

Management Framework

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-

2.0 Management Framework

1 Management of the Monument is carried out by the Co-Trustees in accordance with legal
2 mandates, authorities, and policies of several Federal and State agencies, and Monument-specific
3 policies and implementing regulations. In their day-to-day management, the Co-Trustees
4 through the Monument Management Board will ensure the coordinated planning and execution
5 of activities so that they are consistent with the legal and policy structure of the Monument.
6

7 Management of the Monument focuses on managing activities for the benefit of the ecosystem's
8 health. In establishing the Monument, President George W. Bush recognized the importance of
9 an ecosystem approach to management. This approach is mindful of the interconnectedness of
10 the Monument resources and requires a holistic approach to managing activities so as to preserve
11 ecosystem structure, function, and key processes and recover resources where necessary.
12

13 The management framework supporting an ecosystem approach to management of the
14 Monument includes the following key elements:
15

- 16 (1) A legal and policy foundation for cooperative ecosystem-based management;
- 17 (2) Institutional arrangements to promote and enhance collaboration with jurisdictional
18 partner agencies and other stakeholders;
- 19 (3) Monument regulations that incorporate multiple management tools including
20 prohibitions, zoning, and regulated activities;
- 21 (4) Established Monument vision, mission, guiding principles, and goals;
- 22 (5) Operational goals;
- 23 (6) Desired outcomes, strategies, and activities that implement the Monumentwide
24 goals and are set forth in action plans specific to management subject areas; and
25 (7) An iterative and adaptive approach.
26

27 Together, these elements provide the framework for managing the Monument ecosystem.

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2.1 Legal Framework for the Monument

1 President George W. Bush issued Presidential Proclamation 8031 (Establishment of the
2 Northwestern Hawaiian Islands Marine National Monument, June 15, 2006), which created the
3 Monument under the authority of the Antiquities Act of 1906, as amended (16 U.S.C. 431-433) .
4 Federal partners—NOAA and FWS—promulgated joint implementing regulations on August 19,
5 2006 (Northwestern Hawaiian Islands Marine National Monument, 50 CFR Part 404).
6 Specifically, these regulations codify the scope and purpose, boundary, definitions, prohibitions,
7 and regulated activities of the Monument. Furthermore, Proclamation 8031 was amended on
8 March 6, 2007, to declare the Hawaiian name for the Monument, Papahānaumokuākea, and
9 clarify some definitions (Presidential Proclamation 8112, Establishment of the
10 Papahānaumokuākea Marine National Monument, March 6, 2007).

11
12 The Monument includes areas and management authorities that are under the jurisdiction of one
13 or multiple Federal agencies or the State of Hawai‘i. For example, the Monument, an area of
14 approximately 139,793 square miles (362,062 square kilometers), includes the Northwestern
15 Hawaiian Islands Coral Reef Ecosystem Reserve, managed by NOAA’s National Ocean Service
16 through the National Marine Sanctuary Program; Midway Atoll National Wildlife Refuge/Battle
17 of Midway National Memorial, both managed by FWS; Hawaiian Islands National Wildlife
18 Refuge, managed by FWS; Northwestern Hawaiian Islands Marine Refuge, managed by the
19 State of Hawai‘i, Department of Land and Natural Resources (DLNR); and State Seabird
20 Sanctuary at Kure Atoll managed by Hawai‘i DLNR. Additionally, NOAA’s National Marine
21 Fisheries Service continues its management of fishing and specific protected species
22 conservation programs, FWS oversees activities under its Endangered Species Act and Migratory
23 Bird Treat Act authorities, and the State of Hawai‘i Historic Preservation Division, with the
24 assistance of the Office of Hawaiian Affairs, ensures perpetuation of Native Hawaiian cultural
25 rights and practices. The legal relationships among the three Co-Trustees and others (including
26 the U.S. Department of Defense) have a long history with respect to natural resource
27 management of the NWHI beginning in 1903 and continuing to modern-day directives that
28 promote the comprehensive and coordinated ecosystem-based management of resources by
29 NOAA, FWS, and the State of Hawai‘i.

30
31 Each agency, as laid out in the Proclamation establishing the Monument, retains their spheres of
32 jurisdiction, responsibility, and expertise. They bring different knowledge and strengths to this
33 process. They work together on many aspects of the management process which can benefit
34 from the synergies of cooperative action. Throughout this process however, each partner will
35 continue carrying out their statutory responsibilities. Even where one of the MMB members has
36 primary responsibility, input from the other board members can often be helpful and is presumed
37 as part of the plan.

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2.2 Policy Framework

To achieve a coordinated management scheme, the Proclamation ordered a new level of collaboration that would result in coordinated management of the entire Monument. To that end, the Co-Trustees developed and agreed to operate according to terms and institutional relationships set in a memorandum of agreement (MOA) (State of Hawai‘i et al, 2006). The signatories of that MOA are the Co-Trustees, who operate with personnel devoted to the development and implementation of coordinated management. The three Co-Trustees are the State of Hawai‘i, the Department of the Interior, and the Department of Commerce. To provide context for the current management framework, this section briefly summarizes the involvement of each Co-Trustee in the pre-Monument institutional arrangement, which influences, and in some instances carries over to, the collaborative Co-Trustee management.

Institutional Arrangements for Management

The MOA established the institutional arrangements for management of the Monument. The approach demands coordination by the Co-Trustees as well as collaboration with stakeholders to effectively manage under an ecosystem approach. The institutional arrangements for Monument management are described below. These consist of a Senior Executive Board providing policy guidance and a Monument Management Board, which consists of field staff who conduct the day-to-day management activities of the Monument.

Senior Executive Board

Pursuant to the MOA, a Senior Executive Board (SEB) provides policy guidance to their respective agency staff assigned to carry out Monument management activities. The SEB membership includes a senior-level designee from the U.S. Department of the Interior, the U.S. Department of Commerce, and the State of Hawai‘i. The SEB oversees the implementation of the following management actions by the Monument Management Board:

- Develop a management plan;
- Provide access and support for enforcement purposes;
- Coordinate resource and monitoring efforts;
- Develop a mechanism to access scientific and resource data;
- Provide support to identify locations of cultural and religious significance;
- Manage recreational, educational, and commercial activities;
- Identify and facilitate coordination and partnership opportunities with stakeholders;
- Facilitate opportunities to participate and collaborate on education activities;
- Develop interagency agreements, grants, and other instruments;
- Ensure appropriate monitoring of activities within the Monument; and
- Enhance coordination by jointly issuing permits.

Monument Management Board

Pursuant to the MOA, the Monument Management Board (MMB) promotes coordinated management of the Monument at the field level. The MMB includes a broader range of representatives from the Co-Trustees, specifically:

- State of Hawai‘i, Department of Land and Natural Resources, Division of Aquatic Resources;

- 1 • State of Hawai‘i, Department of Land and Natural Resources, Division of Forestry
2 and Wildlife;
- 3 • U.S. Fish and Wildlife Service, Hawaiian and Pacific Islands National Wildlife
4 Refuge Complex;
- 5 • U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office;
- 6 • National Oceanic and Atmospheric Administration, National Marine Sanctuary
7 Program;
- 8 • National Oceanic and Atmospheric Administration, National Marine Fisheries
9 Service; and the
- 10 • Office of Hawaiian Affairs.

11
12 This group meets on a regular basis to implement the day-to-day management of the Monument.
13

14 *Papahānaumokuākea Interagency Coordinating Committee*

15 The Co-Trustees established the Papahānaumokuākea Interagency Coordinating Committee
16 (ICC) to assist in implementation of Monument management. The ICC includes representatives
17 from the Co-Trustees and other agencies including the U.S. Environmental Protection Agency,
18 U.S. Coast Guard 14th District Prevention and Response, U.S. Geological Survey, and the U.S.
19 Department of Defense. This group is not fixed, and Federal and State agency partners may
20 participate according to the relevancy of their activities and/or mandates related to the
21 Monument.
22

23 ***The Co-Trustees***

24 *The Department of Commerce: National Oceanic and Atmospheric Administration*

25 Two NOAA line offices have mandates that apply to activities in the Monument: the National
26 Ocean Service and NOAA Fisheries (National Marine Fisheries Service). In 2000, the
27 Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve (Reserve) was established via
28 Executive Order 13178 (as amended by Executive Order 13196) to preserve and protect coral
29 reef ecosystems of the Northwestern Hawaiian Islands (NWHI). Responsibility for managing
30 the Reserve was assigned to NOAA's National Ocean Service through the National Marine
31 Sanctuary Program (NMSP) under the authority of the National Marine Sanctuaries Act (16
32 U.S.C 1431 et seq.) and the National Marine Sanctuaries Amendments Act of 2000, Public Law
33 106-513 and other applicable statutes. Executive Order 13178 directed NOAA, in consultation
34 with Federal and State partners, to initiate a process to designate the Reserve as a national marine
35 sanctuary pursuant to sections 303 and 304 of the National Marine Sanctuaries Act of 2000.
36

37 In January 2001, NOAA declared the Reserve an active candidate for Sanctuary designation
38 (5509 FR 66). A Reserve Advisory Council (RAC) was established to provide advice and
39 recommendations on the designation and management of any sanctuary and to develop a Reserve
40 Operations Plan for managing the Reserve. Throughout this process, the public and other
41 stakeholders were engaged to seek input and gather information toward developing a unified
42 plan for Reserve Operations and the proposed sanctuary. A series of 10 public scoping meetings
43 were hosted in Hawai‘i and Washington, D C., with over 13,000 comments received during the
44 initial scoping period. Throughout the designation process, additional input was collected from
45 the public, stakeholder groups, and interagency partners via science workshops (Gittings et al.
46 2004), focus group discussions (SRG 2004b), and RAC and associated subcommittees meetings.

1 In total, over 100 meetings were held and close to 52,000 public comments received that guided
2 the direction and development of a draft sanctuary management plan to direct management of the
3 anticipated sanctuary upon its designation. Simultaneously, a Reserve Operations Plan (ROP)
4 was drafted and finalized with extensive consultation with partner agencies and the RAC
5 (NOAA 2005a). The ROP guides the management of the Reserve and served as the primary
6 foundation from which the draft sanctuary management plan was developed. In addition, a State
7 of the Reserve Report was developed to provide a comprehensive summary of 5 years of Reserve
8 operations (NOAA 2006).

9
10 The draft sanctuary management plan has several companion documents packaged into the draft
11 designation proposal, including a draft environmental impact statement and draft implementing
12 regulations. When the Monument was designated in 2006 by Presidential Proclamation, the
13 processing of these documents was halted. However, the Proclamation recognized the extensive
14 public input and the relevancy of the NMSP public processes and resulting draft Sanctuary
15 documents, and directed the Co-Trustees to modify as appropriate the draft sanctuary
16 management plan in developing a plan to manage the Monument (Presidential Proclamation
17 8031, 36443 FR 71).

18
19 The NOAA line office National Marine Fisheries Service executes mandates and exercises
20 authority under several statutes that are relevant to natural resource management in the
21 Monument. Among others, these include the Magnuson-Stevens Fishery Conservation and
22 Management Act, Endangered Species Act, Marine Mammal Protection Act, Fish and Wildlife
23 Coordination Act, Coral Reef Conservation Act, Global Change Research Act, Lacey Act
24 Amendments, Fish and Wildlife Improvement Act of 1978, as well as various executive orders,
25 proclamations. Since the 1970s the national and regional management by NOAA Fisheries
26 (under NOAA Fisheries' Southwest Region) has included management activities such as
27 conservation, research, and emergency response, and fisheries management in the NWHI. Since
28 its establishment in 2003, the Pacific Islands Regional Office and the Pacific Islands Fisheries
29 Science Center have worked together to build upon these programs and fulfill NOAA Fisheries'
30 functions in the Pacific Region, including the area that is within the Monument. All NOAA
31 Fisheries programs, Habitat Conservation, Sustainable Fisheries, and Protected Resources are
32 relevant to NOAA Fisheries' contribution to the Monument complement of programs.

33
34 NOAA's line offices collaborate to fulfill NOAA's Co-Trustee responsibilities under the
35 Monument management arrangement. The Monument office of NOAA's NMSP and NOAA
36 Fisheries Pacific Islands Region, both headquartered in Honolulu, Hawai'i, represent NOAA at
37 the field level and coordinate with the NOAA headquarters to ensure unified representation in
38 the Co-Trustee arrangement.

39
40 *The Department of the Interior: U.S. Fish and Wildlife Service*

41 The U.S. Fish and Wildlife Service is a bureau of the Department of the Interior who works with
42 others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the
43 continuing benefit of the American people. Two program offices of FWS, Endangered Species
44 and the National Wildlife Refuge System, have statutory authority for Monument resources and
45 program representatives are members on the MMB. Both coordinate with FWS and DOI
46 headquarters to ensure unified representation in the Co-Trustee arrangement.

1
2 The FWS Pacific Islands Fish and Wildlife Office shares the responsibility for administration of
3 the Endangered Species Act with NOAA Fisheries and has conservation oversight for all
4 terrestrial species including seabirds. This office also administers coastal conservation and
5 conservation partnerships programs through its habitat conservation division, and provides
6 assistance with invasive species issues and emergency response throughout the Pacific islands.
7

8 The FWS also administers the 97-million acre National Wildlife Refuge System, including
9 548 Refuges throughout the United States and its territories. The Hawaiian Islands and Midway
10 Atoll National Wildlife Refuges, located within the Monument, are managed from Honolulu
11 through the FWS Pacific Regional Office, Regional Refuge Chief, headquartered in Portland,
12 Oregon.
13

14 Key concepts and guidance for managing the Hawaiian Islands and Midway Atoll National
15 Wildlife Refuges are derived from the National Wildlife Refuge System Administration Act of
16 1966, as amended (16 U.S.C. 668dd-668ee); the Refuge Recreation Act of 1962 (16 U.S.C.
17 460k-460k-4), as amended; 50 CFR (Wildlife and Fisheries); and the Fish and Wildlife Service
18 Manual (administrative policy). Of all the laws governing the activities on National Wildlife
19 Refuges, the National Wildlife Refuge System Improvement Act (Improvement Act) (Public
20 Law 105-57, October 9, 1997) exerts the greatest influence. The Improvement Act amended the
21 National Wildlife Refuge System Administration Act of 1966 by including a unifying mission
22 for all National Wildlife Refuges to be managed as a System, a new process for determining
23 compatible uses on Refuges, and requiring that each Refuge will be managed under a
24 Comprehensive Conservation Plan, developed in an open public process.
25

26 The Improvement Act states that the Secretary of the Interior shall provide for the conservation
27 of fish, wildlife, and plants, and their habitats within the Refuge System as well as ensure that the
28 biological integrity, diversity, and environmental health of the Refuge System are maintained.
29 House Report 105-106, accompanying the Improvement Act, states, “the fundamental mission of
30 our System is wildlife conservation: wildlife and wildlife conservation must come first.”
31 Biological integrity, diversity, and environmental health are critical components of fish and
32 wildlife conservation. The FWS Biological Integrity, Diversity, and Environmental Health
33 Policy states that “the highest measure of biological integrity, diversity, and environmental
34 health is viewed as those intact and self-sustaining habitats and wildlife populations that existed
35 during historic conditions “(601 FW 310).
36

37 The purpose for which a Refuge was established or acquired is of key importance to Refuge
38 planning. Refuge purpose(s) and the Refuge System’s mission form the foundation for
39 management decisions. The purposes of a Refuge are specified or derived from the law,
40 proclamation, Executive order, agreement, public land order, donation document, or
41 administrative memorandum that establishes, authorizes, or expands a Refuge.
42

43 The legal authority that established the Hawaiian Islands National Wildlife Refuge (HINWR)—
44 Executive Order 1019, signed by President Theodore Roosevelt on February 3, 1909—set aside
45 the islands and reefs extending from Nihoa to Kure, excepting Midway Atoll, “...for use...as a
46 preserve and breeding ground for native birds.” The main reason that President Roosevelt

1 established the Refuge was to protect seabirds that were being slaughtered for the millinery
2 trade. Since that time, the authorities, mandates, and policies that govern the activities of the
3 FWS have resulted in the conservation of island, atoll, and nearshore habitats within the
4 HINWR.

5
6 The HINWR has been closed to the public since its establishment and will remain closed to the
7 public under the Monument Management Plan. Access to HINWR prior to Monument
8 establishment was regulated by FWS Refuge Special Use Permit regulations. These permits
9 were only issued to conduct research, education, or to film documentaries to promote public
10 understanding of Refuge resources and improve Refuge management. In addition, the Secretary
11 of the Interior and the President of the United States in 1974 considered all of the Refuge's
12 emergent lands except Tern Island to be ecologically appropriate for inclusion into the National
13 Wilderness Preservation System, as outlined in the Wilderness Act of 1964 (16 U.S.C 1132-
14 1136). While this wilderness proposal has not been acted upon by Congress, by policy and
15 consistent with Federal court decisions, FWS has managed the Refuge to maintain its wilderness
16 characteristics. This ensures that potential legislative action by the U.S. Congress is not
17 compromised.

18
19 Several compliance requirements are associated with properly managing proposed wilderness
20 under the Wilderness Act, Department of the Interior regulation, and FWS policy. The first is
21 completion of a minimum requirement analysis process to aid in making management decisions
22 that will maintain wilderness character. This evaluation of existing and proposed activities and
23 uses has been completed, as further discussed in Appendix E. In addition, FWS policy requires
24 that a wilderness review of the planning area be conducted. A significant portion of wilderness
25 character is tied to habitat quality, and so the Habitat Management and Conservation Action Plan
26 (section 3.2.3) includes a strategy and activity to fulfill the remaining wilderness compliance
27 requirements.

28
29 The FWS has also been assisting the U.S. Navy with wildlife management issues for almost
30 50 years at Midway Atoll. A cooperative management plan developed by the Navy and FWS in
31 the early 1980s further defined responsibilities and led to the establishment of an "overlay"
32 National Wildlife Refuge on Midway in 1988. On October 31, 1996, President William Clinton
33 signed Executive Order 13022, directing the Secretary of the Interior, through FWS, to
34 administer Midway Atoll National Wildlife Refuge. The purposes of the refuge, as defined in
35 the Executive Order, are to maintain natural biological diversity; conserve fish and wildlife and
36 their habitats; fulfill international wildlife treaty obligations; provide for research, education, and
37 compatible wildlife-dependent recreation; and recognize and maintain the atoll's historic
38 significance. In addition, in accordance with language in the Fiscal Year 2000 Interior
39 Appropriations Act, Secretary of the Interior Bruce Babbitt signed Secretary's Order 3217,
40 designating the lands and waters of Midway Atoll National Wildlife Refuge as the Battle of
41 Midway National Memorial.

42 *The State of Hawai'i*

43 In 1893, the Kingdom of Hawai'i was illegally overthrown by a group of American and
44 European sugar planters, missionary descendents, and financiers with the aid of the U.S. military.
45 This group went on to create a provisional government and then the Republic of Hawai'i, which
46

1 assumed control of 1.8 million acres of crown, government, and public lands of the Kingdom of
2 Hawai‘i. Upon its annexation, the Republic ceded these lands to the U.S. in 1900. A majority of
3 these lands were again ceded, this time to the State of Hawai‘i, upon statehood in 1959. In
4 accordance with the Hawaii Organic Act of April 30, 1900, c 339, 31 Stat 141 Section 2, and the
5 Hawaii Admission Act of March 18, 1959, Pub L 86-3, 73 Stat 4 Section 2, the islands of the
6 Hawaiian Archipelago, with the exception of Midway Atoll, were part of the Territory of
7 Hawai‘i and are now part of the State of Hawai‘i, including all emergent, submerged, and marine
8 resources. Ceded lands are currently held in trust by the State of Hawai‘i as part of the public
9 land trust and continue to hold a considerable amount of legal, historical, and sentimental
10 significance to Native Hawaiians. According to Section 5(f) of the Hawai‘i Admission Act, one
11 of the purposes of the ceded lands is to better the conditions of Native Hawaiians. Proclamation
12 8031, designating the Monument, specifically states, “Nothing in this proclamation shall be
13 deemed to diminish or enlarge the jurisdiction of the State of Hawaii.”
14

15 The State of Hawai‘i Department of Land and Natural Resources (DLNR) has stewardship
16 responsibility for managing, administering, and exercising control over the public trust and
17 submerged lands, ocean waters, and marine resources, all of which are ceded lands, around each
18 of the Northwestern Hawaiian Islands except at Midway Atoll via Title 12, Section 171.3 Hawaii
19 Revised Statutes. In 2005, Hawai‘i Governor Linda Lingle established the Northwestern
20 Hawaiian Islands Marine Refuge (0-3nm around all emergent lands, except Midway Atoll) under
21 Sections 187A-5 and 188-53(a) (Hawaii Administrative Rules ch. 60.5). Unless otherwise
22 authorized by law, it is unlawful for any person to enter the refuge without a permit except for
23 freedom of navigation, innocent passage, interstate commerce, and activities related to national
24 defense or enforcement, foreign affairs, and in response to emergencies.
25

26 The State of Hawai‘i also has primary responsibility for the management of Kure Atoll. DLNR’s
27 Division of Forestry and Wildlife manages the emergent lands of, and the Hawai‘i State Seabird
28 Sanctuary at, Kure Atoll. The State Historic Preservation Division and the State Historic
29 Preservation Officer oversee cultural and historic resources statewide. DLNR’s Division of
30 Conservation and Resource Enforcement maintains full police powers, including the power of
31 arrest, within all lands and waters within the State’s jurisdiction. The State is represented on the
32 MMB by DLNR’s Divisions of Aquatic Resources and Forestry and Wildlife.
33

34 Established by a 1978 amendment to the Constitution of the State of Hawai‘i, the Office of
35 Hawaiian Affairs (OHA) serves as the principal agency working for Native Hawaiians. OHA
36 was created to satisfy the ceded land purpose of bettering the conditions of Native Hawaiians.
37 To this end, OHA manages a property and monetary trust, creating its fiduciary duty to Native
38 Hawaiians. The OHA trust is funded in part by a pro rata share of income derived from the
39 ceded lands portion of the public land trust.
40

41 Under the direction of nine publicly elected trustees, OHA operates as a semi-autonomous, self-
42 governing body independent of the State’s executive branch. It fulfills its constitutional and
43 statutory mandates to better the conditions of Native Hawaiians through State, Federal and
44 international advocacy, the disbursement of grants, and the administration of a variety of programs.
45 In addition, State agencies are statutorily required to consult with OHA on issues that affect
46 Native Hawaiians, in accordance with Chapter 10-1(b), Hawaii Revised Statutes. In part because

1 of this, OHA serves as a member of the MMB and, along with the Native Hawaiian Cultural
2 Working Group, represents the voice of the Native Hawaiian community on Monument matters.
3

4 ***Public Involvement***

5 Stakeholder and community involvement is an integral component to achieving the goals of the
6 Monument. Creating an informed and engaged constituency will further the successful
7 protection of the ecosystems and resources of the NWHI. Monument staff currently conduct
8 diverse constituency building and outreach activities related to the Monument. We will continue
9 to cultivate an informed, involved constituency that supports and enhances conservation of the
10 natural, cultural, and historic resources of the Monument. Strategies and activities to further
11 public involvement in Monument management activities are found throughout the Monument
12 Management Plan.

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1 **2.3 Initial Management**

2 ***Regulations Implementing the Proclamation***

3 The initial Monument regulations were issued to implement the provisions in Presidential
4 Proclamation 8031, and rulemaking was completed jointly by the FWS and NOAA on
5 August 29, 2006 (71 FR 51134). Monument regulations, codified under 50 CFR Part 404,
6 establish the scope and purpose, boundary, definitions, prohibitions, marine zones, and regulated
7 activities for managing the Monument.

8
9 Monument regulations: (For a full text, see Appendix G.)

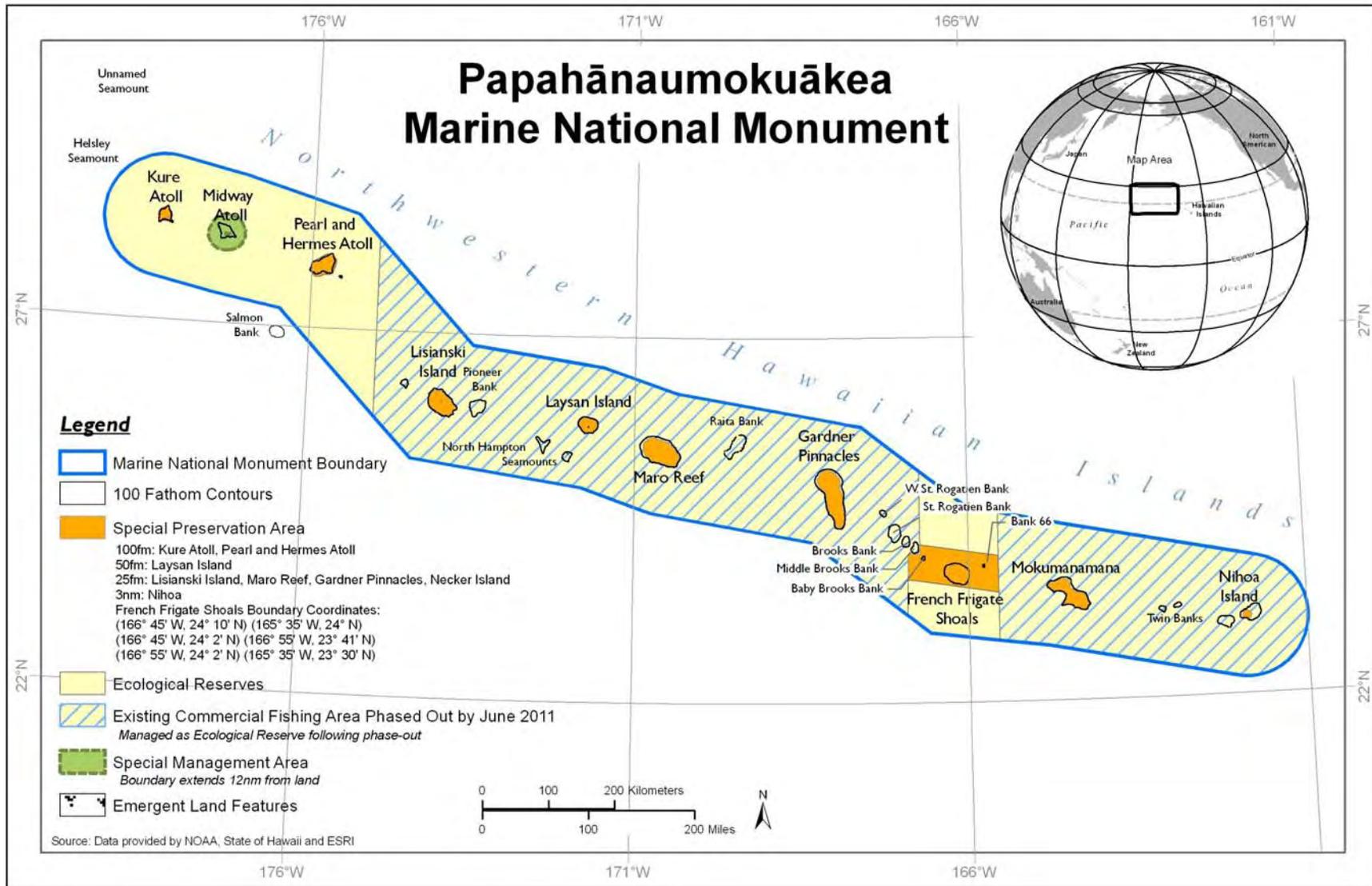
- 10 • Prohibit unauthorized access to the Monument;
- 11 • Provide for carefully regulated educational and scientific activities;
- 12 • Preserve access for Native Hawaiian cultural activities;
- 13 • Establish marine zones to manage human activities;
- 14 • Provide for visitation in a special area around Midway Atoll;
- 15 • Phase out commercial fishing over a 5-year period;
- 16 • Ban exploring for, developing, or producing oil, gas, or minerals and using or
17 attempting to use poisons, electrical charges, or explosives in the collection or harvest
18 of Monument resources;
- 19 • Prohibit introducing alien species from within or into the Monument; and
- 20 • Prohibit anchoring on corals.

21
22 As the prohibitions of the Proclamation were effective upon issuance, there was a pressing need
23 to resolve the permitting scheme as directed by the Proclamation. Thus, the Co-Trustees have
24 collaborated to develop a joint permit system, essentially streamlining all discrete permitting
25 processes into one Monument permit according to the six permit categories iterated in the
26 Proclamation:

- 27 1. Research
- 28 2. Education
- 29 3. Conservation and management
- 30 4. Native Hawaiian practices
- 31 5. Special ocean use
- 32 6. Recreational activities within Midway Atoll

33 ***Management Zones***

34 Monument regulations define three types of marine zones to manage activities. The zones are:
35 Special Preservation Areas, Ecological Reserves, and the Midway Atoll Special Management
36 Area (SMA) (Figure 2.1). Each zone addresses protection of habitat and foraging areas of
37 threatened and endangered species; inclusion of a representative range of the diverse array of
38 marine habitats, including shallow coral reef environments, as well as deepwater slopes, banks,
39 and seamounts; and minimization of risks associated with specific activities such as fishing and
40 recreational activities. Zones also protect the ecological linkages between habitats. The location
41 and description of activities prohibited and allowed in each zone are defined in the Monument
42 regulations (see Appendix G).



1
2
3 **Figure 2.1 Map of the Papahānaumokuākea Marine National Monument and Zones.**

1 Zoning provides protection to highly sensitive habitats, particularly shallow coral reefs.
 2 Discrete, biologically important areas of the Monument are designated as Special Preservation
 3 Areas, and resource harvest and almost all forms of discharge are prohibited. Other areas
 4 designated as Ecological Reserves consist of contiguous, diverse habitats that provide natural
 5 spawning, nursery, and permanent residence areas. Resource extraction is highly restricted
 6 within Ecological Reserves. In the Midway Atoll SMA and other National Wildlife Refuge
 7 areas, proposed activities are subject to findings of appropriateness (603 FW 1) and compatibility
 8 determinations (16 U.S.C. 668dd-668ee and 603 FW 2) by the FWS to ensure the activities meet
 9 the purposes for establishing the Hawaiian Islands and Midway Atoll National Wildlife Refuges
 10 and the mission of the National Wildlife Refuge System (see Appendix D). Recreational
 11 activities in the Monument are restricted to the Midway Atoll SMA.

12 *Toward Ecosystem-Based Management*

13 An ecosystem approach to management for the NWHI requires that multiple steps be
 14 implemented in a comprehensive and coordinated way. The Monument approach is unique in
 15 that it includes:

- 16 • Ecosystem level planning;
- 17 • Cross-jurisdictional management goals;
- 18 • Comanagement;
- 19 • Adaptive management;
- 20 • Marine zoning;
- 21 • Habitat restoration; and
- 22 • Long-term ocean and coastal observing, monitoring, and research.

23 *Ecosystems, Ecosystem-Based Management, and Ecological Integrity*

24 Over the last decade, considerable scientific discussion and debate has been devoted to
 25 developing an understanding of concepts and terms used to describe an ecosystem, ecosystem-
 26 based management, and ecological integrity. For the purposes of this plan, an ecosystem is
 27 defined as a dynamic and interrelating complex of plant and animal communities and their
 28 associated nonliving environment with humans as an integral part of the system. Ecosystems are
 29 organized structurally into populations, species, and communities of organisms that interact with
 30 each other and with abiotic features of the environment and, functionally, into production and
 31 consumption components that process energy and materials (Limburg et al. 1986). Ecosystems
 32 vary in size, often with smaller systems embedded within larger ones. Ecosystems have been
 33 described as moving targets, with multiple potential futures that are uncertain and unpredictable
 34 (Walters 1986). The scale of ecosystems depends on the spatial extent of the system dynamics
 35 that are to be studied and influenced by management (Sissenwine and Murawski 2004).

36 Ecosystem-based management is an approach that recognizes the relationships and
 37 interconnectedness among living and nonliving ecosystem components which are affected by a
 38 number of natural and anthropogenic factors that vary over space and time. The goal of
 39 ecosystem-based management is to maintain ecosystems in a healthy, productive, and resilient
 40 condition for their intrinsic value as well as to provide for needed ecosystem services.

41 Ecosystem-based management:

- 42 • Provides protection of marine and terrestrial ecosystem structure and function;

- 1 • Is place-based, focusing on a specific ecosystem and the range of activities affecting it;
- 2 • Explicitly accounts for the interconnectedness within systems, recognizing the
- 3 importance of interactions between key species or services; and
- 4 • Integrates ecological, social, economic, and institutional perspectives, recognizing their
- 5 strong interdependencies.

6
7 This approach requires managers to have access to extensive information and data including
8 baseline conditions, the interactions among the components of the ecosystem, and the
9 consequences of natural influences and individual and cumulative human activities. The
10 availability of scientific information together with Native Hawaiian traditional ecological
11 knowledge is essential for ecosystem-based management of the Monument.

12
13 Maintaining ecological integrity is often cited as the primary goal of ecosystem-based
14 management. Ecological integrity is the capability to support and maintain a balanced,
15 integrated, adaptive community of organisms having species composition, diversity, and
16 functional organization comparable to that of natural habitats of the region (Karr and Dudley
17 1981). A system will retain its integrity if it preserves all its components, as well as the
18 functional relationships among those components (De Leo and Levin 1997). Kay (1991)
19 described ecological integrity as the ability to maintain ecosystem function and structure in the
20 face of changing environmental conditions, where “environment” refers to the biotic and external
21 abiotic components that impact upon it, including humans. Considering the dynamic nature of
22 ecosystems, the goal of ecosystem-based management should not be to eliminate all forms of
23 disturbance, but rather to maintain processes within limits or ranges of variation that may be
24 considered natural, historic, or acceptable (Noss 1995). Such an approach must be flexible,
25 adaptive, and experimental at scales compatible with the scales of critical ecosystem functions
26 (Walters 1986).

27
28 Ecological integrity is defined for the Monument as “a condition determined to be characteristic
29 of an ecosystem that has the ability to maintain the function, structure, and abundance of natural
30 biological communities, including rates of change in response to natural environmental
31 variation” (50 CFR 404.3). This definition builds on this extensive body of research on
32 ecosystem form and function and the Co-Trustee agencies’ experience and mandates.

33 34 *Adaptive Management*

35 The Monument offers an unprecedented opportunity to take incremental and informed steps
36 toward ecosystem-based management at a large scale. To progress consistently toward an
37 ecosystem approach to management, new information and data will be used to inform and refine
38 management strategies and activities, consistent with Monument goals and desired outcomes.

39
40 Adaptive management is a continuous learning cycle designed to inform management actions
41 and decisionmaking based on implementation of management strategies and actions, conducting
42 monitoring and evaluation, and providing feedback to management on the success of meeting the
43 desired outcomes and strategies. The Monument’s adaptive management process includes the
44 following elements: management plan development and review, implementation and
45 enforcement, monitoring and evaluation, integration of ecosystem science and traditional
46 knowledge, scientific research, information management, and education and public outreach.

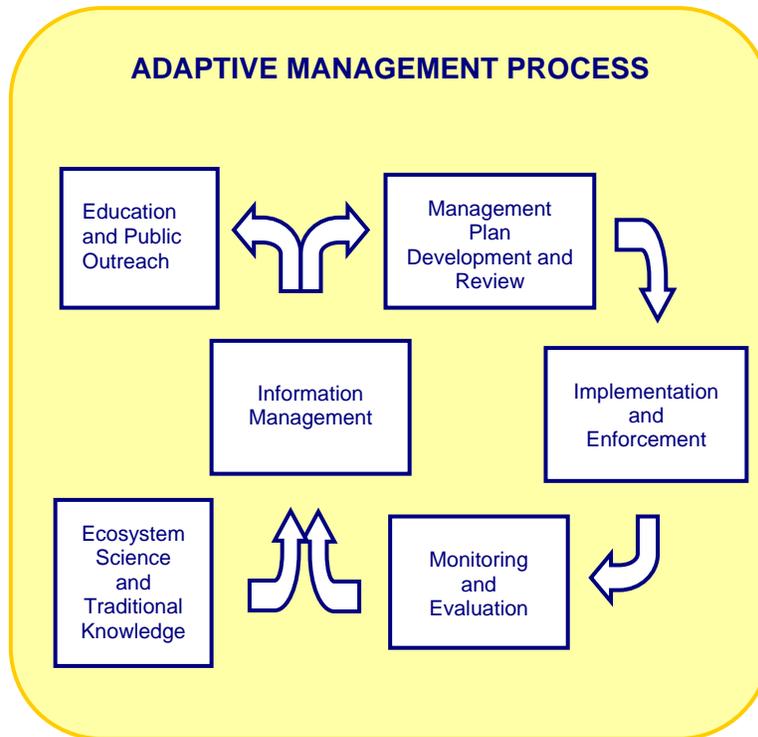


Figure 2.2 Adaptive management cycle to inform management and decisionmaking.

1 Ecosystem science and traditional knowledge are inputs to the learning process together with the
 2 results of monitoring and evaluation. A comprehensive information management system
 3 facilitates the compilation of information and data from research, monitoring, plan review,
 4 education, and public outreach and also helps to inform research and management priorities. An
 5 effective adaptive management process provides managers with timely feedback and
 6 information. If the desired outcomes and goals are achieved, then this approach confirms we are
 7 on the right course. If the results are not achieved, then feedback into the management
 8 framework can help identify whether it is a specific action or group of strategies or activities that
 9 may need to change. Periodic updates of the Monument Management Plan will incorporate
 10 feedback from our adaptive management process and result in refined and sometimes new
 11 management strategies and activities to meet our overall Monument goals and desired outcomes.

12

13 *Incorporation of Traditional Knowledge*

14

15 *Ua lehulehu a manomano ka 'ikena a ka Hawai'i.*
 16 *Great and numerous is the knowledge of the Hawaiians.*
 17 *—Pukui (1983)*

18

19 There are many similarities between an ecosystem-based management approach for the NWHI
 20 and the traditional ecological knowledge and practices implemented by Native Hawaiians to
 21 manage their natural resources. Both approaches share the view of nature as a holistic and
 22 dynamic system of interrelated parts and emphasize the need for long-term sustainability and
 23 health of our natural resources.

1 The Native Hawaiian traditional ecological knowledge and worldview is valued for its rich base
2 of empirical knowledge and practical methods of resource management, developed over
3 hundreds of years of living and interacting with the lands and ocean waters of Hawai‘i (Titcomb
4 and Pukui 1952; Kikuchi 1976; Titcomb et. al. 1978; Poepoe et. al 2003; Kikiloi 2003).
5 Traditional management practices take advantage of understanding seasonal patterns in weather,
6 patterns of biological species, and the designation of ecological zones (Handy et al. 1972; Kelly
7 1989; Gon 2003; Department of Land and Natural Resources 2003b).

8 Through detailed observations of the oceanic environment, its interrelation to the terrestrial
9 environment, seasonal and lunar patterns, and species life cycles, species of the ocean and land
10 realms were taxonomically partnered, and systems for resource management developed
11 (Kamakau 1976; Malo 1951; Beckwith 1951). Kapu, or restrictions, on resource extraction
12 were implemented based on these ecological understandings (Pukui and Handy 1950; Handy et
13 al. 1972). Other traditional strategies were set up to naturally enhance marine resources through
14 increased protection, growth, and reproduction (Kikiloi 2003). Understanding the Native
15 Hawaiian worldview of ecosystems and relationships, along with traditional approaches to
16 resource management, aids in moving toward an ecosystem-based management approach for the
17 NWHI. These core principles include viewing ecosystems holistically, recognizing variations in
18 space and time, and continuously building a knowledge base to inform management and
19 successfully care for the environment. The perspective that Native Hawaiian traditional
20 knowledge and resource management approaches bring to the Monument can provide insight
21 into ecosystems and relationships.

1 **2.4 Monument Management Policy Framework: The Vision, Mission,**
2 **Guiding Principles, and Goals for Managing Papahānaumokuākea**
3 **Marine National Monument**

4 The Monument vision, mission, and guiding principles establish the overarching policy direction
5 and guidance for Monument management (figure 2.2 and table 2.1). The vision describes the
6 long-term management desire of the Monument to
7 maintain the health and diversity of the NWHI
8 ecosystem in perpetuity. The mission establishes
9 the need for integrated management in order to
10 achieve the long-term protection of NWHI
11 ecosystems and the perpetuation of Native
12 Hawaiian practices and heritage resources. The
13 guiding principles provide directions for making
14 informed decisions about human activities
15 consistent with the vision and mission for the
16 Monument. The Monument goals are the unifying
17 elements of successful monument management.
18 They identify and focus management priorities,
19 resolve issues, and link to the public interest in
20 preserving and caring for the historic and scientific objects within the Monument.

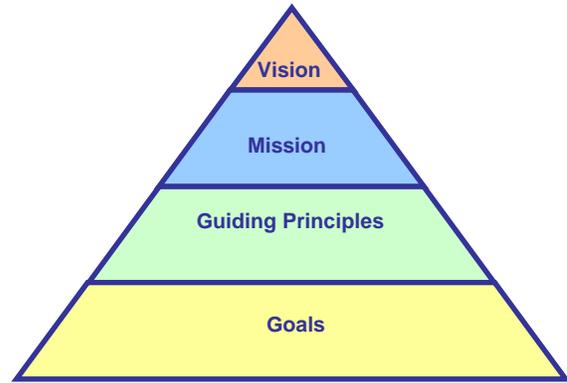


Figure 2.3 Monument Management Policy Framework.

Table 2.1 Monument Vision, Mission, Guiding Principles, and Goals

Vision
That the health, diversity, and resources of the vast NWHI ecosystems and the wildlife they support – unique in the world – be protected forever.
Mission
Carry out seamless integrated management to achieve strong, long-term protection and perpetuation of NWHI ecosystems, Native Hawaiian traditional and customary cultural and religious practices, and heritage resources for current and future generations.
Guiding Principles
<p>The Monument shall be managed in a manner that—</p> <ul style="list-style-type: none"> • Is consistent with the Vision and Mission; • Recognizes that the resources of the NWHI are administrated by the Co-Trustees for the benefit of present and future generations; • Affirms that the NWHI and its wildlife are important, unique, and irreplaceable; • Honors the significance of the region for Native Hawaiians; • Honors the historic importance of the region; • Incorporates best practices, scientific principles, traditional knowledge, and an adaptive management approach; • Errs on the side of resource protection when there is uncertainty in available information on the impacts of an activity; • Enhances public appreciation of the unique character and environment of the NWHI; • Authorizes only uses consistent with Presidential Proclamation 8031 and applicable laws; • Coordinates with federal, state, and local governments, Native Hawaiians, relevant organizations, and the public; and • Carries out effective outreach, monitoring, and enforcement to promote compliance.
Monument Goals
Goal 1: Protect, preserve, maintain, and where appropriate restore the natural biological communities and their associated biodiversity, habitats, populations, native species, and ecological processes.
Goal 2: Support, promote, and coordinate research, ecosystem characterization, and monitoring that increases understanding of the NWHI and improves management decisionmaking.
Goal 3: Manage human activities to maintain ecosystem integrity and prevent or minimize negative impacts.
Goal 4: Provide for cooperative conservation including community involvement that achieves effective Monument operations and ecosystem-based management.
Goal 5: Enhance public understanding, appreciation, and support for protection of the natural, cultural, and historic resources.
Goal 6: Support Native Hawaiian practices consistent with long-term conservation and protection.
Goal 7: Identify, interpret, and protect Monument historic and cultural resources.
Goal 8: Offer visitor opportunities at Midway Atoll to discover and appreciate the wildlife and beauty of the NWHI, enhance conservation, and honor its unique human history.

2.5 Management Action Plans

Action plans are composed of specific strategies to address six priority management needs. Each action plan is guided by a desired outcome, a specific need for action, and strategies and associated activities designed to achieve that need. Strategies and activities implement Monument regulations, research and educational partnerships, habitat management and restoration conservation targets, threatened and endangered species recovery, historic preservation, Native Hawaiian cultural practices, and appropriate public uses programmed over a 15-year period, with 5-year reviews.

Monument Management Plan Development and Review

The management plan will be reviewed every 5 years. The review represents an essential element of the adaptive management process and includes public involvement, characterization of issues, and review and evaluation of action plans.

This Monument Management Plan was developed based on the current state of knowledge on the most appropriate management measures. These management measures consist of regulations and action plans to govern the first 5 years of Monument management, and project activities over a 15-year timeframe where appropriate. Action plans will be implemented, and where regulations apply, enforced, through interagency collaborative mechanisms based on the jurisdiction of each government agency. After 5 years, the Monument Management Plan will be reviewed, incorporating lessons learned and new data and information from monitoring, ecosystem science, and traditional knowledge, and a comprehensive evaluation to develop or refine management strategies and actions.

Six Priority Action Plan Groupings

The core of the Monument Management Plan is contained in 22 Action Plans, organized under six priority management needs. Priority management needs were identified considering legal mandates and inputs from numerous public scoping meetings and workshops, as well as the status of Monument resources based upon the multiple temporal and spatial scales of management issues, and meetings conducted with managers, scientists, and other stakeholders. Priority management needs address multiple Monument goals by defining specific areas for focused action, including improving our understanding of the NWHI, conserving wildlife and habitats, reducing threats to the ecosystem, managing human uses, facilitating collaboration and partnerships, and achieving effective Monument operations.

Action plans describe specific strategies to address the six priority management needs for the Monument. Each action plan is guided by a desired outcome and provides the context and history of the particular issue or management activity. Action plans also highlight a specific need for action and

Note to Readers Regarding Terminology and FWS Refuge Comprehensive Conservation Program Requirements

The Proclamation stated that, “to manage the Monument, the Secretary of Commerce, in consultation with the Secretary of the Interior and the State of Hawaii, shall modify, as appropriate, the plan developed by NOAA’s National Marine Sanctuary Program through the public sanctuary designation process, and will provide for public review of that plan.” Sanctuary management plans are structured differently than National Wildlife Refuge management plans. As a result, this plan includes desired outcome statements, strategies, and activities as a part of the action plans that direct Monument management actions. For those familiar with Refuge management plans, these statements, strategies, and activities are equivalent to goals, objectives, and strategies respectively.

1 identify strategies and associated activities designed to address that need. Ultimately, all
 2 strategies and activities are designed to help achieve the desired outcome of the action plan
 3 (figure 2.3).

4
 5 *Understanding and Interpreting the NWHI*

6 The NWHI represent a unique opportunity to advance our
 7 understanding of ecosystem science through research,
 8 monitoring, and the incorporation of traditional
 9 knowledge. In turn, coordinated research and long-term
 10 monitoring is needed to deepen our understanding of the
 11 composition, structure, and function of NWHI ecosystems
 12 and to provide the predictive tools to make informed
 13 management decisions consistent with the conservation
 14 and protection of the region. The continued development
 15 of a long-term monitoring program is needed to provide
 16 vital data and information necessary to monitor changes in
 17 ecosystem status over time and to evaluate the
 18 effectiveness of management measures in protecting and
 19 restoring ecosystem integrity. Additionally, the
 20 incorporation of traditional ecological knowledge into
 21 management practices will enrich and inform the MMB’s
 22 approach to long-term planning. The further
 23 characterization of Native Hawaiian cultural relationships
 24 to the NWHI through the study of oral histories, place
 25 names, and practices associated with the region will
 26 enhance the physical record of activities in the NWHI.
 27 The unique aspects of island and Pacific maritime history,
 28 as well as historical and archaeological resources,
 29 collectively can provide a basis for developing effective
 30 management of resources.

31
 32 *Conserving Wildlife and Habitats*

33 The Presidential Proclamation establishing the Monument
 34 highlights that it is in the public interest to preserve marine
 35 and terrestrial areas in the NWHI through active
 36 conservation and management of wildlife and their
 37 habitats. “This diverse ecosystem is home to many species
 38 of coral, fish, birds, marine mammals, and other flora and fauna including the endangered
 39 Hawaiian monk seal, the threatened green sea turtle, and the endangered leatherback and
 40 hawksbill sea turtles” (Presidential Proclamation 8031, 2006). Action plans to address this
 41 priority management need contain strategies to maintain the biological integrity, diversity, and
 42 environmental health of the Monument and identify activities to assist in the recovery of
 43 threatened and endangered species; manage migratory bird populations; and conserve, manage,
 44 and where appropriate, restore the habitats of the Monument’s native flora and fauna.

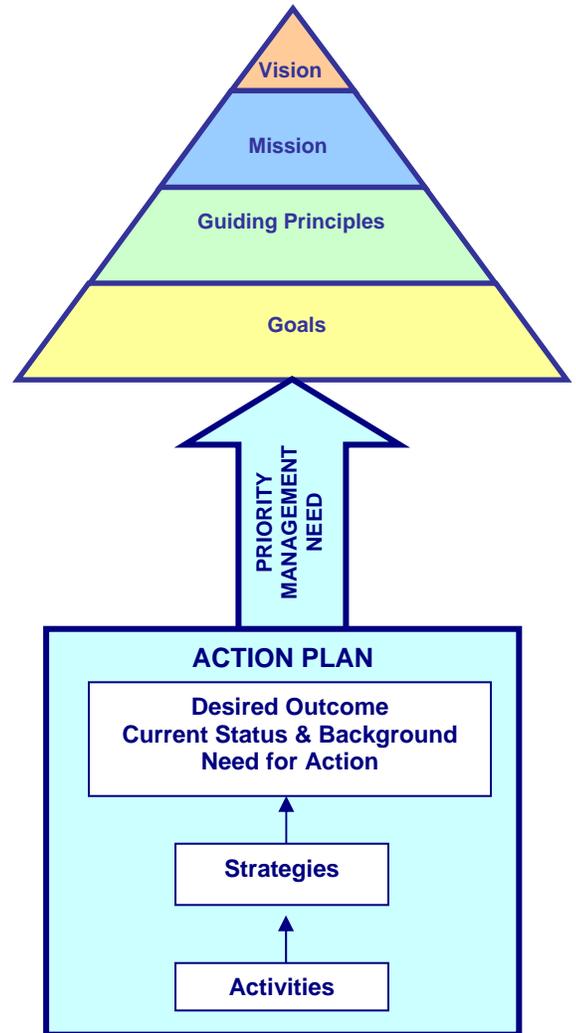


Figure 2.4 Organization of Action Plan by Priority Management Need.

Reducing Threats to the Ecosystem

Despite their remote location, marine and terrestrial ecosystems of the NWHI are at risk from a range of threats from human activities within and outside the Monument. Natural and anthropogenic threats to the Monument include habitat alteration or damage from marine debris, the changing climate including increased storm intensity and frequency, introduction of alien species, potential vessel and aircraft impacts, release of hazardous materials from landfills, vessel grounding, and past human impacts. Development and implementation of threat reduction protocols and monitoring are needed to protect, preserve, maintain and, where appropriate, restore natural communities, including habitats, populations, native species, and ecological processes as a public trust for current and future generations. In addition to threat reduction, emergency response in the Monument will be coordinated under a series of plans and systems.

Managing Human Activities

The NWHI has experienced a long history of human use, with periods of overexploitation, that have contributed to the current endangered status of some species, including land birds, several plants, sea turtles, and the Hawaiian monk seal. Although the extent of resource exploitation has been limited in recent years, human activities and the use of Monument resources will be carefully managed considering historical uses and new threats. Action plans for managing human activities address the need for permitting, enforcement, and managing specific human uses, including Native Hawaiian cultural practices and visitors at Midway Atoll.

Coordinating Conservation and Management Efforts

Comprehensive and coordinated conservation and management of the Monument can only be achieved through effective interagency coordination and partnerships with a broad range of stakeholders. Coordination between the MMB members and other stakeholders is needed to maintain existing resource protection measures, increase the efficiency and effectiveness of management and enforcement, and reduce conflicts and duplication of Monument management activities. Education and outreach efforts will require coordination among government agencies, nongovernmental organizations, and other stakeholder groups. Coordination with stakeholders and the public will provide a forum for advice and input on Monument management and improve awareness and understanding of the ecological, Native Hawaiian cultural significance, and historic significance of the NWHI. Coordination with international initiatives is needed to address Pacific regional and global management issues affecting the Monument.

Achieving Effective Monument Operations

Monument operations include central and field operations, information management, and overall program evaluation. Central and field operations are essential to support action plans to address all other priority management needs. Central operations are located in the main Hawaiian Islands and include support offices, interpretive facilities, and information management facilities. Field operations include shipboard and research diving operations, as well as land-based operations in the NWHI. Monument staff and facilities provide essential operational capacity for effective collaboration between the MMB and other stakeholders. Operational effectiveness will be evaluated and improved through an adaptive management process that captures lessons learned and transforms them into action.

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