

## NWHI Reserve Preservation Areas

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As part of the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve's designation, the President has established fifteen "Reserve Preservation Areas." Within these areas, the Executive Order prohibits all consumptive uses, including commercial and recreational fishing. Existing bottomfishing, however, will be allowed to continue in 8 of the 15 Reserve Preservation Areas.

Through increased measures of protection, these areas will help to further protect the coral reef ecosystem and related marine resources and species of the Reserve. The President has proposed to make these preservation areas permanent and is requesting public comment on this proposal. The comment period for this proposal closes on January 8, 2000. NOAA is receiving the comments on behalf of the President.

### AREA DESCRIPTIONS

1. Reserve Preservation Areas extend from the seaward boundary of Hawaii State waters out to a mean depth of 100 fathoms at:
  - **Nihoa Island**, *provided that* bottomfishing, in accordance with other conservation measures described in the Executive Order, shall be allowed to continue seaward from a mean depth of 10 fathoms, unless and until the Secretary determines otherwise after adequate public review and comment;
  - **Necker Island**, *provided that* bottomfishing, in accordance with other conservation measures described in the Executive Order, shall be allowed to continue seaward of a mean depth of 20 fathoms, unless and until the Secretary determines otherwise after adequate public review and comment;
  - **French Frigate Shoals**;
  - **Gardner Pinnacles**, *provided that* bottomfishing, in accordance with other conservation measures described in the Executive Order, shall be allowed to continue seaward from a mean depth of 10 fathoms, unless and until the Secretary determines otherwise after adequate public review and comment;
  - **Maro Reef**, *provided that* bottomfishing, in accordance with other conservation measures described in the Executive Order, shall be allowed to continue seaward from a mean depth of 20 fathoms, unless and until the Secretary determines otherwise after adequate public review and comment;
  - **Laysan Island**, *provided that* bottomfishing, in accordance with other conservation measures described in the Executive Order, shall be allowed to continue seaward from a mean depth of 50 fathoms, unless and until the Secretary determines otherwise after adequate public review and comment;
  - **Lisianski Island**, *provided that* bottomfishing, in accordance with other conservation measures described in the Executive Order, shall be allowed to continue

seaward from a mean depth of 50 fathoms, unless and until the Secretary determines otherwise after adequate public review and comment;

- **Pearl and Hermes Atoll;** and
- **Kure Island.**

Reserve Preservation Areas also extend from 12 nautical miles around the approximate geographical centers of:

- **The first bank immediately east of French Frigate Shoals;**
- **Southeast Brooks Bank (the first bank immediately west of French Frigate Shoals),**

*provided that* the closure area shall not be closer than approximately 3 nautical miles of the next bank immediately west;

• **St. Rogatien Bank,** *provided that* the closure area shall not be closer than approximately 3 nautical miles of the next bank immediately east, *provided further that* bottomfishing, in accordance with other conservation measures described in the Executive Order, shall be allowed to continue, unless and until the Secretary determines otherwise after adequate public review and comment;

- **The first bank immediately west of St. Rogatien Bank** (east of Gardner Pinnacles);

- **Raita Bank;**

• **Pioneer Bank,** *provided that* bottomfishing, in accordance with other conservation measures described in the Executive Order, shall be allowed to continue, unless and until the Secretary determines otherwise after adequate public review and comment).

The Hawaiian Islands National Wildlife Refuge is currently administered out to 10 fathoms at Maro Reef, Gardner Pinnacles, Nihoa, Laysan, Lisianski Islands, Pearl and Hermes Atoll, French Frigate Shoals and out to 20 fathoms around Necker Island. Critical habitat for the endangered Hawaiian monk seal has been designated around all of these islands and reefs, including lagoon waters, inner reef waters, and ocean waters out to a depth of 20 fathoms (50 Fr 226.201). Lobster fishing is currently prohibited landward of the 10 fathom curve around these islands and additionally, within 20 nautical miles of the center of Laysan Island (50 FR 660.46 (b)). The fishery is currently closed pending the resolution of uncertainties in the current stock assessment model.

## **ADDITIONAL PROTECTION AND CONSERVATION MEASURES**

1. In addition to the conservation measures articulated in the Executive Order, which are applicable to the entire Reserve, the following activities are prohibited within the Reserve Preservation Areas except as expressly otherwise stated:

- Commercial and recreational fishing;
- Anchoring where there are available mooring buoys or anchoring outside an available anchoring area when such an area has been designated by the Secretary;
- Any type of touching or taking of living or dead coral;
- Discharging or depositing any material or other matter except cooling water or engine exhaust;

- Such other activities the Secretary identifies after adequate public review and comment and after consideration of any advice and recommendations of the Reserve Council.

2. Notwithstanding the prohibitions in this paragraph, the Secretary may conduct, or authorize by permit, research, monitoring, education or management activities within any Reserve Preservation Area that further the Management Principles of the Executive Order.

3. The Reserve Preservation Areas are approximated using fathoms (fm), but shall be represented by the Secretary using straight-line boundaries in longitude and latitude coordinates to clearly encompass each Reserve Preservation Areas and to provide clarity and ease of identification. The Secretary may make technical modifications to any such boundaries.

4. Native Hawaiian non-commercial subsistence, cultural, or religious uses may continue, to the extent consistent with existing law, within the Reserve and reserve preservation areas. The Secretary shall work with Native Hawaiian interests to identify those areas where such Native Hawaiian uses of the Reserve's resources may be conducted without injury to the Reserve's coral reef ecosystem and related marine resources and species, and may revise the areas where such activities may occur after public review and comment, and consideration of any advice and recommendations of the Reserve Council.

A brief descriptions of each area's biological and geographical features, a map of the area, and a synopsis of the prohibited activities detailed above will be available at a series of public meetings that will be held December 11-15. This information can also be found on the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Web site at: [hawaiiireef.noaa.gov](http://hawaiiireef.noaa.gov).