

Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve

The following is a summary of the final changes made to Executive Order 13178 as amended by Executive Order 13196:

1. Conservation measures. The following summarize the changes to certain conservation measures (sec. 7 of Executive Order 13178)--

A. Existing trolling for pelagic species by currently permitted bottomfishers is now clearly allowed in the Reserve.

B. The caps for commercial fishing have been revised to make clear that for bottomfishing, the annual aggregate level for each permitted bottomfisher shall be that permittee's individual average take over the 5 years preceding the date of Executive Order 13178 (Dec. 4, 2000), and to clarify that the one-time reasonable increase to the total aggregate for the use of two native Hawaiian bottomfishing permits is to be in furtherance of the principles of the Reserve.

C. Certain exceptions to the restriction on discharges into the Reserve has been revised to clarify that such excepted discharges must be in compliance with the Federal Water Pollution Control Act.

2. Reserve Preservation Areas - the following are changes made to the Reserve Preservation Areas (section 8 of Executive Order 13178)--

A. The exceptions for commercial bottomfishing in certain Reserve Preservation Areas are expanded to also allow trolling for pelagic species by permitted bottomfishers and recreational trolling for pelagic species.

B. The area within Reserve Preservation Areas where commercial bottomfishing, trolling for pelagic species by permitted bottomfishers, and recreational trolling for pelagic species may be conducted is revised to be seaward of a mean depth of 25 fathoms for Nihoa Island, Necker Island, Gardner Pinnacles, Maro Reef, and Lisianski Island.

C. Commercial bottomfishing, trolling for pelagic species by permitted bottomfishers, and recreational trolling for pelagic species is now allowed for five years in the first bank west of St. Rogatien Bank, east of Gardner Pinnacles, and Raita Bank. Such bottomfishing and trolling will only continue after five years if it is determined that continuation of such activities will have no adverse impact on the resources of these banks.