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**PRESS RELEASE
FOR IMMEDIATE RELEASE
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NWHI Hui Welcomes Strong State Refuge Plan

Protecting
Native Hawaiian
traditional and
customary rights
and our
fragile environment

"The state refuge raises the bar for the proposed sanctuary in federal waters of the Northwestern Hawaiian Islands."

Honolulu, Hawai'i. A hui of environmental and Native Hawaiian organizations commend the Hawai'i Department of Land and Natural Resources for its proposed strong protection for state waters of the Northwestern Hawaiian Islands.

The Northwestern Hawaiian Islands hui represents a broad network of fishers, Native Hawaiians, scientists, divers and Hawai'i residents associated with the 'Ilio'ulaokalani Coalition, Environmental Defense, KAHEA: The Hawaiian-Environmental Alliance and Sierra Club.

Years of consistent and strong public support calling for stringent protections was a central factor in the Department of Land and Natural Resources' protective marine refuge being proposed for state waters surrounding the Northwestern Hawaiian Islands.

DLNR's marine refuge proposal being submitted to the Board of Land and Natural Resources next week, provides protection that is essential to preserve this vast and unique ecosystem's most fragile waters and the Native Hawaiian cultural heritage of these ancient Kupuna Islands.

"I commend the Department of Land and Natural Resources for recognizing the unique natural and cultural resources of the Northwestern Hawaiian Islands, many of the most vulnerable of which are within State waters, and for responding to the widespread public support for a NWHI Marine Refuge. With its implementation of this Refuge, the State of Hawaii will set a very high standard of stewardship of which we can all be proud, and for which we can all be grateful." Dave Raney, Chair, Sierra Club Coral Reef Working Group

"The state's plan greatly adds protections to the NWHI ecosystem, is based on sound science and public input and provides an example of national and international leadership, putting the sanctuary program on notice, given the sanctuary's proposed weak and unclear management plan for the NWHI, a plan which proposes the removal of a number of existing protections in federal waters." Stephanie Fried, Senior Scientist of the conservation group, Environmental Defense.

"With this refuge, the state places itself on the world stage by recognizing the importance of protecting what may be the last wild marine wilderness known as the Northwestern Hawaiian Islands. The proposed refuge is an example of a true Pu'u honua—a place of true safety that will help the endangered Hawaiian monk seals to recover and it will provide the lobster population, decimated by years of over-fishing, an opportunity to hopefully survive." Cha Smith, Executive Director of KAHEA: The Hawaiian-Environmental Alliance.

"The Department of Land and Natural Resources current marine refuge proposal acknowledges the long-term benefits of protecting the cultural and natural resources that make this fragile area so unique. DLNR heard the public call for strong protections for this remote public trust resource and is doing the right thing. Most significant for the public benefit is that the proposed marine refuge insures that potential replenishment of marine resources from this special area to the main Hawaiian Islands will continue." Isaac Harp, 'Ilio'ulaokalani Coalition Board member and former commercial fisherman.

The refuge represents the second attempt to regulate state waters of the Northwestern Hawaiian Islands. DLNR's first proposal was for a fishery management area in the NWHI that was soundly rejected throughout Hawai'i by environmentalists and the Native Hawaiian community.

Currently, there is a process to propose that federal waters of the Northwestern Hawaiian Islands be designated as National Marine Sanctuary and determine protection measures for this remote ecosystem. Federal waters surround the proposed State Refuge and the U.S. Fish and Wildlife Hawaiian National Refuge. The sanctuary designation process within the Department of Commerce, is marred by a lack of transparency and ongoing attempts by federal officials to repeal and weaken existing protections established for the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve.

"The protections proposed by the state of Hawai'i significantly raise the bar for protection of the surrounding NWHI federal waters. The Sanctuary Program is put on notice. Transparency, response to public input, science and the needs of the resource are the order of the day," noted Smith, KAHEA

Overview of Key Points of proposed NWHI Refuge

1) **Intent and purpose:** "long term conservation and protection of the unique coral reef ecosystem and the related marine resources and species, to ensure their conservation and natural character for present and future generations"; "to manage, preserve, protect, and conserve... using best available science and a precautionary management approach... especially where data is limited"; recognition of native Hawaiian cultural, subsistence, and religious practices", etc.

2) **No access without a permit. Permits would be granted for three specific purposes and based on a requirement of "do no harm."**:

A person shall only enter the refuge to engage in activities that do no harm and do not degrade the coral reef ecosystem, related marine resources and species, as specifically authorized by law, for the following purposes:

- (1) Scientific or education purposes;
- (2) Non-extractive purposes undertaken to further the knowledge of resources or which provides for enhanced resources protection or resource management; and
- (3) Subsistence, traditional and customary practices by Native Hawaiians consistent with the long-term preservation of the refuge resources in accordance with permit conditions specific in section 13-60.5-6.

Even with a valid permit, the department may prohibit entry into any location or locations within the refuge as it may deem appropriate to conserve or manage resources."

3) **Prohibitions:** fishing is prohibited in all state NWHI waters; "to take for the purpose of sale or to sell marine life taken from the refuge" ; "to set foot on shore, on any emergent land or reef" ; "to anchor vessels or any other activity that can or does result in damaging coral, and to discharge from a vessel as defined in federal and state law."

4) **Public comment and permit review:** The regulations offer public comment on every permit application. However, there is a small window for public input (2 weeks or less). This needs amending. We call on the BLNR to remedy this to provide a 30-day review period. In addition, potential impacts to the resource should be assessed by an independent permit review panel of recognized ecosystem experts.

5) **Broad Public Support** was acknowledged by in the state's announcement citing more than **111,084 public comments received in over 24,000 written and oral testimonies** during the most recent (July 2004) round of hearings.

Board Of Land And Natural Resources

Date: Friday, May 13, 2005
Time: 9:00 A.M.
Place: Kalanimoku Building
Land Board Conference Room 132
1151 Punchbowl Street Honolulu

End.