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US territories want more time to comment on critical habitat designation

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CNMI Gov. Ralph DLG Torres, Guam Gov. Lourdes A. Deleon Guerrero and American Samoa Gov. Lemanu P.S. Mauga are asking the U.S. Department of Commerce-National Oceanic and Atmospheric Administration for additional 90 days to comment on the proposed designation of areas in the Pacific as critical habitat for threatened corals in U.S. waters.



They said it may impact a “wide range” of economic activities in their respective jurisdictions.

NOAA’s National Marine Fisheries Service has stated in the Federal Register that comments on the proposal must be received by Jan. 26, 2021.

The federal agency identified 19 units within the geographical area occupied by seven listed Indo-Pacific species confirmed in U.S. waters that contain the essential feature or critical habitat. Four areas are in American Samoa (Tutuila and Offshore Banks, Ofu and Olosega, Ta’u, and Rose Atoll); one in Guam (Guam and Offshore Banks); eight in the CNMI (Rota, Aguijan, Tinian and Tatsumi Reef, Saipan and Garapan Bank, Farallon de Medinilla, Anatahan, Pagan, and Maug Islands and Supply Reef); and six in Howland Island, Palmyra Atoll, Kingman Reef, Johnston Atoll, Wake Atoll, and Jarvis Island.

According to the National Marine Fisheries Service or NMFS, the purpose of designating areas as critical habitat “is to identify the areas that are essential to the species’ recovery.”

NMFS said, “Once critical habitat is designated, it can contribute to the conservation of the listed species in several ways, including by identifying areas where federal agencies can focus their conservation programs, and helping focus the efforts of other conservation partners.”

Not consulted

In a joint letter to Chris Oliver, NMFS assistant administrator for fisheries, Governors Torres, Deleon Guerrero and Mauga “respectfully request” for additional 90 days to comment on the proposed designation of critical habitat, saying “our governments were not consulted in advance of the proposed rule, and require the additional time to review the rule and associated supporting documents.”

The governors noted that the proposed critical habitat encompasses 230 square miles of shallow water areas surrounding the islands in their respective jurisdictions, with most of the proposed designated areas occurring within territorial waters.

They said the designation “has the potential to impact a wide range of activities necessary to

maintain our island economies and infrastructure.”

Follow-up

On Wednesday, U.S. Congresswoman Aumua Amata Coleman Radewagen of American Samoa wrote a follow-up letter to NMFS Acting Assistant Administrator Paul Doremus, expressing her support for the governors’ request.

“I support the governors’ collective request for an extension in order to provide the most information in the process, so all of the impacted Pacific territories may fully register their views, and the most informed decisions can be made,” she said.

CNMI Department of Lands and Natural Resources Secretary Anthony Benavente, in his letter to Michael Tosatto of the NOAA Pacific Islands Regional Office, said, “To my knowledge this is the first time that critical habitat is being proposed in CNMI marine waters.”

He said, “The affected island communities have numerous concerns about the efficiency of the critical habitat designations on the listed coral species, as well as the science used in determining critical habitat boundaries.”

Benavente asked the federal agency to:

- Conduct separate public hearings for the communities of Tinian, Saipan, and Rota. “I strongly advise that each hearing be tailored to the proposed critical habitat for the island the hearing is being held. Also, please include a discussion on fishing and economic impacts the designation may create for each island,” Benavente said.
 - Extend the public comment period for another 60 days.
 - Provide detailed critical habitat boundaries on nautical charts, using depth contours when possible, and have the maps available for public review a minimum of 30 days before the end of the comment period.
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