

# UNDERSTANDING THE PROPOSED NATIONAL MARINE SANCTUARY DESIGNATION AT PAPAHĀNAUMOKUĀKEA MARINE NATIONAL MONUMENT

## *Frequently Asked Questions*

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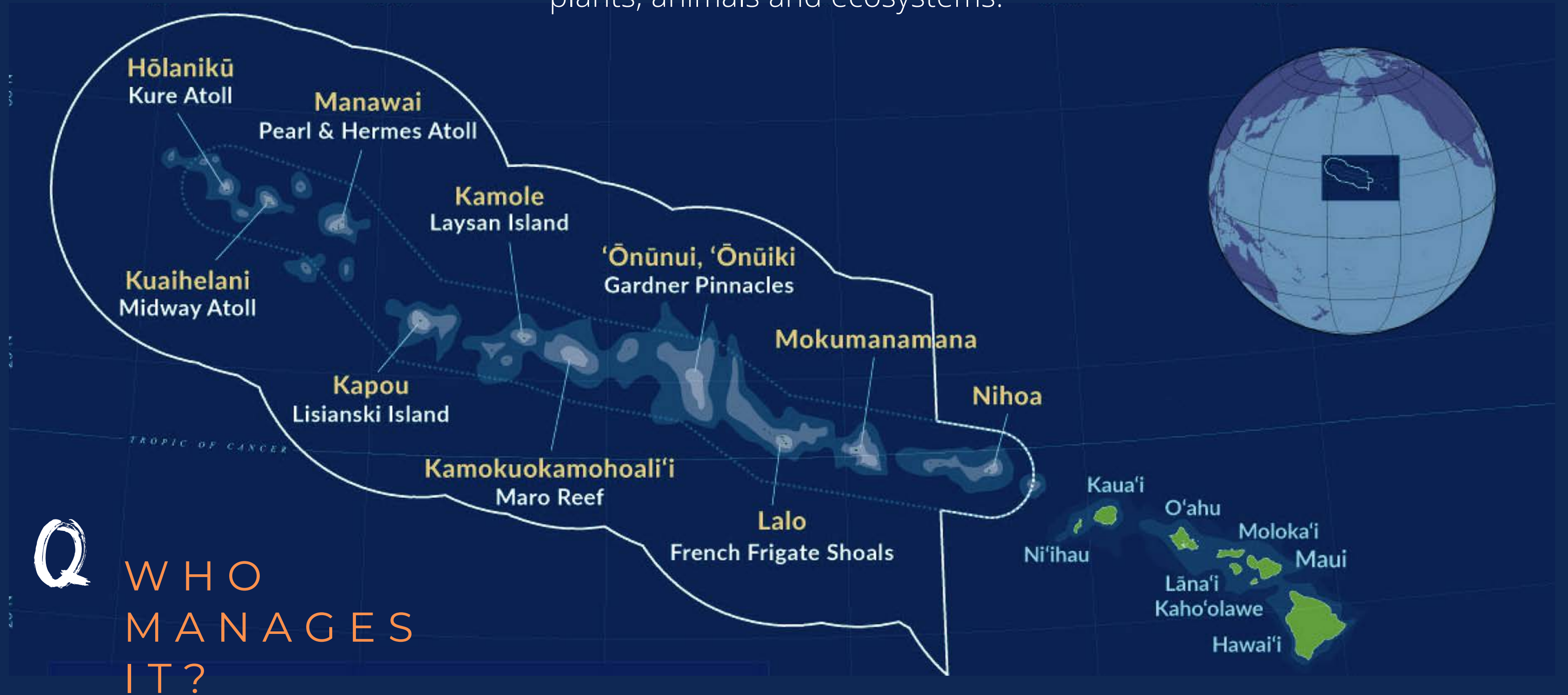


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# Q WHAT IS PAPA HĀNAUMOKUĀKEA MARINE NATIONAL MONUMENT?

The Papahānaumokuākea Marine National Monument (or Monument) is one of the largest protected wildlife areas in the world. It includes over 583,000 square miles of the Pacific Ocean and various small islands, islets and atolls that make up the northwestern extent of the Hawaiian Archipelago. It is home to significant native Hawaiian culture and heritage, historical resources from events such as the Battle of Midway, as well as unique and important plants, animals and ecosystems.



## Q WHO MANAGES IT?

There are currently four state and federal agencies that co-manage Papahānaumokuākea Marine National Monument (known as Co-Trustees):

- 1 State of Hawaii Department of Land and Natural Resources (DLNR)
- 2 National Oceanic and Atmospheric Administration (NOAA)
- 3 US Fish and Wildlife Service (FWS)
- 4 State of Hawaii Office of Hawaiian Affairs (OHA)

...SO, WHO IS RESPONSIBLE FOR WHAT?



**DLNR:** Primary responsibility for the Northwestern Hawaiian Island Marine Refuge, the State Seabird Sanctuary at Kure Atoll, and all waters extending from land out to three nautical miles

**NOAA:** Management of the marine areas (outside three nautical miles surrounding land), including the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve

**FWS:** Management of terrestrial areas of the Monument that overlay Midway Atoll National Wildlife Refuge (NWR), the Battle of Midway National Memorial and the Hawaiian Islands National Wildlife Refuge

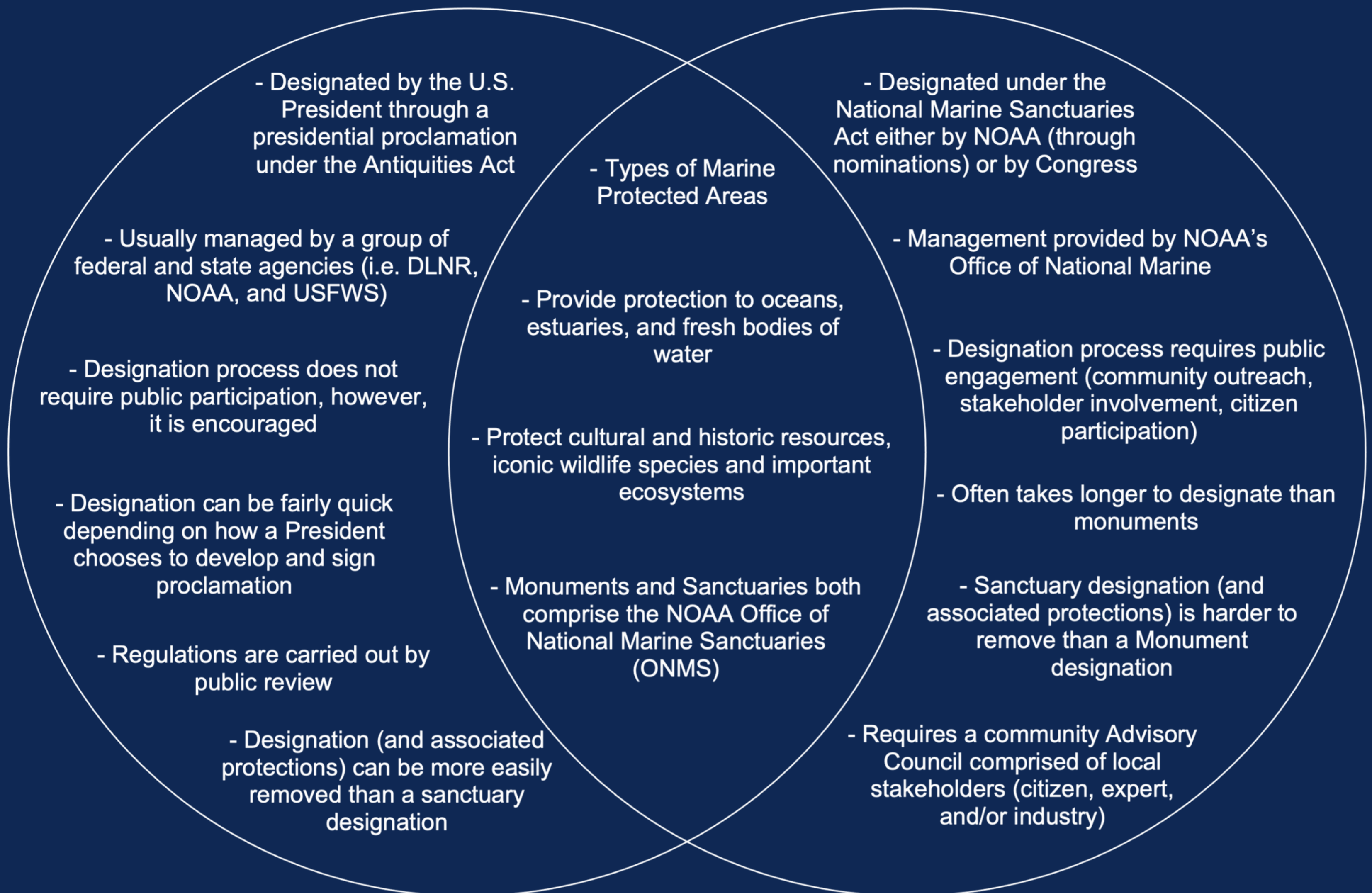
**OHA:** Responsible for protecting and promoting the rights and interests of Native Hawaiians, the cultural and natural resources of Hawai'i, programs and activities relating to Native Hawaiians, the assessment of the policies and practices of other agencies impacting Native Hawaiians, and for conducting advocacy efforts for Native Hawaiians as it pertains to the Monument



# Q WHAT IS THE DIFFERENCE BETWEEN A MARINE NATIONAL MONUMENT AND A NATIONAL MARINE SANCTUARY?

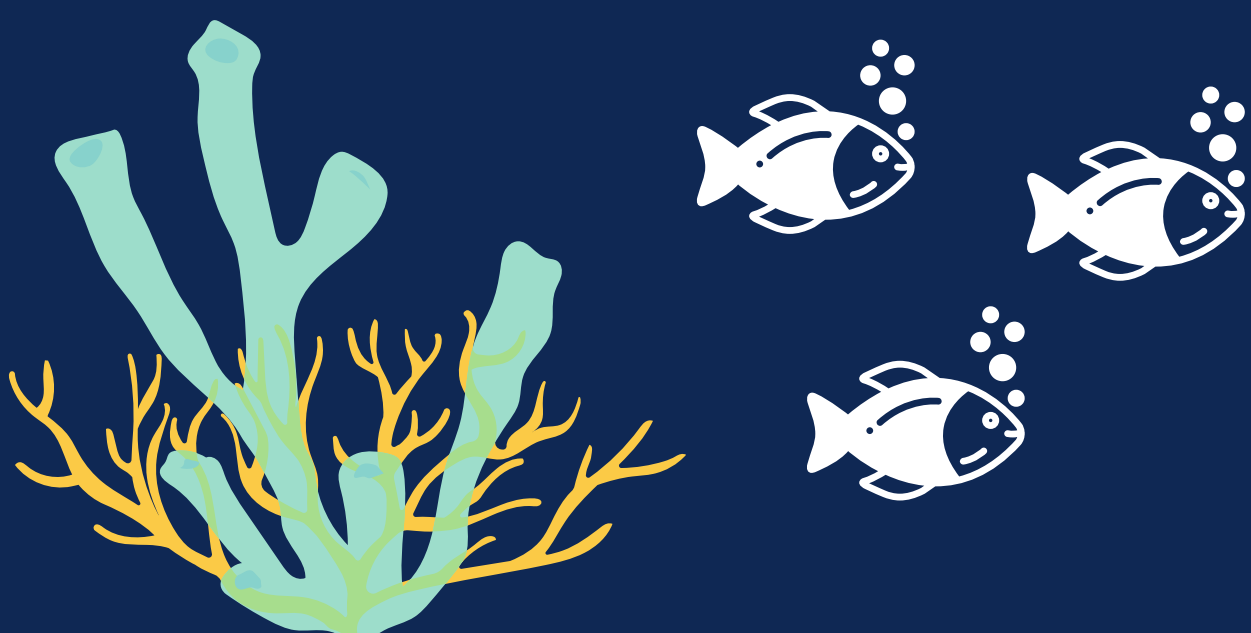
## MONUMENT

## SANCTUARY



# Q ARE THEY PROPOSING TO "RE-DESIGNATE" PAPA HĀNAUMOKU ĀKEA FROM A MONUMENT TO A SANCTUARY?

No. The Monument will remain intact, the sanctuary designation will be in addition. The sanctuary designation process cannot change the current Monument designations or regulations in any way. What it would do is add a layer of protection to the area that would be harder to remove. So, you could consider it a supplement to the Monument and its existing protections.



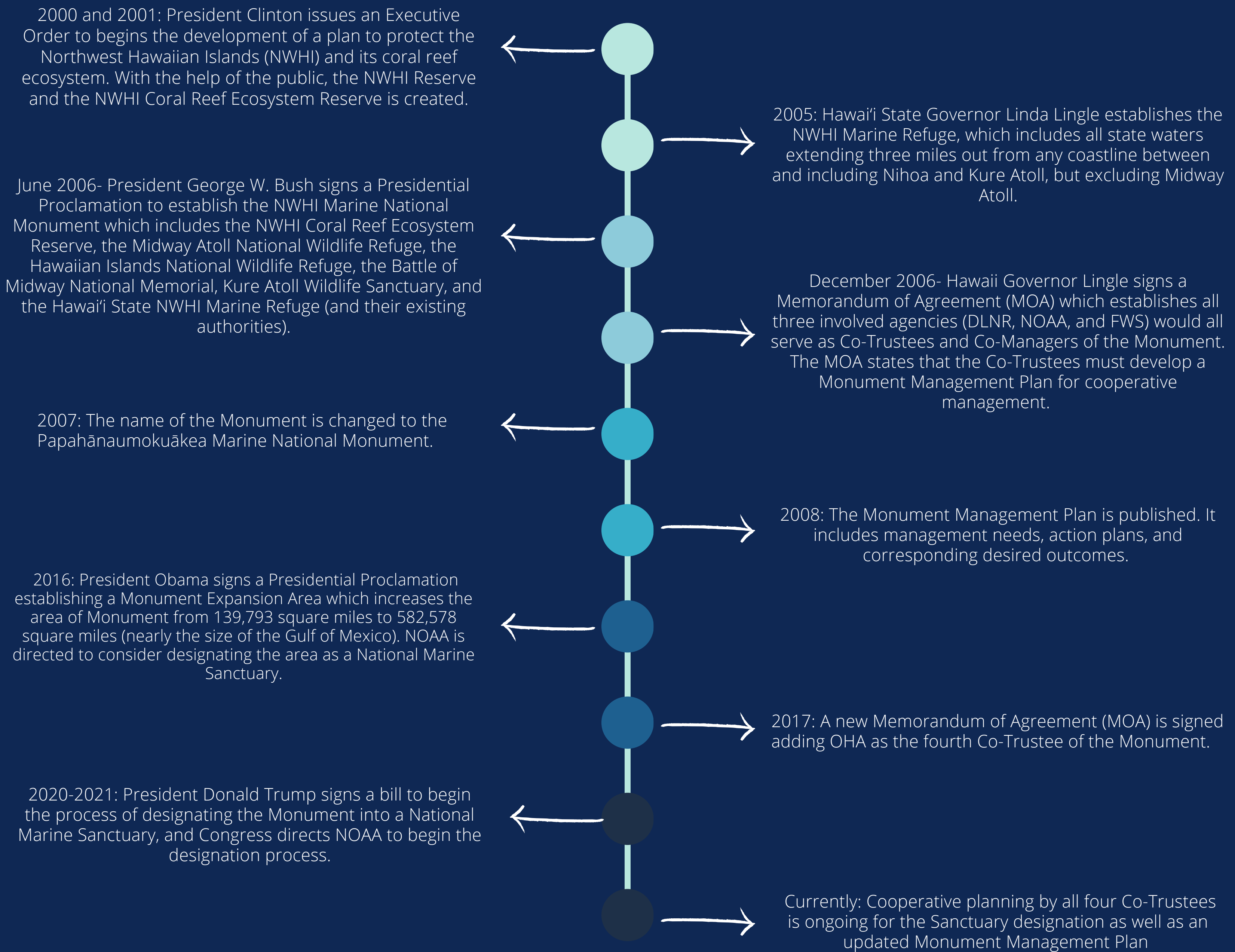
All terrestrial areas would remain part of the Marine National Monument and would retain their existing designations (e.g. Kure Atoll Wildlife Sanctuary, Midway Atoll National Wildlife Refuge, the Hawaiian Islands National Wildlife Refuge, the Battle of Midway National Memorial). However, all marine areas within the Monument (including State waters and the expanded area) could potentially become part of the proposed national marine sanctuary.



## Q WHY IS A SANCTUARY DESIGNATION BEING PROPOSED?

The Northwest Hawaiian Islands (NWHI) have a long history of various government protections throughout the years, including establishing the current Marine National Monument (see timeline below). A sanctuary designation is simply the newest layer of protection that is being directed to by Congress to begin considering in order to adequately protect these important ecosystems from increasing threats such as marine debris, invasive species, and climate change.

### A HISTORY OF PROTECTION



## Q HOW WOULD A SANCTUARY DESIGNATION AFFECT THE STATE OF HAWAII AND ITS RESIDENTS?

In short, there would be no change to the current management structure of Papahānaumokuākea.

A sanctuary designation would not change the current Monument designations in any way, nor would it overrule or invalidate any existing Monument rules and regulations, including State of Hawai'i jurisdiction and authority. The existing orders and regulations remain in place, and the co-management between the four Co-Trustees would remain the same. Additional protections or regulations may be put into place after going through an extensive environmental review and public comment process, but current protections would not be decreased.



# WOULD A SANCTUARY DESIGNATION CHANGE FISHING REGULATIONS AT PAPAHĀNAUMOKUĀKEA?

## CURRENT FISHING RULES:

Currently, there are regulations for fishing within Papahānaumokuākea Marine National Monument. However, these regulations differ slightly between the Original Boundary that was established in 2006, and the Expanded Boundary which was established in 2016.

### **Regulations within the Original Monument Boundary:**

- You may not fish (commercially or recreationally) or possess fishing gear unless it is stowed away and is not easily accessible
- You may not remove, move, take, harvest, possess, injure, disturb, or damage any living or nonliving thing

### **Regulations within the Extended Boundary:**

- You may not fish commercially or possess commercial fishing gear unless it is stowed away and is not easily accessible
- You may not remove, move, take, harvest, possess, injure, disturb, or damage any living or nonliving thing, except for during permitted non-commercial fishing
- Non-commercial fishing is allowed, only if the fish was caught in a sustainable way, and cannot, either in whole or in part, be sold, bartered or traded (must be kept for one's own use).



## POTENTIAL CHANGES TO FISHING RULES:

As part of the sanctuary designation process, the Western Pacific Fishery Management Council (WPFMC or WesPac) has an opportunity to draft fishing regulations for the proposed sanctuary, using guidance from NOAA's National Marine Sanctuary Program (NMSP). If NOAA finds these draft regulations do not align with the proposed sanctuary's goals and objectives, NOAA will reject them and prepare draft fishing regulations that do so.

In short, there are no changes to fishing regulations at Papahānaumokuākea yet. However, it is still to be determined whether regulations may change with a Sanctuary designation. State agencies and public stakeholders will be given ample opportunity for public comment and involvement in this process, and will be kept informed about any new developments along the way.



## Q WHAT WOULD THE SANCTUARY DESIGNATION PROCESS LOOK LIKE?

The sanctuary designation process includes the development of an Environmental Impact Statement (EIS) which is an environmental review document required by both the National Environmental Policy Act (NEPA) and the Hawai'i Environmental Policy Act (HEPA). The state and federal requirements will be fulfilled in tandem. This joint review process is a public process which includes preparing several draft documents with significant opportunities for public review, comment, and involvement.

The EIS will be completed in partnership of all four Co-Trustees with the lead agency being NOAA ONMS and the State of Hawaii DLNR participating as a cooperating agency. It will be in conjunction with creation of a Sanctuary Management Plan and an update to the existing Monument Management Plan which is currently 13 years old and does not include critical new information, such as the inclusion of the Office of Hawaiian Affairs (OHA) as a co-trustee.

Hawaiian culture is a foundational element of the management of Papahānaumokuākea. Spiritual and cultural relationships will continue to be perpetuated and honored in this special place and will be the forefront of the goals and principles guiding the analysis and decisions of the EIS and the Management Plans.

## Q WHERE CAN I GO TO FIND MORE INFORMATION ON THIS PROCESS OR GET INVOLVED?

The EIS Preparation Notice (EISPN) for the proposed sanctuary was published in the December 8, 2022 edition of the State of Hawaii Office of Planning and Sustainable Development's periodic bulletin *The Environmental Notice* which can be found at <https://planning.hawaii.gov/erp/environmental-notice/>.

The federal Notice of Intent (NOI) for sanctuary designation can be found at <https://www.govinfo.gov/content/pkg/FR-2021-11-19/pdf/2021-25207.pdf>

Public scoping meetings and public comment periods on the EISPN and NOI have closed, but new opportunities for public involvement are forthcoming and will be posted in several places including the DAR website, in *The Environmental Notice*, and on NOAA's website at <https://sanctuaries.noaa.gov/papahanaumokuakea/>.