

Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve

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Summary

Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve (NWHI-CRER) was created by Executive Orders 13178 and 13196. The NWHI-CRER stretches approximately 1,200 miles nautical and encompasses 99,500 square nautical miles of coral reef and other marine habitats surrounding the Northwestern Hawaiian Islands. Some activities are restricted throughout the NWHI-CRER, and additional protections exist in Reserve Preservation Areas around certain islands, atolls and banks. The NWHI-CRER recognizes the historic and cultural values of the region, and is the largest single conservation project in the U.S.

Impetus and Rationale

The NWHI-CRER was created to provide immediate protection for the northwestern Hawaiian Islands coral reef ecosystem. These reefs represent a large percentage of U.S. coral reef habitat and are some of the most pristine reefs remaining in U.S. waters.

In 1998, national attention to the worldwide decline of coral reefs prompted the U.S. Department of the Interior to seek clarification on the precise location of its marine boundaries at the Hawaiian Islands National Wildlife Refuge. With the existing Midway Atoll and Hawaiian Islands National Wildlife Refuges, the U.S. Fish and Wildlife Service already managed submerged resources in this area, but these marine Refuge areas were not fully recognized by other ocean users.

In May 2000, responding to the need for Refuge boundary clarification and greater coral reef ecosystem protection, a Presidential Memorandum directed the Departments of the Interior and Commerce to work cooperatively with the State of Hawaii, and in consultation with the Western Pacific Regional Fishery Management Council, to develop recommendations for a new, coordinated management regime in the Northwestern Hawaiian Islands.

In December Of 2000, amendments to the National Marine Sanctuaries Act (P.L. 106-513) authorized the President to designate any Northwestern Hawaiian Islands coral reef as a marine protected area. These amendments set the stage for subsequent Executive Orders establishing the NWHI-CRER.

Legal Mandates

The NWHI-CRER was established using the authority provided in the 2000 amendments to the National Marine Sanctuaries (P.L. 106-513), and subsequent Presidential Executive Orders 13178 and 13196. The Executive Orders cite a variety of additional legal authorities that provide the President with the power to protect natural resources in the U.S. marine environment, in particular statutes that relate to protected species, fishery management, National Wildlife Refuges, and National Marine Sanctuaries.

The amendments to the Sanctuaries Act dictated that the Department of Commerce, through the National Oceanic and Atmospheric Administration, manage the new protected area. However, existing marine protected areas and sovereign waters managed by the State of Hawaii and the U.S. Department of the Interior, remain in place. Specifically, the NWHI-CRER abuts areas under State jurisdiction and Midway Atoll National Wildlife Refuge, and overlays the Hawaiian Islands National Wildlife Refuge.

Goals of the Protected Areas

The NWHI-CRER was created to provide increased immediate protection for the NWHI coral reef ecosystem. It is intended to bring together state and federal agencies to help address the global coral reef crisis by protecting this national treasure for future generations. The NWHI-CRER is, in essence, a placeholder for a future National Marine Sanctuary in the Northwestern Hawaiian Islands.

Stakeholder Involvement

Stakeholder groups interested in the Northwestern Hawaiian Islands include Native Hawaiian communities, environmental groups, industry groups, and state, local, and federal agencies.

Stakeholders were involved in the NWHI-CRER process through a variety of mechanisms. First, after issuance of Executive Order 13178, there was a 30-day comment period on the conservation measures and the proposal to establish permanent, fully-protected marine reserves. During this time, the Department of Commerce held seven public hearings to accept written and oral comments. Hearings were held in Hawaii (Hilo and Kona), Kauai, Molokai, Maui, and Washington, D.C. Approximately 8,400 public comments were received. Over 80% of the people who participated in the comment process were in favor of additional protection for the marine ecosystem in the Northwestern Hawaiian Islands.

After consideration of public comment, Executive Order 13196 was issued. This Order amended Executive Order 13178, modifying certain conservation measures and finalizing the establishment of the NWHI-CRER. Significantly, marine protection areas that contain both capped fishing areas and closed zones, were made permanent. Native Hawaiian cultural practices that are in keeping with the primary purposes of the NWHI-CRER were recognized and allowed.

Since the NWHI-CRER establishment, the Department of Commerce created a Reserve Advisory Council that meets regularly to address important NWHI-CRER management

issues. The Council consists of a broad range of stakeholders, including representatives from each of the major stakeholder groups.

Choosing Reserves

Location and extent of the NWHI-CRER Preservation Areas were originally put forth in Executive Order 16178. This design resulted from interagency discussion between Interior and Commerce, and consultation with the State of Hawaii and the Western Pacific Fisheries Management Council. After public comment, these Preservation Areas were modified to increase the size of closure zones in some areas, while allowing for more capped fisheries activities in others.

Fishing activities are allowed in most the NWHI-CRER under fishing cap requirements, but are more restricted in the Preservation Areas, which cover approximately 4.8% of the total Reserve area. Five of these areas are closed to all fishing, while all or portions of the remaining 10 areas allow some extractive use. Outside of these Preservation Areas, fishing is capped at current levels. The exact level of those will be determined by the Department of Commerce, in consultation with the Reserve Advisory Council, the State of Hawaii, the Western Pacific Regional Fishery Management Council and others.

Scientific information about the state of coral reefs worldwide, the cause of their decline, and the state of coral reef resources in the Northwestern Hawaiian Islands prompted the establishment of reserves in this area. Many scientists agree that the waters of the Northwestern Hawaiian Islands contain one of the largest, intact coral reef ecosystems on earth.

Current Status and Timeframe

The Department of Commerce is working to issue the Reserve Operations Plan. In developing the Plan, the Department of Commerce sought the recommendations of the Reserve Advisory Council and consulted with the State of Hawaii and the Department of the Interior. The draft Plan was recently released; a public comment period will now provide an opportunity for members of the public to provide input. After consideration of the public comments, the Reserve Operations Plan will be finalized. In addition, the Department of Commerce will begin the sanctuary designation process. Initial steps involve working with the Reserve Advisory Council to develop a vision, goals, and objectives for the sanctuary, holding public scoping meetings to elicit comments, and developing assessments of the area in consideration.