

# THE PEW CHARITABLE TRUSTS

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January 26, 2006

Vice Admiral Conrad C. Lautenbacher, Jr.  
Undersecretary of Commerce for Oceans and  
Atmosphere  
U.S. Department of Commerce  
1401 Constitution Avenue, NW  
Washington, DC 20230

Dear Vice Admiral Lautenbacher:

For more than a year, The Pew Charitable Trusts (Trusts) have helped coordinate efforts by conservation groups, Native Hawaiians and concerned citizens from Hawaii and the U.S. to promote increased conservation protection for the Northwestern Hawaiian Islands (NWHI). We believe that the sanctuary planning process now underway by your staff offers an unparalleled opportunity to provide a final measure of full protection to a globally significant resource. With the strong support demonstrated by the Bush administration, the Governor of Hawaii, and thousands of Hawaiian citizens, we are presented with a truly unique opportunity to protect these islands for all Americans.

We would like to be helpful in the sanctuary planning process and have provided public education and scientific support for establishing a fully protective sanctuary. The Trusts would like to express to you our willingness to consider additional efforts as you weigh options for new, stronger conservation for the NWHI. In particular, we are willing to consider working with you to develop a plan to compensate the eight remaining bottomfish vessels for ending their commercial take of fish in the NWHI. In this vein, I would be willing to use my best efforts to secure financial support needed to execute such a plan. Needless to say, we would like to be helpful if we can in facilitating the transition of these remaining fishermen out of the fishery and in achieving the protection so many people would like to see given this spectacular region. We understand that it can be difficult for the government to allocate the necessary funds for this kind of activity, and stand ready to work with private donors to help overcome these difficulties in the event you consider this to be desirable.

Our willingness to pursue this action will be dependent upon two criteria. First, the federal and state governments need to be our partners throughout the process including being able to provide reasonable assurance that this action will support the permanent retirement of commercial fishing in the NWHI. Second, the level of compensation to vessel owners must be fair and equitable.

Although the National Marine Fisheries Service originally authorized 17 permits from a much larger pool of potential fishermen, only 15 of the NW Hawaiian Island permits have ever been fished. Since the mid-1990's that number has dwindled as fishermen voluntarily dropped out of the fishery, presumably because of marginal economics and difficult fishing conditions. Our information is that in recent years, three of the eight permit holders have accounted for the vast majority of the landings; the remaining fishermen have barely made the minimum number of trips and landings in order to retain their permits. The evidence is that this commercial fishery is both economically marginal and dying.

*The Pew Memorial Trust  
The J. Howard Pew Freedom Trust*

*The Mabel Pew Myrin Trust  
The J. N. Pew Jr. Charitable Trust  
The Medical Trust*

*The Mary Anderson Trust  
The Knollbrook Trust*

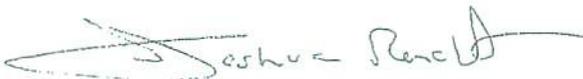
We have held an initial conversation with each of the active permit holders in the bottomfish fishery to assess their interest in a voluntary buyout should this option become a possibility. All eight individuals have expressed a willingness to discuss a possible transition-out of the fishery. Indeed, one of the permit holders has written a letter endorsing the idea of a buyout and closure of the fishery, citing poor economics and the importance of conservation for the area (letter attached). In our conversations with the fishermen, we have been very clear that any buyout, should it occur, would be entirely voluntary. Our conversations have not gone beyond a mutual expression of interest so we have no way of knowing if a package could be constructed that would ultimately be of interest to all permittees, should the government make such an option possible. At this point we do not believe it wise to take our discussions further unless there is some common understanding amongst the appropriate federal and state agencies about the conditions under which a voluntary buyout could take place, and also whether these agencies have any interest in our participation. However, we stand ready to work with you if you feel we can be of help.

Through the sanctuary planning process, the Trusts will continue to advocate full protection of the NW Hawaiian Islands. Our primary focus has been and remains the cessation of all commercial fishing, which we believe is incompatible with the conservation purposes of a sanctuary in this remote and fragile area. However, we also support reasonable limits and safeguards on other activities that are potentially harmful to the sanctuary including recreational and "sustenance" fishing, tourism and bio-prospecting.

Finally, there is one group whose longstanding relationship with the NW Hawaiian Islands deserves special consideration. We believe the continued use of this region by Native Hawaiians for traditional practices, including subsistence fishing, should be permitted to continue.

We appreciate the leadership you have shown on this issue in an effort to bring the sanctuary planning to a successful conclusion. I am confident the outcome of the public process can result in an agreement that is a good for fishermen, the State of Hawaii and global conservation.

Sincerely,



Joshua S. Reichert

cc:

- ✓ James Connaughton, CEQ
- Governor Linda Lingle
- Senator Daniel Inouye
- Senator Daniel Akaka
- Congressman Neil Abercrombie
- Congressman Ed Case

Attachment