



# Marianas Trench Marine National Monument

## *Northern Islands Submerged Lands Transfer to the Commonwealth of the Northern Mariana Islands*

### Background

The Marianas Trench Marine National Monument (MTMNM) was established through Presidential Proclamation 8335 on January 6, 2009, for the purpose of protecting the geologic features and marine environment in the Mariana Volcanic Arc. The MTMNM includes the Mariana Trench (trench unit), submerged lands around three northern islands (islands unit), and seamounts (volcanic unit) of the northern Mariana archipelago.

Proclamation 8335 directs the Secretaries of the Interior and Commerce to do a number of things in the management of MTMNM, including, but not limited to, manage according to applicable legal authorities and in consultation with the Secretary of Defense, not allow or permit certain activities, regulate

scientific activities, regulate fishing, prepare management plans within their respective authorities for the proper care and management of the objects identified in the Proclamation, and to treat the Commonwealth of the Northern Mariana Islands (CNMI) Government as a cooperating agency.

The Secretary of the Interior delegated management authority to the U.S. Fish and Wildlife Service (Service) through Secretarial Order 3284 on January 16, 2009. Commerce is represented by the National Oceanic and Atmospheric Administration (NOAA).

On September 18, 2013, in accordance with the Territorial Submerged Lands Act, Public Law 113-34 was enacted to provide for the conveyance to CNMI the submerged lands and associated mineral rights in lands permanently or periodically covered by tidal waters up

to but not above the line of mean high tide and seaward to a line three miles distant from the coastlines of the CNMI.

On January 15, 2014, Presidential Proclamation 9077 excepted the transfer of the submerged lands adjacent to the Islands of Farallon de Pajaros, Maug, and Asuncion (Northern Islands Submerged Lands or NISL) until the Secretaries and the CNMI Government (collectively, the signatories) enter into an agreement for coordination of management that ensures the protection of MTMNM within the NISL.

The conveyance of the submerged lands and the mineral rights associated with those lands, excluding the submerged lands excepted by Proclamation 9077, was made under operation of law and by patent on January 16, 2014.

### Current Action

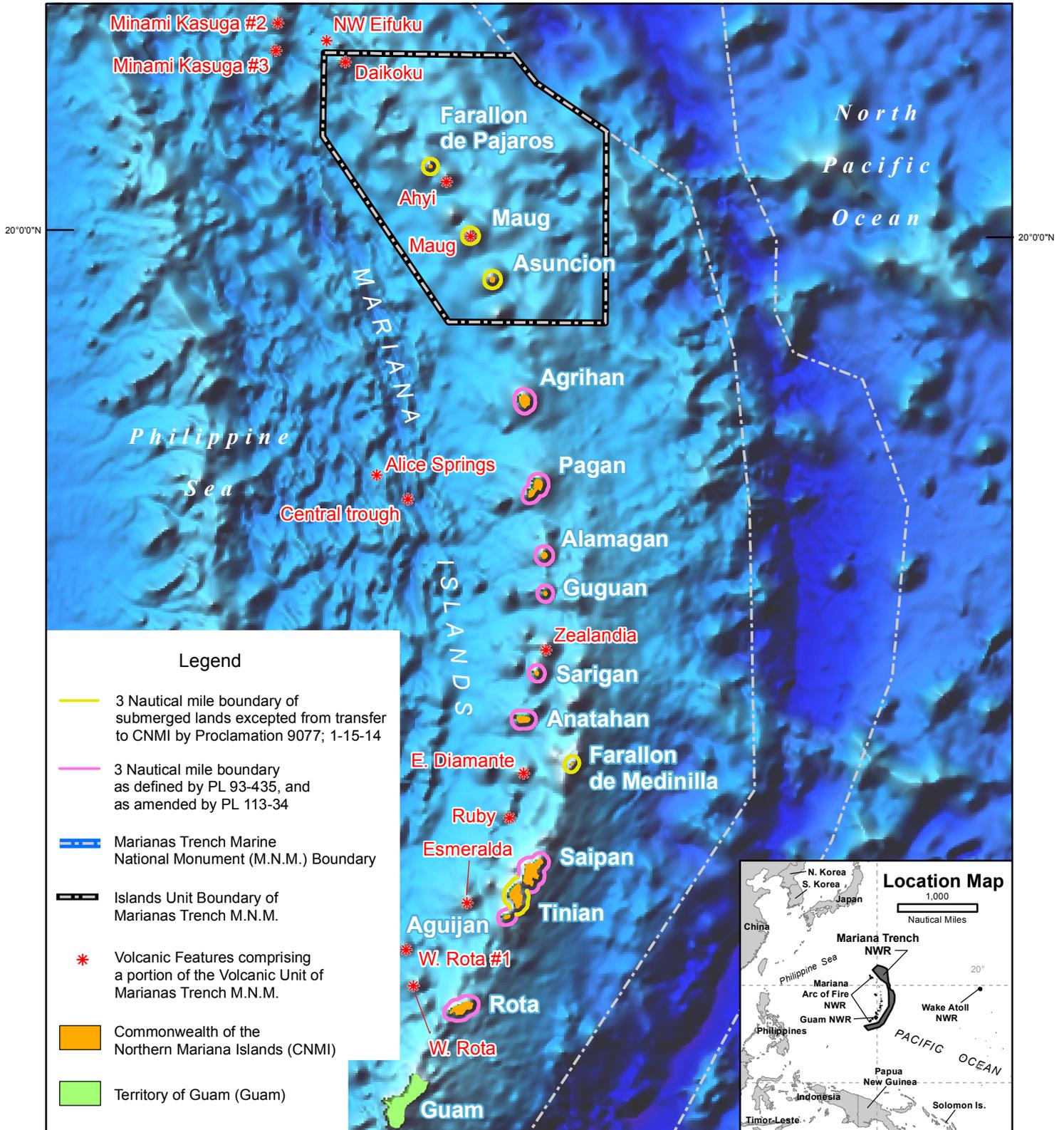
A team of Service and NOAA staff, led by the Service's Pacific Region Director Robyn Thorson, NOAA's Pacific Islands Region Administrator Michael Tosatto, and CNMI officials under the leadership of Governor Torres, and former Governor Inos, developed a Memorandum of Agreement (MOA) to establish the terms and conditions for the coordination of resource management for the long-term comprehensive conservation and protection of the NISL and in a manner consistent with Proclamations 8335 and 9077.

The agencies agreed on a number of guiding principles, general coordination of management structure, management planning provisions, and operational conditions prior to the conveyance of the NISL.

The NISL were conveyed by execution of a patent with a reserved easement to CNMI subject to those powers, rights, and interests reserved in the United States under the Territorial Submerged Lands Act, as amended. The easement ensures the NISL are managed and maintained for the protection of resources identified in Proclamation 8335. The patent was

signed by Secretary Sally Jewell on November 29, 2016, and by CNMI Governor Torres on December 21, 2016.

The MOA was subject to completion of an Environmental Assessment (EA) under the National Environmental Policy Act (NEPA), and the Congressional review process proscribed by Section 1(c) of the TSLA. The Interior Department, through the Service, and in cooperation with NOAA and CNMI, completed the final EA and signed the Finding of No Significant Impacts on September 15, 2016.



Legend

- 3 Nautical mile boundary of submerged lands excepted from transfer to CNMI by Proclamation 9077; 1-15-14
- 3 Nautical mile boundary as defined by PL 93-435, and as amended by PL 113-34
- Marianas Trench Marine National Monument (M.N.M.) Boundary
- Islands Unit Boundary of Marianas Trench M.N.M.
- Volcanic Features comprising a portion of the Volcanic Unit of Marianas Trench M.N.M.
- Commonwealth of the Northern Mariana Islands (CNMI)
- Territory of Guam (Guam)

