop facilitated by Kia’i Kai, graduate program at Kamakakūokalani Center for Hawaiian Studies at University of Hawai’i, Mānoa, generated input from Native Hawaiian cultural practitioners, fishermen and others to determine criteria for culturally appropriate activities in the NWHI. Participants strongly recommended that no commercial activity be allowed in the NWHI, including recreational fishing. The full report can be found at www.kahea.org.

January 2005 – Wespac holds sparsely attended “public meetings” on fishing in the NWHI. 15 people testified in opposition to Wespac’s proposed fishing expansions and 3 people testified in Wespac’s support.

May 2005 – The Board of Land and Natural Resources passed a proposed regulation for state waters in the NWHI that eliminates commercial and recreational fishing, protects Native Hawaiian access

for cultural practices and establishes limitations on research. The Director indicated in a formal statement that the public's strong support was a critical factor in proposing this visionary and model protection for state waters. The state has "raised the bar" regarding what is needed to protect the very special ecosystems of the NWHI archipelago.

August 2005 – Maui's County Council unanimously passes a resolution urging federal policy makers to completely and permanently protect the NWHI by extending the state's refuge plan to the federal waters in the NWHI. Maui's Mayor Alan Arakawa sends letters to Congressional leaders urging full protection of the NWHI.

September 2005 – Governor Lingle signs the state refuge plan and urges that similar regulations be enforced in the federal waters of the NWHI.

October 2005 – Kaua'i and Hawai'i County Councils unanimously pass resolutions urging federal policy makers to completely and permanently protect the NWHI by extending the state's refuge plan to the federal waters in the NWHI.

October 2005 – NOAA formally rejects Wespac's fishing plans for the NWHI as part of the sanctuary process because they did not meet the criteria established by the goals and objectives of the proposed sanctuary.

February 2006 – Wespac attempts to undermine marine protected areas by introducing a series of "freedom to fish" bills from other states in the Hawai'i Legislature. More than 200 people testify against the measures that propose to open up all marine protected areas to fishing. Recognizing the need to better protect Hawai'i's ocean resources, the House Committee on Water, Land, and Ocean Resources amends the bill to provide the Department of Land and Natural Resources with additional funding and training for enforcement.

March 2006 – Wespac holds another public hearing on its Ecosystem Management Plans and its previously rejected fishing regulations for the proposed NWHI sanctuary. Hundreds of people emailed both Wespac and NOAA denouncing Wespac for its continued failure to protect Hawai'i's public trust ocean resources.

March 2006 – Award-winning investigative journalist publishes extensive article detailing Wespac's scandalous mismanagement of public funds and Hawai'i's marine resources.

April 2006 – The Inspector General of the Department of Commerce begins to audit Wespac based on the petition to investigate the council that was filed by Wai'anae fishing organizations in November 2005.

Next Steps – The draft environmental impact statement for NOAA's proposed sanctuary in the NWHI is expected to be released this summer. It will take everyone's collective effort to ensure that if a sanctuary is designated in the NWHI, that it truly is a sanctuary like no other. You can help by going to www.kahea.org and signing up with our Action Alert Network. Through this email network you will be able to cast your vote on NOAA's sanctuary plan and help ensure the strongest possible protections for the NWHI.

SIGN UP FOR KAHEA'S ACTION ALERT NETWORK TODAY!
WWW.KAHEA.ORG

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