

NORTHWESTERN HAWAIIAN ISLANDS CORAL REEF ECOSYSTEM RESERVE  
**RESERVE ADVISORY COUNCIL**

**Non-Government (Voting)**

William Aila Jr. (Chair)  
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*Conservation*

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*Research*

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*Ocean-Related Tourism*

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*Conservation*

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**Government (Non-Voting)**

Athline Clark  
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*Hawaiian Islands Humpback  
Whales NMS*

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*U.S. Fish and Wildlife Service  
- Ecological Services*

Jared Underwood  
*U.S. Fish and Wildlife Service  
- Refuges*

Brian Neilson  
*State of Hawai'i - DLNR*

August 26, 2021

Mr. John Armor, Director  
Office of National Marine Sanctuaries  
1305 East-West Highway, 11 Floor  
Silver Spring, MD 20910

c/o Athline Clark, Superintendent  
**Papahānaumokuākea Marine National Monument**  
NOAA/DKIRC/NOS/ONMS/PMNM  
1845 Wasp Boulevard, Building 176  
Honolulu, HI 96818

RE: NWHI CRER transition to NWHI NMS

Aloha mai Director Armor,

At its meeting on August 4, 2021, the Reserve Advisory Council (RAC) approved sending a letter to the Office of National Marine Sanctuaries to request your feedback on several key questions regarding the sanctuary designation process for **Papahānaumokuākea Marine National Monument**. We have also attached our previous letter to your office dated December 9, 2020 which provides additional context.

Can you please confirm our understanding of the following legal foundations for this designation process:

- a) The process to designate **Papahānaumokuākea Marine National Monument (PMNM)** as a national marine sanctuary will “supplement and complement, rather than supplant, existing authorities,” based on Congress’ direction to NOAA (2020) and Executive Order 13178.
- b) As Executive Order 13178 created the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve (Reserve), the Reserve will continue to exist if a sanctuary is designated.
- c) If a sanctuary is or is not designated, the RAC will continue to be the sole advisory council, and continue to serve as it was enabled by Executive Order 13178.
- d) The existing 2008 PMNM Management Plan will serve as the basis for a new, updated management plan under sanctuary designation.
- e) Executive Order 13178 that created the Reserve and outlined the specific membership and purpose for the RAC stipulate that the RAC and its membership continues unchanged.

We would also appreciate clarification on the following questions:

- f) What are the legal requirements and options for applying all the legal protections of the Reserve and the Monument to the Monument Expansion Area as part of a sanctuary?

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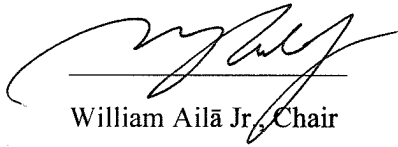
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- g) Can a new Sanctuary Management Plan be given an expanded title to clarify that both the Monument and a sanctuary will continue to exist [e.g. Papahānaumokuākea Marine National Monument and National Marine Sanctuary Management Plan]?
- h) What are the options for sanctuary designation timing? Does this have to be done now?
- i) Does the Western Pacific Regional Fisheries Management Council have to consider the Proclamations and EOs as the basis for any regulations for fishing that they might draft during this process?

In order to provide appropriate advice and recommendations to ONMS as outlined in Executive Order 13178, and to ensure our constituents receive accurate information, the RAC respectfully requests confirmation and further clarification on the questions listed above. Mahalo for your attention to this letter and we look forward to your response at your earliest convenience.

Sincerely,



William Aila Jr., Chair

Enclosure: December 9, 2020 Letter to ONMS