



ORIGIN STORY

Papahānaumokuākea Marine National Monument

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Establishing a Cultural and Ecological Monument in the Northwestern Hawaiian Islands

A marine protected area in the Northwestern Hawaiian Islands (NWHI) known as Papahānaumokuākea was established as a Marine National Monument in 2006 (Papahānaumokuākea.gov). The name Papahānaumokuākea commemorates the union of two Hawaiian ancestors – Papahānaumoku and Wākea – who gave rise to the Hawaiian archipelago, the taro plant and the Hawaiian people (Ibid.). The Monument stretches over 1,350 miles of coral islands, seamounts, banks and shoals (Ibid.). Those environments are home in turn to an enormous diversity of coral, fish, birds, marine mammals and other flora and fauna (Ibid.). The area has genealogical, cultural and spiritual significance to native Hawaiians and has been their source of physical and spiritual sustenance for generations (Ibid.).

The designation of Papahānaumokuākea Marine National Monument was not the first time the waters of the Northwest Hawaiian Islands were recognised by the United States as an important space (Clark 2021). The first protections under American governance were put in place in 1903 when President Theodore Roosevelt signed Executive Order 199A (United States Federal Government, 1903) placing Midway Atoll under the management of the US Navy when it was discovered that large numbers of birds were being slaughtered for their feathers and eggs (NOAA, 2016). In 1909, Roosevelt created the Hawaiian Islands Bird Reservation from Nihoa to Kure Atoll using Executive Order 1019 (NOAA, 2016; United States Federal Government, 1909). In 1940, President Franklin D. Roosevelt signed Presidential Proclamation 2416 (NOAA, 2016; Pew Charitable Trusts, 2006) to place management of the region in the hands of the U.S. Fish & Wildlife Service, protect all wildlife within it, and rename the area the Hawaiian Islands National Wildlife Refuge. Federal and State protections of Midway Atoll and Kure Atoll were formalised in 1988 and 1993 respectively (NOAA, 2016 Timeline).

The initiative to establish Papahānaumokuākea as a protected area began after the Western Pacific Regional Fisheries Management Council (WPFMC) commenced drafting a new coral reef fishery plan in the NWHI in 2000 (Clark 2021). There were also concerns about the overfishing of local bottomfish species (Heinemann et al., 2005). Native Hawaiian elders and non-government organisations met with President William Clinton to request more protection for the NWHI (Clark 2021). At the same time, the United States Coral Reef Task Force, established by Executive Order 13089 in 1998, began working to protect coral reefs in the United States, including those in NWHI. The two parallel processes soon converged, resulting in a path to legal designation (Clark 2021).

In 2000, President Clinton issued Executive Order 13158 which enabled the strengthening and expansion of existing marine protected areas and the creation of new ones in the waters of the United States. The goal of the order was to create a national system of marine protected areas in a coordinated manner (EO 13158). President Clinton also directed his Secretaries of Commerce and the Interior to hold a public visioning process within 90 days to help shape recommendations for the coordinated management of the NWHI (EO 13158). This took place from July-August 2000, during which 1,090 comments were received in writing and seven meetings were held on five Hawaiian Islands and in Washington D.C. (USIECR, 2000)

In response to the concerns raised and input received, President Clinton issued Executive Order 13178 in December 2000. This order created the NWHI Coral Reef Ecosystem Reserve and directed the development of a Sanctuary Management plan to protect the NWHI coral reef ecosystem (EO 13178). Specifically, it instructed the Secretaries of Commerce and the Interior to work together with the State of Hawai'i and the WPFMC to increase protections while also providing for sustainable uses of ocean space in the region (NOAA, 2006:57). The order also called for public participation in the design of additional protection measures for the NWHI (NOAA, 2016). The Reserve included areas adjacent to state waters extending seaward to approximately 50 nautical miles (NOAA, 2016 Timeline).

After receiving comments on Executive Order 13178, President Clinton made the Reserve permanent in Executive Order 13196 in January 2001. Clinton also proposed Preservation Areas around the island and atolls with some modifications and revision of the conservation measures to reflect public concerns (EO 13196). The Executive Order reaffirmed directing the Secretary of Commerce to initiate a process to designate the reserve a National Marine Sanctuary, declaring the reserve an active candidate for sanctuary designation (EO 13196). The selection of Advisory Council members and establishment of an Interagency Committee began soon after (NOAA, 2006:56).

From March to August 2002, NOAA's National Marine Sanctuary Program initiated ten public scoping meetings hosted in Hawai'i and Washington D.C. (Scoping Meetings, 2002) The scoping was intended to solicit information and comments on the range and significance of issues related to the designation and management of a NWHI National Marine Sanctuary (Scoping Meetings, 2002). Over 13,000 comments were received during the process (NOAA, 2006:56).

Based on the National Marine Sanctuaries Act and the Executive Order establishing the Reserve, a Goals and Objectives Statement was developed with the inputs and advice of the Advisory Council and subcommittees, interagency partners, and the public through a series of meetings beginning in July of 2003 (NOAA et al., 2008). The language of the statement reflects the purposes and policies of the Act, the management principles of the Executive Order, and multiple documents including scoping comments, the draft Interagency Memorandum of Understanding (MOU), and the Constitution of the State of Hawai'i (NOAA et al., 2008).

Executive Order 13178 required the Secretary of Commerce to develop a Reserve Operations Plan, or ROP (EO 13178). A draft ROP was made available for public comment over two periods with the final period being March 2004. Over 29,400 comments were received on the Reserve Operations Plan which was finally published in March 2005 (NOAA, 2006:55).

In September of 2004, the Western Pacific Fishery Management Council (WPFMC) was given the opportunity to draft fishery regulations consistent with the goals and objectives of the proposed sanctuary (U.S. Department of Commerce, 2005). After assessing the draft fishery regulations and as mandated by EO 13178, the Secretary of Commerce found that the regulations did not meet the goals and objectives of the proposed sanctuary and consequently drafted the fishery regulations as part of a suite of other sanctuary regulations (U.S. Department of Commerce, 2005).

The next year in 2005, Hawai'i State Governor Linda Lingle signed regulations establishing the NWHI Marine Refuge, which includes all state waters extending three miles seaward from any coastline between and including Nihoa and Kure Atoll but excluding Midway Atoll (Papahānaumokuākea Marine National Monument 2008). This designation "allowed for the management and long-term conservation of marine resources within state waters" (Papahānaumokuākea Marine National Monument 2008).

As required under the National Marine Sanctuaries Act, a draft Environmental Impact Statement and Management Plan were published for public comment in April 2006 (NOAA, 2006). Two months later, though, high level influences on the George W. Bush presidential administration predicated a very sudden change in direction for the way in which the NWHI would be protected (Clark 2021). The White House decided the Antiquities Act would be used instead of the National Marine Sanctuaries Act, as this would be a much faster way to protect the NWHI (Clark 2021). Within 72 hours of this change of course, President Bush signed Presidential Proclamation 8031, establishing the NWHI Marine National Monument with contiguous boundaries to include the NWHI Coral Reef Ecosystem Reserve, the Midway Atoll National Wildlife Refuge, the Hawaiian Islands National Wildlife Refuge, the Battle of Midway National Memorial, Kure Atoll Wildlife Sanctuary, and the Hawai'i State NWHI Marine Refuge (Clark 2021). The Monument designation promoted coordinated management of the unique resources within the NWHI region (Presidential Proclamation 8031). The Proclamation further instructed that to manage the monument, the Secretary of Commerce, in consultation with the Secretary of the Interior and the State of Hawai'i, would modify, as appropriate, the plan developed by NOAA's National Marine Sanctuary Program through the public sanctuary designation process, and used this plan as the basis for the protection framework outlined in the Proclamation (Presidential Proclamation 8031).

In August 2006, NOAA and the US Fish and Wildlife Service promulgated final regulations for the Monument. (50 CFR Part 404, 2006). These regulations codify the scope and purpose, boundary, definitions, prohibitions, and regulated activities for managing the Monument (50 CFR Part 404, 2006). In December 2006 the co-Trustees of the Monument entered into a Memorandum of Agreement to coordinate management of the area (Papahānaumokuākea.gov). The agreement included the development of a management plan, which was completed in 2008 (NOAA et al., 2008). The name Papahānaumokuākea Marine National Monument was assigned through an amendment of Proclamation 8031 in March 2007 (3 CFR 8112, 2007).

The new Monument, however, had not yet reached its modern size. Cultural and biophysical research done in the NWHI demonstrated the need to extend Papahānaumokuākea to the 200 nautical mile EEZ boundary and was the main impetus for its expansion (Kerr et al., 2016 and Wilhelm, 2021). The strong cultural connection between Native Hawaiians and the NWHI and the cultural practices of voyaging and wayfinding required an expansion of the area to ensure these practices and values were protected (Kerr et al., 2016). Expansion had strong support from the Native Hawaiian Cultural Working Group, a key component of the management structure, and there was consensus that the Office of Hawaiian Affairs should have its status elevated from co-manager to co-trustee (Kerr et al., 2016). Wrecks of whaling ships and military vessels from several wars would also be included in the expanded area, providing protection for this maritime history and honouring those lives lost at sea (Kerr et al., 2016).

Expeditions from 2010 to 2012 aboard the NOAA ship *Hi'ialakai* found a high degree of endemism amongst fish species in the Marine National Monument (Fukunaga et al., 2016). Nearly half of the reef fish there are endemic to the Hawaiian archipelago (Fukunaga et al., 2016). Endemism increases with latitude so that 85 percent of fish species in the northern three atolls (Pearl and Hermes, Midway and Kure Atoll) are endemic to the islands, with one reef at Kure Atoll having 100 percent endemic fish species (Fukunaga et al., 2016). Many important species such as sea turtles, whales, dolphins, seabirds, sharks and tuna have ranges well beyond the 50 nautical mile boundary, justifying an extended boundary for further protection (Kerr et al., 2016). It was further recognised that entire ecosystems such as deep-water coral reefs, seamounts, guyots, submerged reefs and banks and abyssal benthic communities would also benefit from expansion (Fukunaga et al., 2016; Kerr et al., 2016). Cost-benefit analyses showed that expansion was

economically beneficial overall and that fisheries revenue would stay the same or be close to levels from before the expansion (Kerr et al., 2016).

In 2016, President Barack Obama signed a proclamation expanding Papahānaumokuākea to protect 582,578 square miles (1,508,870 km²) of ocean, nearly the size of the Gulf of Mexico (The White House, 2016). In early 2017, a new Memorandum of Agreement was signed by the Secretaries of Commerce and the Interior, the Governor of the State of Hawai'i and the Office of Hawaiian Affairs (OHA) elevating OHA's status to that of Co-Trustee and giving voice through OHA to Native Hawaiian decision-making at all levels of governance (Clark, 2021). The Marine National Monument has been recognized as a globally significant site first through the designation of the area as since been recognised a Particularly Sensitive Sea Area by the International Maritime Organisation in 2008 and by the United Nations Educational, Scientific and Cultural Organisation as a mixed World Heritage Site in 2010 (ā.gov b; UNESCO).

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