

Appendix 3 Response to Public Comments

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In this appendix, the Federal agencies respond to comments that were received on the November 2020 Marianas Trench MNM Draft MMP/EA during the official public comment period from February 24 to July 26, 2021. Comments were submitted to regulations.gov. All substantial comments regarding the Draft MMP/EA are presented below. Duplicate comments have been summarized. Agency responses indicate where changes were made to the MMP based on specific comments.

Numerous comments were received that expressed support for the plan and our preferred Alternative.

Comments and Responses

1. **Comment:** Coral bleaching is on the rise and protecting them should be a priority as temperatures increase, their chances at survival are limited.

Agency Response: MRCM Activity 2.3 is to identify management options to maintain ecological integrity for species and systems considered vulnerable to climate change.

2. **Comment:** The MMP should reflect current science, and baseline surveys (number of fish) need to be updated.

Agency Response: The MMP has been updated to include updated corals, fish, invertebrate, algae, oceanography surveys, and climate change information. Also included is reference to the NOAA PIFSC's "An Overview of Marine Research in the Mariana Archipelago: 1900 – 2018," which presents all the known research done during this period. Fish and ecosystem surveys are included in NOAA Mariana Islands RAMP cruises, which took place every two or three years since 2003.

3. **Comment:** The MMP should ensure accountability and transparency by affording people easy access to information such as permits.

Agency Response: We added a new CMAP Activity 3.2: Develop an information page to post information on the fishing, research, and other permitted uses.

4. **Comment:** The MMP should guarantee local oversight and regular opportunities for evaluation of management actions.

Agency Response: We added a new CMAP Activity 3.2: Develop an information page to post information on the fishing, research, and other permitted users. Also, the public will have multiple opportunities to participate in Action Plan activities through outreach events, teacher workshops, and partnering groups. Attendees are asked to share their evaluation and ideas with event coordinators to help improve the programs. Several activities include soliciting advice from public groups, such as cultural groups on traditional knowledge pertaining to management of marine resources. Public comment will be sought during public outreach sessions conducted immediately after in-person MTMAC meetings. You may contact the Superintendent directly as well.

5. **Comment:** Translate Monument fact sheets and the MMP executive summary into Chamorro and Refaluwasch (Carolinian).

Agency Response: The OEP Action Plan stipulates that programs and materials will be provided in Chamorro and Refaluwasch. An executive summary has been provided in both languages for this MMP, and relevant materials will be translated as appropriate.

6. **Comment:** Connect the indigenous groups, NGOs, educators, and other stakeholders with the federal government in a communications action plan.

Agency Response: The CMH Action Plan, Activity 1.1, is to seek to establish partnerships with indigenous communities to conduct culturally appropriate maritime heritage research and activities. MRCM Activity 5.1 is to solicit advice from HPOs and cultural groups on traditional knowledge pertaining to management of marine resources. Each of these activities will begin with its own communications plan for implementation. The agencies have Communications Departments that support the outreach, education, and overall engagement with all partners and stakeholders. We rely on their expertise to tailor a variety of communications to the need, action, or event.

7. **Comment:** How and when will the indigenous people be given the opportunity to enjoy the resources?

Agency Response: For traditional or cultural access, persons can apply for a permit anytime. A non-commercial fishing permit for the Islands Unit may be requested through NMFS now following the procedures in 50 C.F.R. § 665.905. The CNMI DLNR issues letters for access to the uninhabited wildlife reserves in the northern islands. It is the goal of the three agencies to develop a single Joint Monument Permit application within one year to cover all requested activities.

8. **Comment:** The MMP should explicitly address the definition of sustainability at the spatial scale of the Monument (e.g., versus WestPac region, or some other large management unit that reaches extends beyond the boundaries of the Monument).

Agency Response: At this time, we do not have the baseline data necessary to define sustainability at the spatial scale of the Monument as you suggest. NMFS has adopted the concept of Large Marine Ecosystems (LME) as the basic unit to implement an ecosystem approach to management, which will lead to more sustainable productivity and use of living marine resources. NMFS has currently adopted 11 LMEs in the United States, while the Mariana Archipelago LME is currently being developed. When implemented, the Mariana Archipelago LME will include more area than just the Monument, will allow for a fuller accounting of the resources across the entire region, and will benefit the management of the Monument.

9. **Comment:** The MMP should guard against fisheries that can have the ecological effects of a commercial-scale fishing, even if classified as noncommercial and include associated regulations or guidelines that allow setting some limit thresholds.

Agency Response: Non-commercial fishing is permitted only in the Islands Unit and that fishing effort is expected to be low. NMFS has no information to suggest that commercial-scale fishing is occurring.

10. **Comment:** CNMI Government and the U.S. federal agencies should work together to ensure that an understanding is achieved beneficial to the CNMI indigenous people.

Agency Response: We concur. The coordination of management and cooperation between federal and territorial governments is integrated throughout the Management plan. The MMCT gives the CNMI government a strong voice in prioritizing funding for management activities that are most beneficial to the CNMI indigenous people. The CNMI government officials on the MTMAC will provide advice and recommendations to the federal agencies in the best interest of the local people.

11. **Comment:** The plan should allow for public input every five years to accommodate changes in population age and new science discoveries.

Agency Response: The MMP is a strategic planning document, to be reviewed by Monument managers annually and revised as needed to reflect new or changing resource conditions. The next opportunity for public input will be the Visitor Services step-down plan. The public is also invited to comment on Environmental Assessments and Compatibility Determinations as new uses are proposed.

12. **Comment:** The priority for MRCM Activity 5.1 (Solicit advice from HPOs and cultural groups on traditional knowledge pertaining to management of marine resources) should be higher.

Agency Response: Incorporating traditional knowledge into management is very important. The Monument managers will prioritize the MRCM and CMH strategies for implementation annually. All activities are subject to availability of funding and staff.

13. **Comment:** Why isn't the CNMI Government the sole manager of submerged lands and waters within three nmi conveyed to the CNMI?

Agency Response: Governor Ralph D.G. Torres asked the USFWS and NOAA to continue management responsibilities for the conveyed submerged lands, in consultation with the CNMI Government, until such time that the CNMI Government notifies USFWS and NOAA in writing of its intent to assume all or a portion of the management responsibilities of the conveyed submerged lands, and the effective date of such assumption. The Memorandum of Agreement (MOA) between the CNMI, Department of Commerce, and the Department of the Interior for Coordination of the Management was reviewed and approved by the CNMI Attorney General and finalized 23 September, 2016 (*copy of the MOA provided in Appendix 1, MTMNM MP Appendix G*).

14. **Comment:** The MTMAC should manage the 0–3 nmi.

Agency Response: The MTMAC is an intergovernmental advisory body, charged to advise the USFWS and NOAA. It consists of government officials from the USCG, DOD, and CNMI. Appendix G of the MMP, Mariana Trench Monument Advisory Council, includes specifics about the MTMAC mission. The MTMAC does not have independent authority to manage submerged lands or overlying Monument waters.

15. **Comment:** The vision statement should use the Chamorro and Refaluwasch orthography provided by the commenter.

Agency Response: The agencies agree, and the vision statement has been updated using the Chamorro and Refaluwasch language as requested.

16. **Comment:** Do activities in the management plan need to be approved by the MTMAC before they are implemented?

Agency Response: The implementation of activities does not require MTMAC approval. The MTMAC participated in developing the activities. The MTMAC is chartered to “provide advice and recommendations on the development of management plans and management of the Monument.” The MTMAC is expected to continue advising the federal agency managers at regular intervals and will work with them to include traditional knowledge in the management of the Monument. Term 3 MTMAC representatives were given the opportunity to provide input prior to final publication of this plan.

17. **Comment:** How will the priorities be established?

Agency Response: The MMCT (USFWS, NOAA, and CNMI) will conduct a coordinated review of activities annually to determine funding priorities for implementation. Prioritization would be based on a set ranking system. Potential action plan activities would be carefully considered and given a score using the following seven criteria; 1) capacity to implement the activity, 2) authority to implement the activity, 3) funding availability and existing means to implement the activity, 4) level of partner support in carrying-out the activity, 5) the number of threats that would be curtailed or minimized by the executing the activity, 6) the number of target resources that would positively affected by implementing the activity, and 7) the level of urgency to implement the activity.

18. **Comment:** The Islands Unit should be protected and included in the plan under Federal law rather than under CNMI law. How will regulatory oversight of the Islands Unit be implemented?

Agency Response: Secretarial Order 3284 was amended in 2023 to provide consistent management policy across the Monument and add the Islands Unit to the NWRS. It is managed by the USFWS under the authority of both the Administration Act and Recreation Act and managed by NMFS under the Magnuson-Stevens Act.

19. **Comment:** Any fees collected within the monument should be used to support a marine sciences program at the Northern Marianas College.

Agency Response: We are unable to transmit funds directly to NMC. Any special use permit fees collected by the USFWS would be returned to the MTMNM to support outreach and educational activities. NMFS currently does not charge a fee for fishing permits in the Monument.

20. **Comment:** Is there a way to develop a new lab on Saipan like the University of Guam's marine lab, where the Northern Marianas College could have a more effective marine biology program to assist in promoting this career path within CNMI high schools?

Agency Response: At this time, the FWS and NOAA do not have the funding or capacity to develop a marine lab at the college. E&R Activity 3.5 has been added: The Monument managers will pursue opportunities in collaboration with the CNMI Government and MTMAC to assist with meeting research goals and supporting a marine biology career path, building local capacity to become future resource managers.

21. **Comment:** Need to encourage ecotourism to learn about the volcanism, marine biology, and earth sciences found in the monument.

Agency Response: OEP Strategy 5 is to promote ecotourism, recreational, and economic ventures that are compatible with Monument ecosystems in collaboration with the Marianas Visitors Authority and other partners.

22. **Comment:** Expand the Monument to include the EEZ, where locals can develop and manage the fishing industry.

Agency Response: The agencies do not have the authority to expand the current Monument boundaries. The Western Pacific Regional Fishery Management Council is tasked to develop ecosystem-based fishery management plans. The Council process is a bottom-up process, emphasizing public participation and involvement of fisheries management at the local and community levels. Enforcement of federal fishery regulations is handled through a joint federal-territorial partnership.

23. **Comment:** Develop a Library of the Sea to spur outreach and highlight the CMNI's history of traditional seafaring.

Agency Response: The OEP Action Plan calls for several related activities, including OEP Strategy 2: Collaboratively develop curriculum for the Mariana Archipelago that incorporates traditional knowledge of the Carolinian and Chamorro communities.

24. **Comment:** Who is on the Monument advisory board (MTMAC)?

Agency Response: Term 3 MTMAC officials are as follows: for Department of Defense: Rear Admiral Gregory Huffman; for U.S. Coast Guard: Maile Norman; for CNMI Government: Floyd Masga, Richard Salas, and Frank Rabauliman.

25. **Comment:** How will the CNMI management team function if the CNMI does not have the capacity to participate; how will the team function, and will the team make the meeting minutes available to the public?

Agency Response: We will develop a meeting schedule in cooperation with the CNMI representative. The MMCT will meet on a regular schedule to promote communication and coordination between the agencies. The CMAP Action Plan Action Plan lays out activities and strategies to develop this coordination of management between the USFWS, NOAA, and CNMI, as well as consultation with other federal agencies and nonfederal partners. The meetings are for intergovernmental discussions and are not intended to be public meetings. The MMCT will prepare an annual report that summarizes the past calendar year's major accomplishments and challenges. This report will be used to keep senior agency personnel, elected officials, and the public informed about the status of the Monument.

26. **Comment:** A discussion of the activities or lack thereof, carried out by the Marianas Trench Monument Advisory Council since 2013, is warranted. Whether it was due to Executive Order constraints, budgeting, etc., an explanation should be provided in the text of the management plan.

Agency Response: The MTMAC met quarterly: by telephone three times per year and in-person in Saipan annually. The MTMAC provided advice and recommendation on the management and on the draft management plan throughout this time, and they established a subcommittee for a visitor facility working group. The minutes of all the meetings were posted on our agency websites until the last meeting in December 2014. The MTMAC

activities during this time have been added to the final management plan in section 1.5.5 Marianas Trench Monument Advisory Council. The USCG and DOD MTMAC representatives continued to provide advice and coordination, while the agencies solicited and waited for CNMI MTMAC members to be nominated in the interim. Governor Torres' (Term 3) nominees received a copy of the DMMP/EA in February 2021 for review and comment directly to the agencies. These nominees were unable to complete the appointment process. New nominations were solicited from Governor Palacios in 2023, and official appointments for Term 3 were made in September of 2023.

27. **Comment:** Clarify why three permits per year for scientific research and three for filming was chosen in the compatibility determination.

Agency Response: The USFWS is required to complete a Compatibility Determination before a new proposed activity is permitted the National Wildlife Refuge System. The “availability of resources” refers to the ability to manage the use with existing staff. To estimate how much staff time would be required to administer these activities, we estimated three per year based on the number of applications to date. We currently do not have a set limit on the number of permits that will be issued for any given activity.

28. **Comment:** The MTMNM should develop a scientific observer program so that permittees can be monitored as to their adherence to BMPs.

Agency Response: A variety of methods will be used to ensure permit compliance, including having agency personnel accompany the permittees for activities that warrant additional oversight, subject to staffing level and personnel safety requirements. The USFWS does have a Resource Monitor program and has sent observers along on some of the permitted expeditions when port stops in Guam or Saipan were included in the trip, and when staffing and safety requirements were met. We are unable to send observers to board or disembark research vessels in foreign ports at this time.

29. **Comment:** The Monument will never be an effective conservation area until all damaging and destructive activities that affect the Monument, including deep-sea mining, are banned for all parties, including the military.

Agency Response: Deep-sea mining is prohibited in the Monument, as well as destructive activities due to military operations. Proclamation 8335 states that military operations, vessels, and aircraft act in a manner, so far as reasonable and practicable, be consistent with the Proclamation. Also, in the event of actual destruction, loss, or injury to a monument living resource, the DOD shall promptly coordinate with the DOI and/or DOC Secretary, as appropriate, to respond to and mitigate any actual harm, and, if possible, restore or replace the monument resource quality. The DOD MTMAC member is there to assist with the Proclamation guidance, as well as ensure that military operations are successful.

30. **Comment:** The management coordination team should have stakeholder sub-teams to help with communications and education and outreach activities.

Agency Response: The MMP is based on developing partnerships to implement the activities and is emphasized in the OEP Action Plan. Stakeholder partnerships will be instrumental to the success of the plan. The USFWS park ranger on Saipan will coordinate education and outreach activities with NOAA and other partners. There is a proposal described in the *Coordination of Management, Access, and Permitting Action Plan* for the MMCT to form a Mariana Trench Working Group (MTWG) to enhance coordination,

cooperation, and communication among diverse interest groups involved in the Monument and associated refuges. The MTWG would function as a partnership where a variety of partners help further the goals and objectives of the Monument through citizen science projects, outreach, environmental education and providing connections to cultural heritage.

31. **Comment:** Public commenting opportunities and public information meetings should be widely publicized by the federal and CNMI members of the management team.

Agency Response: We have offered virtual meetings and will ensure future public meetings are more widely advertised. Commenting opportunities are shared with local media and partners.

32. **Comment:** All activities such as commercial fishing, deep-sea mining, and right-of-way permits and associated environmental assessments to install submarine fiber optic telecommunications cables and how compliance issues are or will be addressed, should be included in the plan.

Agency Response: The Proclamation prohibits commercial fishing, as well as any mineral extraction from the Monument, so these issues are not addressed in the management plan. International treaties regulate submarine telecommunications cables; the Federal Communications Commission is the single focal point for cooperation and consultation on international telecommunications matters with other federal agencies, international or foreign organizations, and appropriate regulatory bodies and officials of foreign government. Each new cable installation project requires its own environmental assessment and engineering analysis specific to the proposed project. Any new proposed activity not described in the Action Plans must be found appropriate and consistent with relevant laws, regulations, and policies prior to allowing any new public or commercial use of the Monument. Compatibility determinations for activities occurring in the Trench Unit (Mariana Trench National Wildlife Refuge) and the Volcanic Unit (Mariana Arc of Fire National Wildlife Refuge) are made by the USFWS (16 USC 668dd668ee; 50 CFR 25, 26, 29; and 603 FW 1, 2). All current compatibility determinations are in MMP Appendix B.

33. **Comment:** There should be a discussion on the number of cables currently in the MTMNM.

Agency Response: A section on submarine telecommunications cables was added to the MMP, and a new activity was added to the International Collaboration Action Plan, IC Activity 1.3: Improve coordination of environmental reviews in relation to submarine cable licenses and right-of-way permits through the Monument NWR's across the federal government and, as appropriate, engage with the local community to provide comment opportunities.

34. **Comment:** For actions prohibited through the Presidential Proclamation, an expanded discussion describing the number/types of illegal activities that have been detected to date and who and how illegal activities are addressed, an assessment of risk of how these activities continue to be a threat to the MTMNM resources, and how compliance issues (fines, etc.) are/will be addressed should be included in the management plan

Agency Response: At the present time, we do not have a specific accounting of unpermitted activities in the Monument or unauthorized access incidents. Law enforcement reports and any fines or regulatory actions levied will be addressed in the annual State of the Monument Reports, which will be available to the public. The Surveillance and Enforcement Action Plan details our plans for compliance with environmental laws and regulations for the protection of marine resources within the Monument. Monument managers, in collaboration

with OLE personnel, will review existing interagency agreements and determine the need to establish additional formal agreements between agencies to enhance the effectiveness of law enforcement in the Monument.

35. **Comment:** Make the Draft Plan easily accessible to those who lack access to computers or translated into the native tongue that can be broadcasted on the radio, news channel, and social media platforms.

Agency Response: We welcome input from the indigenous community. We will make copies of the final management plan available at the public libraries and will do our best to ensure fact sheets and the final planning update are translated into Chamorro and Refaluwasch. However, it is cost prohibitive to have the entire management plan translated.

36. **Comment:** Local indigenous fishermen claim that they have been fined large amounts of money for practicing traditional fishing at Farallon de Pajaros (Uracus), Maug, and Asuncion Islands.

Agency Response: Individuals wishing to engage in non-commercial fishing, including traditional indigenous fishing, should apply for a non-commercial fishing permit following the procedures in 50 CFR 665.905. However, NMFS has no information that any violations have been issued or penalties assessed for prohibited fishing in the Islands Unit. Individuals seeking clarification of fishing requirements may contact the NOAA Monument manager Malia Chow (malia.chow@noaa.gov).

37. **Comment:** How much time until the agency roles are established? Please clarify how the MMCT will function: for example, will the team operate on a consensus basis or majority rule basis?

Agency Response: The MMCT has a target of six months to prepare a MOU that identifies agreed-upon management roles and responsibilities shared between USFWS, NOAA, and the CNMI, as stated in CMAP Strategy 1, Activity 1.1. Activities will be funded annually on a prioritized basis.

38. **Comment:** The final management plan should state that the development of new threatened or endangered species recovery projects would be prioritized.

Agency Response: The MRCM Activity 3.1 is Identify key species or functional groups on which to focus management efforts. The MMCT will assess and prioritize activities on an annual basis, subject to funding allocations.

39. **Comment:** The DOD's role should be of a supporting cooperating agency that ensures that the restrictions are respected by all, including American and foreign governments and commercial interests.

Agency Response: We intend to coordinate with the DOD MTMAC representative to uphold the Proclamation 8335 directives to prevent harm to Monument resources while supporting DOD operations.

40. **Comment:** The monument needs adequate monitoring, and data should be publicly available.

Agency Response: We concur that surveillance is needed to ensure protection of Monument resources. The USCG is the principal agency with aircraft and vessels capable of patrolling the Monument and responding to violations of federal maritime laws. Data that is not subject to security holds may be shared by the USCG MTMAC representative. Fish and ecosystem surveys are included in NOAA Mariana Islands RAMP cruises, and the data collected is published on the NOAA website. Other partners conducting research and monitoring data will be available on the ArcGIS online mapping application, as indicated in the E&R action plan.

41. **Comment:** Monument ecosystems should not be called “unspoiled” or “pristine,” and the Mariana Trench should not be described as “infamous.”

Agency Response: The alternate descriptor “healthy” was used to describe the ecosystem in this MMP, and we now refer to the Mariana Trench as the “namesake” feature of the Monument.

42. **Comment:** Would like to see more prominence of the Chamorro and Carolinian cultures and the people, the indigenous residents, and long-time stewards of the Mariana Trench in the management plan.

Agency Response: It is the intent of the agencies to include the importance of Chamorro and Carolinian perspectives in the management plan. The updated introductory text recognizes the Monument as the historic and ancestral homelands and home-waters of the Chamorro and Carolinian people. Because the Monument area and its marine ecosystems hold a longstanding place in the culture of archipelago residents, the region’s history and cultural composite are important elements to integrate into resource management efforts. The importance of Chamorro and Carolinian perspectives are included in most of the action plans.

43. **Comment:** Include a discussion on how the management plan development was coordinated with groups representing indigenous interests.

Agency Response: The management plan was prepared with the CNMI Government and MTMAC representatives. The HPOs for both CNMI and Guam were provided early drafts for review and requested changes. No other specific groups with indigenous interests were identified during those consultations. Based on input from public scoping meetings, CMH Activity 1.3 was added to conduct a study of seafaring voyages throughout the Pre-latte, Latte, Spanish, German, Japanese, and American periods, in collaboration with the Guam and CNMI SHPOs, researchers, and cultural experts.

44. **Comment:** The management plan should create a council of advisors made up of indigenous experts and locals trained in our history and culture to properly advise the government on how “traditional” fishing takes place in the Marianas.

Agency Response: The Mariana Trench Monument Advisory Council provides advice and recommendations to the federal agencies for management of the Monument, to include traditional fishing. We have added Sustainable Noncommercial Fishing Strategy 5: “Solicit input through forums and workshops to include indigenous experts and local fishing groups on traditional fishing methods in the region.” There is a proposal described in the *Coordination of Management, Access, and Permitting Action Plan* for the MMCT to form a Mariana Trench Working Group (MTWG) to enhance coordination, cooperation, and communication among diverse interest groups involved in the Monument and associated refuges. The MTWG will function as a partnership where a variety of partners help further the goals and objectives of the Monument through citizen science projects, outreach, environmental education and providing connections to cultural heritage.

45. **Comment:** The WPFMC is described as “having authority over fisheries” in the U.S. Pacific Ocean EEZ. That is not an accurate description of their advisory role and should be amended.

Agency Response: The WPFMC sentence has been modified to say, “The WPFMC assists NOAA Fisheries in fisheries management in the Pacific Ocean EEZ for Hawai‘i, American Samoa, Guam, and CNMI, in accordance with the MSA.”

46. **Comment:** Permits should be required for all scientific exploration or research activities, including those that would be done by or for the USFWS or NOAA.

Agency Response: The Proclamation specifically states: “The prohibitions required by this proclamation shall not restrict scientific exploration or research activities by or for the Secretaries, and nothing in this proclamation shall be construed to require a permit or other authorization from the other Secretary for their respective scientific activities.” While this means that USFWS and NOAA do not need to permit each other’s research activities under the Proclamation, those activities must still meet requirements of other federal laws such as the ESA or MSA.

47. **Comment:** The management plan should make a specific reference to ending “parachute science” in the Mariana Archipelago. Research projects inside of the monument should have to include local researchers and cultural experts during all stages of science and exploration, starting with the planning process.

Agency Response: “Parachute science” is the practice whereby international scientists conduct field studies in another country and then complete the research in their home country without any further effective communication and engagement with others from that nation. Monument managers will coordinate with the scientists who propose to conduct research in the monument to avoid “parachute” science, to the extent consistent with international and domestic legal obligations. UNCLOS establishes coastal state responsibilities to authorize scientific research, subject to reasonable restrictions. Monument managers will pursue opportunities to include local researchers and cultural experts on research activities being conducted by the USFWS and NMFS. Permittees are required to submit an annual report to the Superintendent that summarizes their activities for a given year. The Monument Superintendent will share the permittee annual reports with the DLNR, BECQ, and cooperating agencies.

48. **Comment:** Provide an explanation on how decisions about research and ecotourism have been and/or are currently being made for the Islands Unit.

Agency Response: Decisions about research and ecotourism have been made in discussion between the management agencies when a permit application is received. The MMCT also collaborates with the Mayor of the Northern Islands for activities in the NISL. If the proposed activity is consistent with the Proclamation and will not harm Monument resources, BMPs and stipulations are identified among the Monument managers. Prior to inclusion of the Islands Unit in the NWRS, those stipulations were included in Letters of Authorization. With the inclusion of the Islands Unit in the NWRS, compatibility determinations will be updated to guide SUP issuance. Once received, requests for permits or other information will be automatically shared by the USFWS with NOAA and CNMI. Depending on the nature of the request, the appropriate agency will lead the review and processing of the JMP on behalf of all three agencies. This will provide requesters with a single point of contact throughout the process, with all interagency work coordinated internally by the lead agency. The USFWS will permit activities with Special Use Permits

(SUP). NOAA Fisheries will issue Monument fishing permits. CNMI will authorize access to Maug, Farallon de Pajaros, and Asuncion Islands. All approved activities will be included in the JMP package issued to the applicant.

49. **Comment:** All species lists should include the IUCN conservation status, which is a scientific determination, whereas ESA listings can be political or, at a minimum, politicized.

Agency Response: The Federal Government is required to comply with the ESA; while we acknowledge the IUCN listed species, we must protect and recover ESA-listed species.

50. **Comment:** We would like to see the management plan propose a process for developing a culturally appropriate name for the Islands Unit at a minimum and possibly other Units.

Agency Response: CMH Activity 1.5 has been added to the final plan: "In coordination with the local community and cultural experts, the Monument managers will develop a process to consider and officially designate a culturally appropriate name for the Islands Unit."

51. **Comment:** We would like to see formal recognition of the Friends of the Mariana Trench (FOMT) in the management plan, and we propose an MOU between the Friends and the Monument Advisory Council and Monument Management Coordination Team.

Agency Response: The Volunteer and Community Partnership Enhancement Act of 1998 directs the USFWS to encourage volunteer assistance, facilitate nonfederal partnerships, and encourage donations by organizations. A Friends partnership between a 501(c)(3) nonprofit organization and a refuge or complex of refuges such as the Monument is formalized in a "Friends Partnership Agreement." All Friends organizations share the same primary mission: the support of a USFWS site or program. Friends groups may not attempt to influence decision-making processes related to fish and wildlife management and cannot be involved with law enforcement. Refuge/Monument Friends organizations are not permitted to enter into MOU with other entities. At this time, the Monument does not have an official Friends group.

We are grateful for the support the "Friends of the Monument" provided over the years and look forward to continued collaboration with the renamed "Friends of the Mariana Trench" as an education partner. An MOU between the USFWS and the FOMT for that purpose is in development. However, the agencies are charged with managing the Monument and are not authorized to enter into management agreements with a nongovernment organization. The MTMAC is an intergovernmental organization, charged to advise the USFWS and NOAA, and has no authority to enter into an MOU with other entities.

52. **Comment:** I was looking for information relating to the CNMI Government agencies responsible for spearheading and managing the CNMI's involvement in the management plan. What is their proposal(s) and/or disagreement(s) with the management plan, if any?

Agency Response: The Monument management roles and responsibilities of the agencies are described in Section 1.5, Management Framework. From 2010 through 2015, there was extensive coordination with the CNMI DLNR and BECQ in developing and writing the management plan, via teleconferences, email, and in-person meetings. There was mutual consideration and discussions of the programs, Action Plans and activities that were included in the plan. Each agency was given multiple opportunities to provide edits and/or updates to the plan. Also, the MTMAC played an extensive role in the development of the plan through

quarterly meetings, with one in-person meeting annually from 2011 to 2014. The agencies continue to share resources and personnel in implementing mutual Action Plan activities.

53. **Comment:** Indigenous practitioners should be included in planning of research expeditions and other major activities or planning efforts

Agency Response. The NOAA Pacific Islands Fisheries Science Center coordinates with the Monument managers and holds public workshops for defining directions for marine ecosystem research in the Marianas archipelago. The Monument managers are tasked to enhance coordination, cooperation, and communication among diverse interest groups, to include indigenous practitioners and ensure that opportunities to participate are widely advertised.