

***NORTHWESTERN HAWAIIAN ISLANDS  
CORAL REEF ECOSYSTEM RESERVE ADVISORY COUNCIL  
February 4, 9:00am – 3:00pm  
NOAA Inouye Regional Center – Ko‘olau Haka Conference Room  
1845 Wasp Blvd., Building 176  
Honolulu Hawai‘i***

Meeting Minutes  
February 4, 2015

**ATTENDEES:**

Voting Members: Tim Johns (State of Hawai‘i, Chair); Linda Paul (Conservation, Vice-Chair); Louis “Buzzy” Agard (Native Hawaiian); Rick Lee (Ocean-Related Tourism); Gail Grabowsky (Education); Cindy Hunter (Research); Brian Bowen (Research); Bill Gilmartin (Research); Tammy Harp (Native Hawaiian); Rick Gaffney (Recreational Fishing); Laura Thompson (Conservation). [On Phone]: Kem Lowry (Citizen-At-Large, Secretary); Jessica Wooley (Conservation); and Don Shug (Research).

Non-Voting Members: Janice Fukawa (Department of Defense); David Swatland (Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve (NWHI CRER)); Malia Chow (Hawaiian Islands Humpback Whale National Marine Sanctuary); Joshua DeMello (Western Pacific Regional Fishery Management Council (WPFMC)); and Eric Roberts (U.S. Coast Guard). [On Phone]: David Laist (Marine Mammal Commission).

Absent: Barry Stieglitz (U.S. Fish and Wildlife Service, National Wildlife Refuge System); Bobby Gomes (Commercial Fishing); and Michael Lesser (National Science Foundation).

[All Papahānaumokuākea Marine National Monument (PMNM) Staff]: Office of National Marine Sanctuaries (ONMS): Hoku Johnson, Pua Borges-Smith, Andy Collins, Blane Benevedes, Tia Brown, and Alyssa Miller; National Marine Fisheries Service (NMFS) – afternoon only: Charles Littnan, Shawn Murakawa, and Michelle Barbieri; Department of Land and Natural Resources (DLNR): Matthew Saunter, Naomi Worcester, and Maria Carnevale (on phone); Office of Hawaiian Affairs (OHA): Keola Lindsey, and Brad Wong; and US Fish and Wildlife Service – Ecological Services (USFWS): Dan Polhemus.

[Members of the Public and Non-Agency Presenters]: Barbara Mayer

**PURPOSES OF THE MEETING:**

- 1) Receive updates on ONMS initiatives and related efforts
- 2) Potential Action Item: Creation of Sanctuary Nomination Process Subcommittee
- 3) Receive updates related to the 2014 field season

**I. CALL TO ORDER (JOHNS)**

Council Vice-Chair Linda Paul called the meeting to order. Introductions followed.

**II. REVIEW OF AGENDA AND APPROVAL OF MINUTES (Johns)**

Chair Tim Johns reviewed the day’s agenda. Minutes from July 24, 2014 were reviewed. Mr. Rick Gaffney commented that Dr. Sylvia Earle’s last name in the minutes was misspelled. Chair Mr. Tim Johns commented that Don Schug was not present at the last meeting. The October minutes will be amended to correct Dr. Earle’s name spelling and remove Mr. Schug as attending the meeting. Ms. Laura Thompson made a motion to approve the minutes and Vice-Chair Ms. Linda Paul seconded the motion. The motion was approved unanimously.

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III. REVIEW OF ACTION ITEMS AND STATUS (Johnson)

1. Education Resolution: The education resolution that was passed at the last Reserve Advisory Council (RAC) meeting was forwarded to the Office of National Marine Sanctuaries (ONMS) Headquarters for review by Director Daniel Basta. A concurrence memo is expected soon and Ms. Hoku Johnson will forward the concurrence memo to the RAC once it's sent through.
2. Midway airstrip letter: Mr. David Swatland contacted Mr. Daniel Clark, the U.S. Fish and Wildlife Service (FWS) Refuge Manager on Midway to schedule a presentation on Midway's airstrip. Mr. Clark was unavailable to present at this RAC meeting, however ONMS staff will coordinate a future presentation with Mr. Clark and aim for the May/June RAC meeting.
3. Joint MPA FAC & SAC Call to Action:  
The Joint MPA FAC / SAC Call to Action was approved by all the ONMS-wide advisory councils. A more formal roll-out is planned for the future. Ms. Johnson will relay roll-out information to RAC members as soon as it becomes available.

IV. MEMBER SELECTION PROCESS UPDATE (Johnson)

Ms. Johnson provided an update on RAC member selection for the two Native Hawaiian alternate seats, both seats will be advertised through the Federal Register process. The Federal Register notice will be released on February 13, 2015 and Ms. Johnson will forward the notice and RAC member application to the RAC once the notice is published.

V. MONUMENT CO-TRUSTEE / MANAGEMENT AGENCY UPDATES (Member Agencies)

State of Hawai‘i Department of Land and Natural Resources (DLNR): Ms. Maria Carnevale provided an update on current DLNR staffing including the nomination of Mr. Carleton Ching as the new DLNR / Board of Land and Natural Resources (BLNR) Chair. Ms. Carnevale provided an overview of the four bills related to PMNM that were introduced at the legislature. Mr. Johns asked Ms. Carnevale if any of the bills are administration bills. Ms. Carnevale responded that the bills are not administration bills. Dr. Dan Polhemus stated that while the bills are well-intended, it would be difficult for the Monument Management Board (MMB) to weigh in on them currently as the legislative session recently started and there will be numerous opportunities for the bills to be amended. Mr. Johns requested that ONMS staff print the bills for later review by the RAC.

Mr. Matthew Saunter and Ms. Naomi Worcester presented on Kure Atoll field camp activities. Her update included information on the Big Headed Ant eradication project, *Verbesina encelioides* removal and monk seal population monitoring. Mr. Saunter also discussed the two endangered Short-tailed albatross on Kure and the new, near-threatened Tristram's Storm-Petrel colony. In addition, Mr. Saunter discussed recent Laysan Duck translocation efforts and talked about the success of the project. The next Kure Atoll field camp swap-out will take place in the spring.

U.S. Fish and Wildlife Service (FWS): Dr. Polhemus updated the RAC on the Nihoa Millerbird / Nihoa monitoring trip that took place in September. Dr. Polhemus discussed the continuing challenges with the seawall at Midway and FWS's efforts to reinforce the seawall. Ms. Linda Paul asked about the levels of use of the airfield on Midway. Dr. Polhemus stated that it would be best to request that information from FWS-Refuges. RAC members discussed their concerns about FWS having to maintain the airfield at Midway Atoll. Mr. Rick Gaffney recommended that the RAC formalize their concerns about the airfield as

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there are two aircraft companies that benefit from the continued maintenance of the airfield. Mr. David Swatland will work on scheduling a presentation on the runway from the Midway Atoll Refuge Manager, Mr. Dan Clark at the May RAC meeting.

Office of Hawaiian Affairs Report (Lindsey): Mr. Keola Lindsey provided a written report to RAC members and highlighted the recent unveiling of the kāhili (feather standards) at the Office of Hawaiian Affairs. Mr. Lindsey invited everyone to visit the Office of Hawaiian Affairs (OHA) and see the kāhili. In addition, Mr. Lindsey will be sending out some links to a couple of short videos on Papahānaumokuākea that OHA recently finished. Ms. Johnson will send those links to RAC members. Ms. Tammy Harp requested a future conversation with Mr. Lindsey on possibly obtaining feathers and creating kāhili.

NOAA Report (Swatland): Mr. Swatland reported on ONMS activities from November 1 – February 3<sup>rd</sup>. Mr. Swatland discussed ONMS’ participation at the World Parks Congress in Australia. Mr. Swatland highlighted recent ONMS’ outreach efforts including participation in the Hana Limu Festival, television appearances by Dr. Randall Kosaki, and participation in maritime heritage outreach in Santa Barbara California. The ONMS Director, Mr. Daniel Basta recently visited Hawaii and toured Mokupāpapa Discovery Center in Hilo, Hawai‘i. Mr. Swatland discussed future field / research expeditions on the vessels Okeanos Explorer and Sikuliaq. Finally, Mr. Swatland mentioned the three positions that are currently posted including the Information Technology Specialist, Native Hawaiian Program Coordinator, and Education Specialist (Navigating Change Coordinator). Mr. Johns asked about the OHA 4<sup>th</sup> Co-Trustee letter and where that was in the process. Both Dr. Polhemus and Mr. Swatland stated that for the Department of the Interior, the letter was moving through their supervisory chain. Ms. Carnevale stated that for DLNR, she would brief new leadership once they’re on board.

U.S. Coast Guard: It is noted that the U.S. Coast Guard submitted a written report. Mr. Eric Roberts discussed the report and added that the Coast Guard continues to monitor the U.S. fishing fleet via their Vessel Monitoring Systems (VMS). Mr. Roberts highlighted the Coast Guard’s participation in the Laysan duck translocation project and future potential projects including continuing to participate in the Laysan duck project, and transporting Hawaiian monk seals. Mr. Gaffney asked about future Coast Guard use of Unmanned Aerial Systems (UAS). Mr. Roberts replied that the Coast Guard continues to test some UAS systems, but there are no formal plans to utilize UAS in the Northwestern Hawaiian Islands (NWHI). Ms. Harp asked about the new National Security Cutters and their size. Mr. Roberts replied that the new cutters are around 390 feet in length.

**VI. UPDATE AND DISCUSSION:**

Hawaiian Islands Humpback Whale National Marine Sanctuary Management Plan Review (Chow): Dr. Malia Chow provided an update on the Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS) process and stated that HIHWNMS is looking to move from a single-species sanctuary to an ecosystem-based sanctuary. Dr. Chow also stated that the management plan review public comment period would be 90 days in duration. In addition – a proposed rule would come out as part of the sanctuary nomination process.

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VII. OHA as a 4<sup>th</sup> Co-Trustee:

Reserve Advisory Council (RAC) members reviewed the letter that OHA sent to the Monument Management Board (MMB) requesting Co-Trustee status. Dr. Bowen asked how OHA as a permit signatory would affect the permitting process. Mr. Lindsey stated that OHA would defer signatures on each permit to the OHA Chief Executive Officer (CEO) and that the OHA CEO would keep the OHA Board of Trustees apprised of all permitting actions. Ms. Johnson clarified that the term “Co-Trustee” is not mentioned in the Proclamation (Proclamation 8031); the term is included in the Papahānaumokuākea Marine National Monument (PMNM) regulations (50 CFR Part 404) and discusses the “State” as a Co-Trustee, but there’s no clarification on which State agency formally serves in that role. Mr. Johns asked if anyone is currently asking the RAC for their position on the issue. Mr. Swatland stated that the OHA letter is currently with the NOAA attorneys and he is unable to request anything from the RAC on this issue at this point. Mr. Johns stated that the RAC may want to weigh in on this issue in the future, but this issue is not ready for discussion until further information is gathered by a RAC subcommittee, or the RAC receives a briefing from NOAA, which is the agency the RAC advises. Mr. Gaffney stated that he would like to hear OHA’s long-term vision for the NWHI maybe in a briefing at some point in the future.

VIII. Sanctuary Nomination Process:

Reserve Advisory Council members discussed the new ONMS Sanctuary Nomination Process (SNP). Mr. Johns asked how a National Marine Sanctuary in the NWHI would fit in with current monument Management. Mr. Swatland discussed the benefits of having a National Marine Sanctuary which include (1) establishment of a Sanctuary Advisory Council; (2) ability to access Natural Resource Damage Assessment monies; (3) establishment of a civil and criminal penalty schedule; (4) ability to charge fees for Special Ocean Use (commercial permits) and (5) ability to enter into direct memorandum of agreement partnerships with other agencies and organizations rather than go through the ONMS Pacific Islands Region. Mr. Swatland also discussed the need for all sanctuary nominations to have broad community support, and how the NWHI nomination might be different from others in that it needs to emphasize the benefits, or additional management tools that sanctuary designation would bring to the NWHI (see above).

Mr. Johns stated that his concern was that ONMS did not yet have support from the entire Monument Management Board. Mr. Swatland said that the SNP package would not be submitted until everyone knew each MMB-member agency stance (e.g. MMB agencies level of support for sanctuary nomination). Mr. Donald Schug asked about the relationship between the Monument Management Plan (MMP) and sanctuary designation. Mr. Swatland commented that the MMP would continue to be implemented and appropriate, applicable, sanctuary information would be inserted into the MMP once it undergoes its five year review. Mr. Bill Gilmartin asked if sanctuary designation would eliminate the current protections currently in place (monument). Mr. Swatland stated that sanctuary designation would not remove anything currently in place. Mr. Johns stated that the way forward might be to work on a SNP designation process and build a campaign for support for a NWHI sanctuary. Mr. Swatland reiterated that when public comments were submitted in 2004 for the NWHI sanctuary the majority of the 58,000 public comments were in support of the sanctuary. Ms. Johnson will circulate some recent Sanctuary Nomination packages (e.g. Alaska, Mallovs Bay, etc.) that were put forth by different communities.

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IX. PUBLIC COMMENT

Ms. Barbara Mayer stated that she was very happy that the RAC passed the distance learning resolution at the 31 October 2014 RAC meeting. Ms. Mayer stated that she was concerned about how the public views the NWHI including members of the public on Midway posting pictures on Facebook of people watching the Super Bowl which is fine, but is taking up bandwidth on Midway that could be used for distance learning activities aimed at bringing the place to the people and educating students and the public about the NWHI.

X. LUNCH

XI. 2014 Field Season Presentations / New Business

XII. Intertidal Presentation: Hoku Johnson

Ms. Johnson provided an overview of the annual intertidal monitoring cruise, focusing on the activities that occurred on the trip including both western science and traditional observational activities centered around monitoring the rocky shorelines of La Perouse Pinnacle (French Frigate Shoals), Mokumanamana and Nihoa. Ms. Johnson discussed the 12-day cruise that occurred in 2014 and mentioned the highlights including the first-ever sighting of numerous juvenile ‘opihi at La Perouse Pinnacle, finding no obvious evidence of poaching at any of the islands, and gathering food for subsistence consumption at Mokumanamana and Nihoa. Ms. Johnson also mentioned that there are very few ‘opihi (>3,000) at La Perouse Pinnacle compared to Mokumanamana and Nihoa. Dr. Cindy Hunter asked if the juvenile ‘opihi counted at La Perouse were included in the 3,000 or so that the team counted. Ms. Johnson replied that they were part of the count.

XIII. Hawaiian monk seal 2014 field season: Charles Littnan

Dr. Charles Littnan provided an overview of the 2014 Hawaiian monk seal field season and discussed the Hawaiian Monk Seal Research Program’s (HMSRP) efforts to translocate seals, and rehabilitate seals at the new Ke Kai Ola Rehabilitation station. Dr. Littnan discussed recent population data and upcoming 2015 field season plans to monitor seals including remote camera monitoring, and use of hexicopters. Dr. Littnan also discussed HMSRP efforts to partner with Sustainable Coastlines to remove marine debris within the NWHI. Ms. Paul asked if there were Hawaiian monk seal foraging areas outside the NWHI that were important. Dr. Littnan explained that with the exception of some small seamounts by large the foraging footprint is within the NWHI boundary.

Dr. Michelle Barbieri reported on plans to vaccinate Hawaiian monk seals in 2015. She discussed the current distemper threats to seals and efforts to vaccinate seals to mitigate those threats. Dr. Barbieri mentioned next steps for the vaccination program including outreach and education to stakeholders and colleagues, and running some “table-top” exercises related to the vaccination program. Dr. Barbieri also discussed the challenges with obtaining the distemper vaccine as it’s currently on back order. Dr. Hunter asked about the location of the seals that had already been vaccinated. Dr. Barbieri responded that the vaccine was tested on harbor seals and some monk seals including KP-2 at the Waikiki Aquarium.

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- XIV. Ms. Shawn Murakawa provided an overview of the 2014 sea turtle monitoring season and discussed efforts to monitor sea turtle populations within French Frigate Shoals. Ms. Murakawa talked about some of the challenges the Marine Turtle Research Program (MTRP) faced including less time on the islands within the NWHI to monitor turtles. During 2014, 811 sea turtles were counted, identified and tags were placed on turtles that did not already have tags. Ms. Murakawa mentioned that 2014 was a banner year for sea turtle numbers. Ms. Murakawa also mentioned that turtle monitoring will occur in 2015 and the MTRP biologists would like to access the NWHI via the Hawaiian monk seal deployment camp cruise if possible. Ms. Paul asked that in terms of the MTRP long-term data picture, did the MTRP have a sense when after the NWHI Coral Reef Ecosystem Reserve was established, and fishing was stopped did the number of interactions with derelict fishing gear decrease (e.g. entanglements, fish hooks in turtles). Ms. Murakawa responded that the data is there, but no one has yet looked at those numbers. Ms. Murakawa mentioned that the biologists do not disturb the sea turtles while they're nesting, so they sometimes are unable to see if there are hooks embedded within the turtles hind flippers, or their underside.
- XV. ACTION ITEMS:
1. Hawaii State Legislative Bills: HB629 and HB1165. The RAC discussed both bills currently traveling through the legislative process. Ms. Paul made a motion to draft testimony generally supporting the intent of both bills. Mr. Gaffney seconded the motion. The motion was carried unanimously. The draft testimony would be circulated to RAC members via email prior to submission.
  2. Sanctuary Nomination Subcommittee: The RAC voted to create a sanctuary nomination subcommittee to work on the sanctuary nomination proposal. Ms. Paul made a motion to create a sanctuary nomination subcommittee, Dr. Grabowski seconded the motion, and discussion ensued. Dr. Grabowsky commented that a subcommittee would be a good idea because it would keep the Sanctuary Nomination Process (SNP) options open. Dr. Lowry mentioned that there would be no risk in drafting a SNP nomination and the RAC could decide at a later date whether or not to formally submit it. The motion was carried unanimously. The subcommittee would meet after the RAC meeting to discuss the way forward.
  3. Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS) Draft Management Plan: Ms. Johnson will look into coordinate with HIHWNMS to host a joint RAC/SAC meeting when the draft management plan is released. Ms. Johnson will also provide RAC members with the draft management plan and Draft Environmental Impact Statement as soon as it's publically available.
  4. OHA Request for Co-Trustee Status: RAC members decided that no action would be taken today regarding OHA Co-Trustee status. If the RAC chooses to discuss the issue at a future meeting, members collectively requested a briefing from NOAA and/or OHA on the pros and cons of OHA becoming a 4<sup>th</sup> Co-Trustee.

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XVI. DISCUSSION AND POTENTIAL ACTIONS RELATED TO THE DAY’S AGENDA:

Meeting action items:

1. 2015 meeting schedule: Ms. Johnson will propose some RAC meeting dates via email.
2. Items for next meeting:
  - Agency updates
  - U.S. Fish and Wildlife Service (USFWS) to brief RAC on Midway sustainability efforts and airstrip
  - Further discussion on Sanctuary Nomination Process
  - Update on HIHWNMS management plan review process
  - Presentation on adaptive management and management plan review (Johnson)
  - 2014/2015 permittee updates

ADJOURNMENT

Mr. Johns adjourned the meeting for the day.