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# Proposal To Protect Pacific Corals Exempts Military Training Areas

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For the first time, the federal government is proposing critical habitat protections for coral species in the Pacific.

By [Anita Hofschneider](#) / February 18, 2021

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A [National Marine Fisheries Service](#) proposal to designate 230 square miles of critical habitat for seven threatened coral species in the Pacific Ocean is getting mixed reviews from environmental advocates due to an exemption for military training areas.

The unprecedented initiative would be a milestone for groups fighting to preserve the coral species, which are threatened by warming seas and ocean acidification fueled by climate change. But critics say the military should have to adhere to the same rules and called for more public hearings before a decision is made.

The designated critical habitats are located in American Samoa, Guam, the Northern Mariana Islands and other U.S. Pacific islands.

“The proposal does not accurately reflect the cumulative impacts of the proposed federal activities that will take place in the area that may affect the survival of these coral species,” Guam Sen. Sabina Flores Perez said in her public testimony on the proposal.

Public comments on the proposed rule to establish critical habitat designations [in the Pacific are due March 27](#). Territorial governors requested an extension of the public comment period until March in order to review the potential impacts of the rule.

“The designation has the potential to impact a wide range of activities necessary to maintain our island economies and infrastructure,” they wrote in a joint letter in January, [Samoa News reported](#).

The islands are at the center of a [significant U.S. military buildup in the Marianas](#) archipelago. A [new Marine Corps base in northern Guam](#) opened last October to serve as home for about

5,000 Marines from Okinawa, as part of a broader relocation process that [will bring about 2,700 Marines to Hawaii.](#)

On Monday, several Guam community groups [protested a new live-fire training range](#) in northern Guam. The Marine Corps is in the process of establishing a surface danger zone for the range that will cover more than two-thirds of a federal wildlife refuge and [limit public access to beaches and cultural sites.](#)

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[Click here](#) to read the proposed rule in its entirety.

To submit a comment on the rule, [click here.](#)

To review public testimony and for more information, [go to this website.](#)

The Air Force also is building an airfield on Tinian in the Northern Mariana Islands to serve as an alternative to Andersen Air Force Base on Guam. The Navy has long conducted [undersea training in Marianas waters](#) and has ramped up [bombing practice on an uninhabited island](#) called Farallon de Medinilla. The Navy has also proposed establishing an [artillery range on Tinian](#) and a [bombing range on the island of Pagan.](#)

The Navy said it continues to work with the National Oceanic and Atmospheric Administration regarding critical habitat and endangered species protection.

“The Navy worked closely with NOAA prior to the publication of that proposed rule and to my knowledge we have no additional comments,” Navy spokeswoman Gabrielle Dimaapi told Civil Beat Wednesday.

Critical habitat designations don’t limit public access but would require that federal agencies ensure that actions they fund, permit or engage in don’t destroy or harm the coral species there.

But the rule exempts several areas where military training is in progress or planned. The National Marine Fisheries Services considered proposing critical habitat in northern Guam surrounding the live-fire training complex and in northern and central Tinian, where the military has a 50-year land lease and the Navy has proposed amphibious vehicle landing training.

Also considered were Farallon de Medinilla, which has been used for bombing practice since 1971, and Wake Island, [where the military is expanding an Air Force base.](#)

The National Marine Fisheries Service said in its proposed rule that it considered designating critical habitat in those areas because of the presence of the threatened coral, but decided against it due to an exception in the Endangered Species Act for land that is being used by the military.

The agency determined the military has adequate conservation plans for the coral species in those areas, praising its track record of conservation efforts, and thus concluded the sites are exempt from the proposed rule.

## Exemptions

Perez disagrees. The Guam senator wrote in public testimony that the new live-fire range is scheduled to be in operation at least nine months each year with about 6.7 million bullets expended annually.

“The people of Guam have been systematically denied a voice in (Department of Defense) actions, and yet it is we who shoulder the brunt of the impacts from the ongoing military buildup and attempts, such as this proposal, to streamline DOD activities,” she wrote. “I am urging you to initiate a series of public hearings for the people of Guam, as well as the other places implicated in this proposal, to meaningfully participate in this process.”

The National Marine Fisheries Service held two virtual public hearings in January. Perez’s is among 19 pieces of public testimony that are available online, although the website notes 29 have been submitted.

[Our Common Wealth 670](#), an advocacy group from the Northern Marianas, said the public hearings, which were announced in the federal register and posted on the National Marine Fisheries Service website, should have been better publicized.

“During this time of the COVID-19 pandemic, extra measures must be taken to assure that community participation does not fall under the radar,” the group wrote in its testimony.

The organization also criticized the exemption for the waters surrounding Farallon de Medinilla.

“While OCW 670 fully supports the protection of threatened and endangered coral species, we do not understand how, only we, the people of the Commonwealth are to comply with critical habitat restrictions when the DOD does not have to comply, allegedly in the interest of national defense,” the group wrote in its testimony.

## A Long Process

The proposed rule is the first time that the National Marine Fisheries Services is seeking to establish this type of federal protection for any coral species in the entire Pacific Ocean, according to Miyoko Sakashita, an attorney at the environmental advocacy group [Center for Biological Diversity](#).

It’s the fulfillment of a multi-year effort to ensure protections for coral species at risk of going extinct, she said. In 2009, the group petitioned for 83 coral species to be listed as endangered or threatened. In 2014, 20 were listed as threatened, which means they’re likely to become endangered due to various threats, such as climate change.

Five years later, the Center for Biological Diversity sued former President Donald Trump's administration for failing to establish critical habitat protection for the coral species. The current National Marine Fisheries Service proposal came after Trump's administration agreed to establish protections for five coral species in the Caribbean and seven in the Pacific.

Sakashita also expressed concern about the exemption of coral surrounding Farallon de Medinilla but noted she's glad to see the proposed designation surrounds the island of Pagan. That would require the Navy to consider the potential impacts of training on coral species there before moving forward with proposed training, she said.

Sakashita also hopes the critical habitat designation will trigger the Navy to reconsider the effects of some of its ongoing undersea training in the Marianas, which involves explosives and sonar that's been [associated with whale strandings in the region](#).

"With these corals, time is of the essence in protecting them and we are looking forward to them finally getting their habitat protections," she said.