

TESTIMONY OF EILEEN SOBECK, DEPUTY ASSISTANT SECRETARY FOR FISH AND WILDLIFE AND PARKS, DEPARTMENT OF THE INTERIOR, BEFORE THE U.S. HOUSE OF REPRESENTATIVES, COMMITTEE ON NATURAL RESOURCES, SUBCOMMITTEE ON INSULAR AFFAIRS, OCEANS AND WILDLIFE, ON H.R. 3511, THE MARIANAS TRENCH MARINE NATIONAL MONUMENT VISITOR FACILITY AUTHORIZATION ACT, AND H.R. 4493, THE MARIANAS TRENCH MARINE NATIONAL MONUMENT MANAGEMENT ENHANCEMENT ACT

February 25, 2010

Chairwoman Bordallo, Ranking Member Brown, and Members of the Subcommittee, I am Eileen Sobeck, Deputy Assistant Secretary for Fish and Wildlife and Parks in the Department of the Interior.

I appreciate the opportunity to appear before the Subcommittee today to testify on behalf of the Department of the Interior on two bills related to the Marianas Trench Marine National Monument: H.R. 3511, the “Marianas Trench Marine National Monument Visitor Facility Authorization Act of 2009,” and H.R. 4493, the “Marianas Trench Marine National Monument Management Enhancement Act of 2010.” As outlined below, the Department has no objection to the passage of H.R. 3511 or H.R. 4493.

I will first offer general testimony on the Marianas Trench Marine National Monument (MNM), and then specifically on each of the two bills currently before the Subcommittee.

Introduction

In June 2006, what is now known as the Papahānaumokuākea MNM was established by Presidential Proclamation. On January 6, 2009, three additional Marine National Monuments were established by Presidential Proclamation: Rose Atoll MNM, Pacific Remote Islands MNM, and Marianas Trench MNM.

These four monuments were established to expand protections to vibrant interconnected terrestrial and marine habitats in the Pacific Ocean. Collectively, they protect coral reefs, the world’s largest albatross colony, the last refuge of the endangered Hawaiian monk seal, critical nesting and resting areas for threatened sea turtles, and refugia for rare and imperiled species such as giant clams, humphead wrasses, bumphead parrotfish, and coconut crabs. These areas are also generally recognized as some of the few remaining marine ecosystems dominated by apex predators such as sharks and jacks. The monuments also protect important historic and cultural sites, including Midway Atoll, the location of the landmark World War II battle that turned the tide of the war in the Pacific Theatre. Unfortunately, these areas also share many common threats, such as those posed by illegal fishing, marine debris, and global climate change.

Marianas Trench Marine National Monument

The Marianas Trench MNM encompasses approximately 61 million acres of submerged lands and waters of the Mariana Archipelago. The monument includes three units: the Islands Unit, which includes the waters and submerged lands of the three northernmost Mariana Islands; the Volcanic Unit, which includes the submerged lands within one nautical mile of 21 designated volcanic sites; and the Mariana Trench Unit, which includes the submerged lands extending from the northern limit of the Exclusive Economic Zone of the United States around the Commonwealth of the Northern Mariana Islands (CNMI) to the southern limit of the Exclusive Economic Zone of the United States around the Territory of Guam.

Presidential Proclamation 8335 assigned management responsibility of the Marianas Trench MNM to the Secretary of the Interior, in consultation with the Secretary of Commerce. The Secretary of the Interior delegated his management responsibility for these areas to the Service. The Mariana Trench Unit contains approximately 50.5 million acres of submerged lands and the Volcanic Unit almost 56,000 acres of submerged lands. The Secretary of Commerce, through the National Oceanic and Atmospheric Administration (NOAA), has primary management responsibility for fishery-related activities in the waters of the Islands Unit.

The Proclamation also requires the Secretaries to establish a Mariana Monument Advisory Council (Council) to provide advice and recommendations on the development of management plans and management of the Marianas Trench MNM. Under the Proclamation, the Council is to include at a minimum three officials of the CNMI government and one representative each from the Department of Defense and the U.S. Coast Guard.

Objects of Scientific Interest

The President established the Marianas Trench MNM under the authority of the Antiquities Act of 1906 (16 U.S.C. 431), which protects places of historic or scientific significance. Only recently have scientists visited the realm of the monument, obtaining new information on previously unknown biological, chemical, and geological wonders of nature.

The Marianas Trench is the deepest point on Earth, deeper than the height of Mount Everest above sea level. It is five times longer than the Grand Canyon and includes some millions of acres of virtually unknown characteristics.

The Volcanic Unit— an arc of undersea mud volcanoes and thermal vents – supports unusual life forms in some of the harshest conditions imaginable. Here species survive in the midst of hydrothermal vents that produce highly acidic and boiling water.

The Champagne vent, found at the NW Eifuku volcano, produces almost pure liquid carbon dioxide, one of only two known sites in the world. A pool of liquid sulfur at the Daikoku submarine volcano is unique to the entire world. The only other known location of molten sulfur is on Io, a moon orbiting the planet of Jupiter.

In the Islands Unit, unique reef habitats support marine biological communities dependent on basalt rock foundations, unlike those found throughout the remainder of the Pacific. These reefs and waters are among the most biologically diverse in the Western Pacific and include the greatest diversity of seamount and hydrothermal vent life yet discovered. They also contain one of the most diverse collections of stony corals in the Western Pacific, including more than 300 species, more than any other reef area in the United States.

The submerged caldera at Maug is one of only a few known places in the world where photosynthetic and chemosynthetic communities of life co-exist. The caldera is some 1.5 miles wide and 820 feet deep, an unusual depth for lagoons. The lava dome in the center of the crater rises to within 65 feet of the surface. Hydrothermal vents at about 475 feet in depth along the northeast side of the dome spew acidic water at scalding temperatures near the coral reef that quickly ascends to the sea surface. Thus, coral reefs and microbial mats are spared much of the impact of these plumes and are growing nearby, complete with thriving tropical fish. As ocean acidification increases across the Earth, this caldera offers scientists an opportunity to look into the future and ensure continuation of coral reef communities.

The coral reef ecosystems within the Islands Unit also have high numbers of apex predators. One site has the highest density of sharks anywhere in the Pacific, even higher than those of the remote islands of the Central Pacific.

Similarly, these northern islands have the highest large fish biomass in the Mariana Islands. The rare bumphead parrotfish – the largest parrotfish species – thrives in these waters. The species has been depleted throughout much of its range and is included on the International Union for Conservation of Nature’s Red List of Threatened Species.

Management of the Marianas Trench MNM

Presidential Proclamation 8335 requires the Secretaries of Interior and Commerce to prepare management plans within their respective authorities and promulgate implementing regulations that address any further specific actions necessary for the proper care and management of the Marianas Trench MNM by January 2011. In developing and implementing their management plans and regulations, the Secretaries are also required to designate and involve as cooperating agencies those agencies with jurisdiction or special expertise, including the Department of Defense, the Department of State, and other agencies, through scoping in accordance with the National Environmental Policy Act (42 U.S.C. 4321 et. seq.), its implementing regulations and Executive Order 13352, Facilitation of Cooperative Conservation. The Secretaries are also required to treat the Government of CNMI as a cooperating agency consistent with these authorities. The monument management plans must be administered in accordance with the proclamation.

In addition, the Secretaries of the Interior and Commerce, after considering recommendations from the Governor of CNMI, the Secretary of Defense, and the Secretary of Homeland Security, must establish the Mariana Monument Advisory Council to provide advice and recommendations on the development of management plans and management of the monument. Under the Proclamation, the Advisory Council must consist of three officials from the

government of CNMI and one representative each from the Department of Defense and the United States Coast Guard.

We are currently working on establishing the Advisory Council. In the near future, the Service and NOAA will jointly publish a Notice of Intent to prepare a Monument Management Plan and Environmental Assessment (MMP/EA) in the *Federal Register*. The MMP/EA's format will be similar to a National Wildlife Refuge System comprehensive conservation plan (CCP) and the planning process will be conducted in a manner similar to the CCP planning process. During its development, the Service is committed to working with the Advisory Council, CNMI government, NOAA, Department of Defense, Department of State, U.S. Coast Guard, and others to develop an effective MMP/EA, as well as providing meaningful participation opportunities for the general public.

The MMP/EA will provide for public education programs, traditional access by indigenous persons, scientific exploration and research, consideration of recreational fishing, and programs for monitoring and enforcement within the Marianas Trench MNM.

H.R. 3511, the Marianas Trench Marine National Monument Visitor Facility Authorization Act of 2009

H.R. 3511 authorizes the Secretary of the Interior to construct a multipurpose visitor facility in the CNMI for the "interpretation and public education and enjoyment of the marine environment within the boundaries of the Marine National Monument." The bill also designates certain components that would be included in the facility, including a venue for public education and interpretive programs and administrative office space, and authorizes the Secretary to accept donations for the purposes of the planning, construction, and operation of the visitor facility.

Presidential Proclamation 8335 requires that the monument management plan provide for, among other things, "public education programs and public outreach regarding the coral reef ecosystem and related marine resources and species of the monument and efforts to conserve them." H.R. 3511 is consistent with the Proclamation's stated goals.

The Department has no objection to passage of H.R. 3511; however, the allocation of discretionary funding for construction of new visitor facilities within the National Wildlife Refuge System is based on a number of competing factors, and the proposed project would need to be added to our current list of proposed projects and compete with existing projects before moving forward. Additionally, there would be a significant annual cost that would be incurred to operate and staff a facility such as the one outlined in the legislation. These costs should be considered as part of the assessment on whether to build the facility.

H.R. 4493, the Marianas Trench Marine National Monument Management Enhancement Act of 2010

H.R. 4493 requires that the Secretaries of Interior and Commerce treat the Government of Guam as a cooperating agency, similar to CNMI, in implementing Presidential Proclamation 8335. The legislation also authorizes the Secretary of the Interior to initiate a comprehensive program, in

consultation with the Government of Guam, to survey, assess, manage, and promote resources, facilitate exploration and research, and encourage visitor services activities within Marianas Trench MNM. H.R. 4493 provides examples of activities that would comprise such a program, including construction or leasing a facility for a multipurpose center in Guam (apart from the Guam National Wildlife Refuge). The bill authorizes the Secretary to accept donations for the purposes of the planning, construction, and operation of the multipurpose center.

As noted above, both Presidential Proclamation 8335 and the National Wildlife Refuge System Administration Act support environmental education and interpretation activities related to Marianas Trench MNM. In addition, the Proclamation requires that the monument management plan provide for “programs for monitoring and enforcement necessary to ensure that scientific exploration and research, tourism, and recreational and commercial activities do not degrade the monument’s natural character.”

Although Guam is not specifically provided for in Presidential Proclamation 8335, the Department believes H.R. 4493 is in accordance with the spirit of the proclamation and consistent with its stated goals.

The Department has no objection to H.R. 4493. We strongly support the Government of Guam participating with the Service and other entities for the purpose of implementing Presidential Proclamation 8335 and future management of Marianas Trench MNM. We encourage all potential partners in this important project to approach its management in a collaborative and supportive manner. However, in regard to establishment of a multipurpose center in Guam, as described above in regard to H.R. 3511, the proposed project would need to compete with existing projects before moving forward. If the project moves forward, the Department encourages the Subcommittee to consider the potential benefits and efficiencies of co-locating new facilities on the Guam National Wildlife Refuge.

Conclusion

In closing, I would like to express the excitement the Department and the U.S. Fish and Wildlife Service are experiencing in our management of all the new Monuments, including Marianas Trench MNM. The new monuments in the Pacific contain a truly wonderful diversity of unique biological, ecological, geological, and cultural resources.

Madam Chairwoman, and Members of the Subcommittee, I thank you for the opportunity to testify today. I would be happy to answer any questions the Subcommittee may have.