

# Preliminary Analysis of Presidential Proclamation on the Establishment of the NWHI Marine National Monument

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Aloha Kakou,

Enclosed is a preliminary assessment of the newly designated NWHI monument based on a quick analysis of the recently-received language of the proclamation.

*This is, indeed, an extraordinary victory for the environment and for the recognition of Native Hawaiian traditional and cultural practices, unparalleled in history.*

There are a few issues which will need to be addressed in public comments on proposed regulations and the draft management plan. The NWHI hui will be developing a list of key talking points.

But it bears repeating that *the establishment of these protections represents an extraordinary breakthrough for the conservation of natural and cultural resources. This is the real deal.*

This is not to say, however, that our work – and the need for public input -- is over. Continued public involvement will be of vital importance. There are several challenges still remaining (more analysis to come over the next few weeks).

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## **I. Challenges**

Below are the concerns and actions necessary to ensure full and permanent protections which have been initially identified. These will be refined over coming weeks as more analysis is carried out.

### **(A) Developing regulations for the NWHI monument**

(1) Ensuring “seamless management” of state and federal waters. Ensuring that the protections in the proclamation are clarified and implemented into line with stringent state protections (rules and permitting guidelines – see page 11), especially regarding the state prohibition on all commercial activities, a “do no harm” permitting standard, a complete prohibition on the dumping of wastes in state refuge waters, a requirement for a precautionary approach, a ban on commercial and recreational fishing (including recreational fishing by researchers, called “sustenance” fishing by NOAA), a prohibition on all activities not explicitly authorized under the short list of authorized activities, and a requirement for public comment on all permits. In addition, all activities in state waters of the NWHI must meet the following criteria:

- *"The activity must be non-commercial and will not involve the sale of any organism, byproduct, or material collected;"*
  - *"Resources and samples are a public trust, not to be used for sale, patent, bioassay, or bio-prospecting, or for obtaining patents or intellectual property rights;"*
  - *"The activity must have demonstrable benefits to the preservation and management of the NWHI ecosystem;"*
  - *"The activity must do no harm to the ecological or biological systems, sites or resources of the NWHI, or by virtue of the mode of transport to be employed for access."*
  - *"The activity must have demonstrable benefits to the cultural and spiritual relationship of Native Hawaiians to the NWHI ecosystem"*
  - *"The activity must support the perpetuation of traditional knowledge and ancestral connections of the Native Hawaiians to the NWHI."*
- (2) **Ensuring that regulations have a strong penalty schedule such as that proposed in the NWHI Refuge Act offered by Representative Ed Case,**
- (3) **Ensuring that regulations for fishing caps required under the NWHI Coral Reef Ecosystem Reserve by the NWHI Executive Orders are developed and applied during the phase-out period of the bottomfish fishery.**
- (4) **Ensuring the development of a strong management plan** given that the draft management plan will be based on NOAA's original draft management plan for the proposed sanctuary which has now been replaced by the NWHI monument; ensuring that the management plan guarantees strict limits to and oversight of all NWHI activities, including research and proposed management measures (for example "beach replenishment" by the US Army Corps of Engineers is currently being proposed by NMFS researchers for French Frigate Shoals).

We note that, in addition to the state ban on commercial activities, including bioprospecting, the draft Management Plan circulated by NOAA in 2005 for the proposed NWHI sanctuary also bans bioprospecting ("research related applications, such as those associated with bioprospecting will not be authorized within the sanctuary." Pg 5 Draft SMP) and requires a strictly defined precautionary approach, with stringent conditions for access to the NWHI, including for research and education. It will be important to ensure that new regulations are consistent with the bioprospecting ban and the proposed sanctuary Goals and Objectives (see page 11), including the

- a. the Goals and Objectives for research (Goal 6. "Support, promote, coordinate research and long term monitoring that improves management decision making and is consistent with the conservation and protection of the region." Objective 6a. Identify, assess, prioritize, and authorize ...research and monitoring necessary for effective management of the region.
- b. The Goals & Objectives for education (Objective 4 b. "In order to minimize the use of and impact to the region, plan and establish programs that emphasize the concept of bringing the place to the people, rather than people to the place.")

**(C) Ensuring a robust, scientifically sound and conservation-oriented permit application process,**

with public comment on *all* permits (as in state waters), with oversight by Native Hawaiian cultural practitioners, the conservation community and recognized ecosystem and endangered species scientists;

**(D) Generating appropriate funding for USFWS and NOAA** to ensure proper enforcement and management; ensuring a significant increase in USFWS funding given their vastly increased role in the NWHI as a result of monument designation;

**(E) Ensuring appropriate implementation and enforcement** of these extraordinary federal measures and state rules and guidelines which are beyond any conservation efforts undertaken by federal and state authorities;

**(F) Ensuring that the vulnerable seamount north of Kure Atoll is protected**

## II. SHORT SUMMARY of NWHI Monument Conservation Measures

- The monument is aimed at protecting the ecological integrity of the NWHI, adds to (complements and supplements) existing protections, and provides clear recognition of Native Hawaiian traditional cultural practices;
- All existing protections remain intact, including those of the NWHI Executive Orders and USFW Refuges;
- State waters lie outside of the monument; all state protections are strong and intact
- 139,793 square miles is judged to be "the smallest area compatible...." with protections; it is possible (with public comment) that the entire area could be defined as an Ecological Reserve and/or Special Protected Area, in addition to existing protections

- Both the US Fish and Wildlife Service and NOAA issue permits for the entire region – i.e. no permit may be issued unless “the Secretaries” of Commerce and Interior decide to do so (apparently jointly)
- This vastly increases the power and jurisdiction of the USFWS to a co-management status with NOAA over the entire 84 million acre area. Given the USFWS resource protection mandate and practice in the NWHI, this is of extraordinary conservation importance;
- USFWS has “sole responsibility” for management of all existing USFWS refuges, in consultation with NOAA; NOAA has “primary responsibility” for the management of other marine waters, in consultation with USFWS;
- No access to the entire area without permits granted by both NOAA & USFWS.
- VMS requirement
- Commercial fishing phased out within 5 years and may not occur “within any Ecological Reserve, any Special Preservation Area or Midway Atoll Special Management Area”

## **PROHIBITIONS**

- Exploring for, developing, or producing oil, gas, or minerals within the monument;
- Using or attempting to use poisons, electrical charges, or explosives in the collection or harvest of a monument resource;
- Introducing or otherwise releasing an introduced species from within or into the monument
- Anchoring on living or dead coral

## **REGULATED ACTIVITIES (PROHIBITED UNLESS PERMITTED BY SECRETARIES OF COMMERCE AND INTERIOR – NOAA *and* USFWS)**

- Removing, moving, taking, harvesting, possessing, injuring, disturbing, damaging any living or non-living resource
- Drilling, dredging, otherwise altering submerged lands; placing any structure on submerged lands
- Anchoring a vessel
- Deserting a vessel
- Discharging or depositing any material or other matter into Special Preservation Areas (SPAs) or the Midway Special Management Area except vessel engine cooling water, weather deck runoff, vessel engine exhaust;
- Discharging or depositing any material or other matter into the monument, or discharging or depositing any material or other matter outside of the monument that subsequently enters the monument and injures any resources of the monument, except fish parts during authorized fishing operations, or discharges incidental to vessel use such as deck wash, approved marine sanitation device effluent, cooling water, engine exhaust;
- Touching coral, living or dead;
- Possessing fishing gear except when stowed and not available for immediate use during passage without interruption;
- Swimming, snorkeling, or closed or open circuit SCUBA diving within any SPA or Midway
- Attracting any living monument resources
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## **COMMERCIAL ACTIVITIES: SPECIAL OCEAN USE PERMITS**

- “only if compatible with purposes for which monument is designated and with protection of monument resources”
- For up to 5 years, unless renewed by Secretaries
- “does not destroy, cause loss of, or injure monument resources” pg 73(a)i(C)
- Liability insurance, bond
- Annual report to Secretaries no later than Dec 31, describing activities and revenues derived from such activities
- Must be consistent with all other permit requirements
- First time activities restricted in duration, permitted as pilot project; permitting continued only if Secretaries find that activities meet criteria in this proclamation and any other terms and conditions
- Public notice for any special use permit for any category of activity not previously identified as special ocean use
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- **MIDWAY**
  - Activity must “further the conservation and management of the monument”
  - USFWS finds activity compatible with purpose for which Midway Refuge designated
- **OUTSIDE MIDWAY**
  - Activity must “directly benefit the conservation and management of the monument”
  - Purpose must be research or education related to resources or qualities of monument
  - Public notice, 30 day public comment
  - “does not involve use of commercial passenger vessel” DEFN: “carries individuals who have paid for such carriage”

### **III. LONGER SUMMARY: MORE DETAILED INFORMATION ON THE MONUMENT PROCLAMATION**

#### **The Monument:**

NWHI “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.”(pg 1 para 1)

- recognizes and builds on the authority of Executive Orders 13089, 13178, 13196 which include the Executive Orders which established the NWHI Reserve. (SF Note: These EOs are left intact, unaltered.) (pg 1, paragraph 2) “WHEREAS Executive Order 13089 of June 11, 1998, EO 13178 of December 4, 2000, and EO 13196 of January 18, 2001, as well as the process for designation of a National Marine Sanctuary undertaken by the Secretary of Commerce, have identified objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the US in the area of the NWHI;”
- is issued under the authority of the Antiquities Act which authorizes the President “to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest” in “the smallest area compatible with the proper care and management of the objects to be projected.” (Pg 1 para 3) – i.e. 139,793 square miles is judged to be “the smallest area compatible....”
- “WHEREAS it would be in the public interest to preserve the marine area of the NWHI and certain lands as necessary for the care and management of the historic and scientific objects therein” (pg1 para4)
- Purpose: “protecting the objects described above” including “approximately 139,793 square miles of emergent and submerged lands and waters of the NWHI, which is the smallest area compatible with the proper care and management of the objects to be protected.” (pg1 para 6)
- Bans “location, entry, patent under mining laws” and “disposition under all laws relating to mineral and geothermal leasing” (pg1 para 6)

#### **JURISDICTION – Joint management by Depts of Commerce (NOAA) and Interior (USFWS)**

- Department of Commerce, through NOAA will have “*primary* responsibility for management of marine areas *in consultation with* US Fish and Wildlife Service.”
- Department of Interior, US Fish and Wildlife Service will have “*sole* responsibility for management of areas of the monument that overlay the Midway Atoll National Wildlife Refuge the Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge, in consultation with the Secretary of Commerce.” (lg 2 para 1)

#### **ACCESS**

- No access without permit granted by USFW and NOAA (pg 2, para 6)
- All vessels must have Vessel Monitoring Systems on board and operating

#### **PROHIBITIONS**

- Exploring for, developing, or producing oil, gas, or minerals within the monument;
- Using or attempting to use poisons, electrical charges, or explosives in the collection or harvest of a monument resource;
- Introducing or otherwise releasing an introduced species from within or into the monuent
- Anchoring on living or dead coral

## **REGULATED ACTIVITIES (PROHIBITED UNLESS PERMITTED BY SECRETARIES OF COMMERCE AND INTERIOR)**

- Removing, moving, taking, harvesting, possessing, injuring, disturbing, damaging any living or non-living resource
- Drilling, dredging, otherwise altering submerged lands; placing any structure on submerged lands
- Anchoring a vessel
- Deserting a vessel
- Discharging or depositing any material or other matter into Special Preservation Areas (SPAs) or the Midway Special Management Area except vessel engine cooling water, weather deck runoff, vessel engine exhaust;
- Discharging or depositing any material or other matter into the monument, or discharging or depositing any material or other matter outside of the monument that subsequently enters the monument and injures any resources of the monument, except fish parts during authorized fishing operations, or discharges incidental to vessel use such as deck wash, approved marine sanitation device effluent, cooling water, engine exhaust;
- Touching coral, living or dead;
- Possessing fishing gear except when stowed and not available for immediate use during passage without interruption;
- Swimming, snorkeling, or closed or open circuit SCUBA diving within any SPA or Midway
- Attracting any living monument resources

## **PROHIBITIONS DO NOT APPLY TO**

- emergency & law enforcement activities, armed forces, US Coast Guard

## **MILITARY ACTIVITIES**

- “shall be carried out in a manner that avoids, to the extent practicable and consistent with operational requirements, adverse impacts on monument resources and qualities”; in case of “threatened or actual destruction, loss, injury to monument resource,”.. take “appropriate actions to respond to and mitigate the harm and if possible restore or replace the monument resource or quality” (Pg 5, para 1 &2)

## **COMMERCIAL FISHING**

Lobster capped at zero.

Bottomfish/pelagic

- not longer than 5 yrs
- must have a NOAA bottomfish permit in effect on the date of this proclamation
- Total landings must not exceed 350,000 lbs bottomfish; 180,000 lbs pelagic species
  - [Note from SF: EOs are still in force, caps apply ]
- Prohibited after 5 yrs from date of proclamation

Secretaries must ensure that any commercial fishing must involve logbooks (“no attempt is made to falsify or fail to make, keep maintain or submit any logbook”) pg 5 ; no gear other than that specifically authorized by bottomfish permit may be in possession of person fishing commercially; VMS; observer required when requested by NOAA and USFW; not allowed “within any Ecological Reserve, any Special Preservation Area or Midway Atoll Special Management Area” pg 6 para 1

## **PERMITS:**

Secretaries of Commerce & Interior may not issue a NWHI monument access permit unless the Secretaries ensure:

- “adequate safeguards for resources and ecological integrity”
- Activities are “conducted in manner compatible with management direction of this proclamation, considering extent to which conduct of activity may diminish or enhance monument resources, qualities, ecological integrity, any indirect, secondary or cumulative effects of activity, duration of such impacts”
- “no practicable alternative to conducting the activity within the monument”
- “end value of activity outweighs adverse impacts on resources, qualities, ecological activity” [SF Note: this ambiguous wording raises concerns]
- “applicant qualified” and with “adequate financial resources” “to conduct, complete activity, mitigate any potential impacts”

- Methods/procedures proposed by the applicant are appropriate to achieve the proposed activities goals in relation to their impacts to resources qualities and ecological integrity
- Requirement for the use of Vessel Monitoring System
- “no other factors that would make issuance of a permit for the activity inappropriate”

#### **NATIVE HAWAIIAN PRACTICE PERMIT**

- non-commercial, not involve sale of any organism or material collected
- pono
- benefits resources of NWHI and Native Hawaiian community
- supports perpetuation of traditional knowledge and ancestral connections
- resources harvested consumed in the monument

#### **SPECIAL OCEAN USE PERMITS**

- “only if compatible with purposes for which monument is designated and with protection of monument resources”
- For up to 5 years, unless renewed by Secretaries
- “does not destroy, cause loss of, or injure monument resources” pg 73(a)i(C)
- Liability insurance, bond
- Annual report to Secretaries no later than Dec 31, describing activities and revenues derived from such activities
- Must be consistent with all other permit requirements
- First time activities restricted in duration, permitted as pilot project; permitting continued only if Secretaries find that activities meet criteria in this proclamation and any other terms and conditions
- Public notice for any special use permit for any category of activity not previously identified as special ocean use
- **MIDWAY**
  - Activity must “further the conservation and management of the monument”
  - USFWS must find the activity compatible with purpose for which Midway Refuge designated
- **OUTSIDE MIDWAY**
  - Activity must “directly benefit the conservation and management of the monument”
  - Purpose must be research or education related to resources or qualities of monument
  - Public notice, 30 day public comment period
  - “does not involve use of commercial passenger vessel” DEFN: a vessel which “carries individuals who have paid for such carriage”

#### **RECREATION PERMITS**

- Only at Midway
- Must be for recreation as defined in regulation
- Not associated with any for-hire operation
- “does not involve any extractive use” pg 8

#### **SUSTENANCE FISHING**

- bottomfish or pelagic
- must be consumed within monument
- incidental to permitted activity
- permitted by Secretaries
- outside of any SPA
- Not at Midway unless USFWS deems compatible
- Must be compatible with this proclamation, considering extent to which “may diminish monument resources, qualities, ecological integrity” and “indirect, secondary, cumulative effects”
- Systematic reporting of sustenance fishing

## **Some of the definitions:**

Ecological Reserve: “area of the monument consisting of contiguous, diverse habitats that provide natural spawning, nursery, and permanent residence areas for replenishment and genetic protection of marine life, and also to protect and preserve natural assemblages of habitats and species within areas representing a broad diversity of resources and habitats found within the monument” pg 9

Introduced Species:

“A species..that is non native to the ecosystem(s) protected by the monument” pg 9

“any organism into which genetic matter from another species has been transferred in order that the hose organism acquires the genetic traits of the transferred genes”

Midway Atoll Special Management Area – out to 12 nautical miles “established for the enhanced management, protection, and preservation of monument wildlife and historical resources”

“Native Hawaiian Practices means cultural activities conducted for the purposes of perpetuating traditional knowledge, caring for and protecting the environment, and strengthening cultural and spiritual connections to the NWHI that have demonstrable benefits to the Native Hawaiian community. This may include, but is not limited to, the non-commercial use of monument reosources for direct personal consumption while in the monument.” Pg 9

“Ocean-based ecotoursim means a class of fee-for-service activities that involves visiting the monument for study, enjoyment, or volunteer assistance for purposes of conservation and management”

“Pono means appropriate, correct, and deemed necessary by traditional standards in the Hawaiian culture.” Pg 9

“Recreational activity means an activity conducted for personal enjoyment that does not result in the extraction of monument resources and that does not involve a fee-for-service transaction. This includes but is not limited to wildlife viewing, SCUBA diving, snorkeling and boating.” Pg 9

Special Preservation Area (SPA) “discrete, biologically important areas of the monument within which uses are subject to conditions, restrictions, and prohibitions, including but not limited to access restrictions. Spas are used to avoid concentrations of uses that could result in declines in species populations or habitat, to reduce conflicts between uses, to protect areas that are critical for sustaining important marine species or habitats or to provide opportunities for scientific research.”

Special Ocean Use “activity or use of the monument that is engaged in to generate revenue or profits for one or more of the persons associated with the activity or use, and does not destroy, cause the loss of, or injure monument resources. This includes ocean-based ecotourism and other activities such as educational and research activities that are engaged in to generate revenue but does not include commercial fishing for bottomfish or pelagic species conducted pursuant to a valid permit issued by NOAA.” Pg 10

Sustenance fishing means “fishing for bottomfish or pelagic species in which all catch is consumed within the monument, and that is incidental to an activity permitted under this proclamation.”

**ADDS TO EXISTING PROTECTIONS:**

“Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the national monument shall be the dominant reservation.”

“Warning is hereby given to all unauthorized persons not to appropriate, injure , destroy, or remove any feature of this monument and not to locate or settle upon any lands thereof.” Pg 10

#### **IV. Summary of State Rules and Permitting Guidelines for the NWHI state Refuge , NWHI Executive Orders for the NWHI Reserve, NOAA Goals and Objectives for NWHI protections**

##### **1) State refuge Rules and Permitting Guidelines**

Excerpts from intent and purpose section: “To establish a marine reserve for the long-term conservation and protection of the unique coral reef ecosystems and the related marine resources and species, and to ensure their conservation and natural character for present and future generations” “To manage, preserve, protect, and conserve the unique resources” “precautionary management approach to minimize risks of possible adverse effects on the regional ecosystem, its biodiversity or its indigenous wildlife in this area, especially where data is limited.” “entry permit for the area that will cause no harm”

##### **Prohibited activities:**

13-60.5-4

- (1) to enter the refuge without a permit
- (2) “To take for the purpose of sale or sell marine life taken from the refute and to take marine life in violation of Section 13-60.5.5
- (3)” to set foot on shore, on any emergent land or reef”
- (4) “to engage in any activity, including the anchoring of a vessel that can or does result in damaging or destroying coral”
- (5) To discharge from a vessel as defined in federal and state law.
- (6) “To engage in any activity that is not authorized by this chapter”

##### **No access without a permit. Permits granted only for three purposes. “Do no harm” requirement:**

**Section 13-60.5-5.** Permitted activities. (a)A person shall, with a valid permit or authorization issued from the board, enter the refuge, subject to the restrictions of subsection (d);

“A person shall only enter the refuge to engage in activities that do no harm and do not degrade the coral reef ecosystem, related marine resources and species, as specifically authorized by law , for the following purposes:

- (3) scientific or education purposes;
- (2) non-extractive purposes undertaken to further the knowledge of resources or which provides for enhanced resources protection or resource management; and
- (3) Subsistence, traditional and customary practices by Native Hawaiians consistent with the long-term preservation of the refuge resources in accordance with permit conditions specified in section 13-60.5-6.

Even with a valid permit, the department may prohibit entry into any location or locations within the refuge as it may deem appropriate to conserve or manage resources.”

**State Permitting guidelines:** The state's permitting guidelines developed in 2006 specify that the following criteria will apply to all types of permit applications:

- “The activity must be non-commercial and will not involve the sale of any organism, byproduct, or material collected;”
- “Resources and samples are a public trust, not to be used for sale, patent, bioassay, or bio-prospecting, or for obtaining patents or intellectual property rights;”
- “The activity must have demonstrable benefits to the preservation and management of the NWHI ecosystem;”
- “The activity must do no harm to the ecological or biological systems, sites or resources of the NWHI, or by virtue of the mode of transport to be employed for access.”
- “The activity must have demonstrable benefits to the cultural and spiritual relationship of Native Hawaiians to the NWHI ecosystem;”
- “The activity must support the perpetuation of traditional knowledge and ancestral connections of the Native Hawaiians to the NWHI.”

NWHI Executive Orders for the NWHI Coral Reef Ecosystem Reserve



- 2) Executive Order 13178: Purpose: “ensure the comprehensive, strong, and lasting protection of the coral reef ecosystem and related marine resources and species (resources) of the NWHI”;
  - a. The Management Principles in Sec 4 of the EO also state “The principle purpose of the Reserve is the long-term conservation and protection of the coral reef ecosystem and related marine resources and species of the Northwestern Hawaiian Islands.”
  - b. This primary principle is also emphasized in the Management Plan for the NWHI Coral Reef Ecosystem Reserve.
  - c. Management Principles in the EO: “The principle purpose of the Reserve is the long-term conservation and protection of the coral reef ecosystem and related marine resources and species of the NWHI in their natural character.” “applying a precautionary approach with resource protection favored when there is a lack of information regarding any given activity”. Other activities are only allowed “**to the extent consistent with the primary purpose of the Reserve**” (Sec 4.e, f)
  - d. The EO requires the Secretary to complement or supplement the Reserve in the designation of a national marine sanctuary, should a sanctuary be designated.
  - e. Establishment of permanently closed Reserve Preservation Areas;
  - f. Science, education are only allowed “to the extent consistent with the primary purpose of the Reserve.”
  - g. Native Hawaiian cultural and traditional practices recognized

3) Executive Order 13196: Purpose – to establish permanently closed Reserve Protected Areas

4) NOAA Goals and Objectives proposed for a NWHI Sanctuary

Basic “constitution” of the proposed NWHI sanctuary, developed by the NWHI Reserve Advisory Council during a public process over several years and modified and adopted by NOAA. Published by NOAA in September 2004 in “Advice and Recommendations on the Development of Draft Fishing Regulations under NMSA”. Online at [www.hawaiireef.noaa.gov](http://www.hawaiireef.noaa.gov) -- page AI.

- a. Sanctuary Mission: “Carry out coordinated and integrated management to achieve **the primary purpose of strong and long term protection of the marine ecosystems in their natural character** as well as the perpetuation of Native Hawaiian cultural practices and the conservation of heritage resources of the NWHI”, Goal 1 “natural biological communities”, Goal 3 “allow access only for those activities that do not threaten the natural character of biological integrity”, Goal 7, “maintain ecosystem integrity”, “do not threaten the natural character or biological integrity of any ecosystem”
- b. Precautionary approach “when there is uncertainty in available information re potential impacts of any activity, err on the side of resource protection”, “Develop and implement the necessary prohibitions, rules, regulations and penalty schedules to achieve the primary purpose of resource protection” Goal 1, Objective b, c, Goal 7, Objective k, also Sanctuary Management Principles
- c. Goal 3: “Manage, minimize or prevent negative human impacts by allowing access only for those activities that do not threaten the natural character or biological integrity of any ecosystem of the region”; Objective 3a. Allow access only for activities consistent with long-term ecosystem protection.
- d. Objective 4 b. “In order to minimize the use of and impact to the region, plan and establish programs that emphasize the concept of bringing the place to the people, rather than people to the place.” Objective 4a. Educational activities must “raise public awareness of NWHI marine ecosystems and the need to protect them and to effectively communicate access and use restrictions.”
- e. Goal 6. “Support, promote, coordinate research and long term monitoring that improves management decision making and is consistent with the conservation and protection of the region.” Objective 6a. Identify, assess, prioritize, and authorize ...research and monitoring necessary for effective management of the region.
- f. Goal 7. “Limit fishing activities to areas that minimize or prevent interactions with corals, seabirds, endangered Hawaiian monk seals and other protected wildlife or that do not threaten the natural character or biological integrity of any ecosystem of the region.” Objective 7k. “When there is uncertainty in available information regarding the potential impacts of any fishing activity, err on the side of resource protection”