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COUNCIL**

Consensus Statement from the Ad-Hoc Committee on the Socio-Cultural and Economic Impacts of Expanding the Pacific Remote Islands Marine National Monument (PRIMNM)

July 3rd, 2014

The Western Pacific Fishery Management Council (Council) is mandated by law to promote sensible and effective conservation measures for the U.S. Pacific Islands' marine fisheries ecosystems. The Magnuson-Stevens Fishery Conservation and Management Act charges the regional fishery management councils with the responsibility to balance the safeguarding of the natural environment with society's need to benefit from species important to commerce, recreation, and subsistence. In its nearly 40 year history, the Council has been a partner in a number of regional efforts to restrict fishing activities in certain locations and areas.

Such a management approach and legal mandate exemplifies the concept of "conservation," a term whose definition is often confused with "preservation," and misinterpreted to mean the blanket prohibition of the use and enjoyment of nature (Norton, 1986). But an important difference in definition distinguishes "conservation" and "preservation." Preservation can be an easier endeavor than conservation, as lines are drawn, prohibitions are enacted, and enforcement ensues. In contrast, conservation requires balancing the needs of human society and economy with the natural environment through proper use. It is management-based, and as such requires public input, examination of human and environmental costs and benefits, understanding the characteristics of alternative management strategies, and, finally, selecting balanced options.

It is in this context that the Ad-hoc Committee has evaluated the proposed expansion of the Pacific Remote Islands Marine National Monument (PRIMNM). If undertaken by President Obama under the authority of the 1906 Antiquities Act, extending the current PRIMNM to the full extent of the Exclusive Economic Zone (EEZ) will increase its geographic footprint by almost 700,000 square miles. For comparison, the expansion area is superimposed over the Gulf of Mexico in Figure 1. The Ad-Hoc Committee has analyzed the cultural and economic implications of President Obama's proposal to expand the PRIMNM, and key conclusions are outlined below.

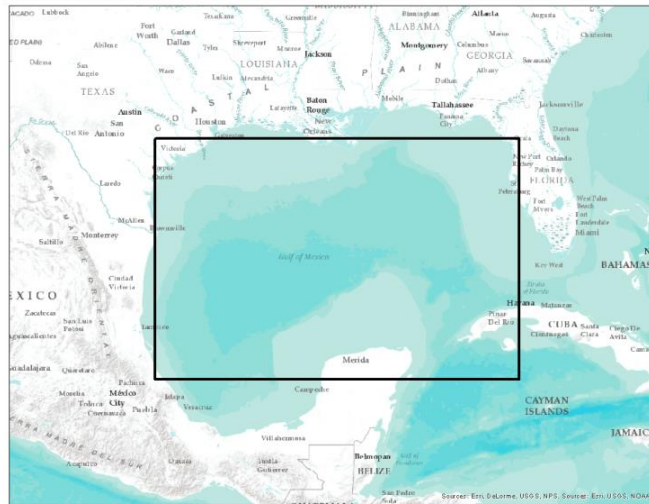


Figure 1. Approximate PRIMNM potential expansion area (695,000 square miles) superimposed on the Gulf of Mexico. Source: Western Pacific Regional Fishery Management Council.

Specifically, the Ad-hoc Committee finds that:

1. The Antiquities Act is an arcane law (Squillance, 2003) that was intended by Congress primarily to protect *objects*, such as landmarks and prehistoric structures, of historic or scientific interest on lands owned or acquired by the U.S Government. Although it is highly questionable whether Congress intended that a President could define living plants and animals and ocean waters as “objects” for the purpose of using the Act, it has been used to reserve such waters to set aside oceanic habitat, flora, and fauna in recent years (New York Times, 2009).
2. The use of the Antiquities Act circumvents comprehensive public input and influence in the decision-making process. It also disregards effective marine ecosystem management measures and processes already in place. There are no historic landmarks, prehistoric structures, or archeologically important objects in these waters that are not already protected by the existing PRIMNM boundaries, nor should Federal monuments be a substitute for a comprehensive and transparent management process that aims to preserve, conserve, and appropriately use marine ecosystem resources.
3. Many U.S. National and citizens of the U.S. Pacific Islands territories have no voting Congressional representation and cannot themselves vote in Presidential elections. Thus, they lack a political voice on these important conservation issues – despite having managed their fishery resources according to custom and traditional ecological knowledge for millennia.
4. The Pacific Islands territories, while underrepresented in government, bear a disproportionate burden in terms of the amount of federal waters in close proximity in which fishing is prohibited. U.S. mainland states, in comparison, which enjoy full political representation, are subject to substantially fewer special limitations on their

fishing industries. It is especially noteworthy that certain marine habitats adjacent to the U.S. mainland include similar biological value and face greater threats than those in question in the Remote Pacific Islands.

5. Little to no true ecological value will be realized from expanding the existing Monument. The Pacific Remote Island Areas (PRIA) are presently closed to all fishing – foreign and domestic – from shoreline to 50 miles offshore. As such, all coral reef and bottom dwelling animals are already fully protected and under no exploitative threat. Beyond fifty miles, only the highly regulated and sustainable U.S. pelagic fishery can harvest the migratory tuna and billfish that pass through those areas.
6. Proponents of this expansion allege that little fishing takes places within these areas, but that is flatly false. Ten to twenty percent of some species important to the Hawaii-based fleet are harvested in waters that may be closed to fishing. These catches consist of highly valuable pelagic species like sashimi grade tuna and swordfish that feed Hawaii's families, support its tourist industry, and importantly, are shipped to markets throughout the United States.
7. The proposed expansion represents a regulatory "taking" without consultation. It would unfairly affect Hawaiian fishermen and the role that healthy and sustainably harvested pelagic seafood and the role it plays in supporting the continuity of various cultures in Hawaii. In the face of climate change, pelagic tuna and billfish populations are expected to be distributed in new areas, and thus productive fishing locations may change. The currently fishable EEZ waters between 50 and 200 miles around the PRIA may provide a harvest reserve area for U.S. Hawaiian fishermen if they become climatically displaced from their present fishing grounds.
8. U.S. citizens consume millions of pounds of pelagic fish each year. The loss of the PRIA fishing grounds will force U.S. fishing economies to take a back seat to imported seafood. Much of that imported seafood originates from countries whose regulatory standards on catch limits, endangered species controls, conservation rules, observer coverage, and monitoring and reporting requirements pale in comparison to the American regulations by which Hawaiian and Pacific Island fishermen must abide.
9. The remoteness of the islands limits U.S. Coast Guard enforcement presence. In fact, the issue of enforcement is so important that it was found to be a key factor in why nearly 60% of the world's marine protected areas are ineffective (Edgar, et al., 2014). Denoting an area as "protected" is only one step in its protection. In the case of the PRIMNM, it is likely that foreign fishing fleets will simply set satellite-tracked fish aggregating devices adrift through the closed areas, and harvest the fish on the other side.

The U.S. EEZ waters surrounding the marine national monuments in the Pacific Islands already encompass more than 320,000 sq. miles and constitute 15% of the U.S. central Pacific EEZ. The potential expansion of the PRIMNM could increase that figure to 45%. This action would unfairly strain U.S. Pacific Islanders regarding federal marine closed areas, while resulting in nearly none of the benefits that Sala et al. (2014) assert in their report to the U.S. government.

Specifically, and in addition to the reasons articulated above, the expanded PRIMNM:

- Will not serve as “havens for all kinds of marine wildlife” (Sala et al, 2014) beyond their current effectiveness,
- Will not protect the reef ecosystems through enhancing trophic connectivity by allegedly protecting distant larger tuna,
- Is not necessary to guard against “shifting baseline syndrome.” In the Pacific, there are already areas, such as those used for atomic bomb testing, that are largely unpopulated and unexploited,
- Will not be “ideal places to monitor ocean impacts of climate change”(Sala et al) because the area in question is too vast and too remote to be considered ideal for research and monitoring,
- Will not earn the President universally “high praise” (Sala et al),
- Will not have a neutral impact on the U.S. Pacific Islands pelagic fishing fleet and U.S. consumers.

If the proposed expansion of the PRIMNM were a solution to a conservation problem, the Ad-hoc Committee could see value in such Presidential action. However, as outlined in this statement, the PRIMNM would instead introduce conservation problems.

Therefore the Committee strongly recommends against expanding the Pacific Remote Islands Marine National Monument.

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