

NORTHWESTERN HAWAIIAN ISLANDS CORAL REEF ECOSYSTEM RESERVE
RESERVE ADVISORY COUNCIL

Non-Government (Voting)

Timothy E. Johns (Chair)
State of Hawai'i

Linda Paul (Vice Chair)
Conservation

Kem Lowry (Secretary)
Citizen-at-Large

Louis "Buzzy" Agard
Native Hawaiian Elder

Pelika Andrade
Native Hawaiian

Rick Gaffney
Recreational Fishing

Bill Gilmartin
Research

Bobby Gomes
Commercial Fishing

Gail Grabowsky
Education

Tammy Harp
Native Hawaiian

Cindy Hunter
Research

Richard Lee
Ocean-Related Tourism

Don Schug
Research

Laura Thompson
Conservation

Jessica Wooley
Conservation

Government (Non-Voting)

Athline Clark
Papahānaumokuākea MNM

Malia Chow
HIHW National Marine Sanctuary

David W. Laist
Marine Mammal Commission

Michael Lesser
National Science Foundation

Eric Roberts
U.S. Coast Guard

Janice Fukawa
U.S. Department of Defense

Kitty Simonds
WESPAC

Barry Stieglitz
U.S. Fish and Wildlife Service

Samantha Brooke
NOAA Fisheries PIRO

Meeting September 10, 2015

9:00 a.m. – 4:00 p.m.

*NOAA/Inouye Regional Center, 1845 Wasp Blvd., Bldg. 176, Honolulu, HI
Ko'olau Haka Conference Room*

Meeting Minutes

ATTENDEES:

Voting Members: Tim Johns (State of Hawai'i, Chair); Linda Paul (Conservation, Vice-Chair); Kem Lowry (Citizen-at-Large, Secretary); Tammy Harp (Native Hawaiian); Laura Thompson (Conservation); Jessica Wooley (Conservation); Pelika Andrade (Native Hawaiian); Richard Lee (Ocean-Related Tourism); Gail Grabowsky (Education); Rick Gaffney (Recreational Fishing); Brian Bowen (Research); Cindy Hunter (Research). [On phone]: Don Schug (Research).

Non-Voting Members: Judith Cucco (Conservation Alternate); Shannon Lyday—morning only (Office of National Marine Sanctuaries/Hawaiian Islands Humpback Whale National Marine Sanctuary [ONMS/HIHWNMS]); Malia Chow—afternoon only (ONMS/HIHWNMS); Athline Clark (ONMS/Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve [CRER]); Matt Brown (U.S. Fish and Wildlife Service [FWS]); Brandon Jim On (Office of Law Enforcement [OLE]); Janice Fukawa (Department of Defense). [On Phone]: Joshua DeMello (Western Pacific Regional Fishery Management Council [WPFMC]); David Laist (Marine Mammal Commission).

Absent: Bobby Gomes (Commercial Fishing); Louis "Buzzy" Agard (Native Hawaiian—Elder); Bill Gilmartin (Research); Michael Lesser (National Science Foundation); Eric Roberts (U.S. Coast Guard).

Papahānaumokuākea Marine National Monument (PMNM) Staff: Cynthia Vanderlip, Alton Miyasaka, and six members of the Kure Atoll field camp (State of Hawai'i, Department of Land and Natural Resources [DLNR]); David Swatland, Tia Brown, Alyssa Miller, Pua Borges-Smith, Toni Parras (ONMS/CRER); Keola Lindsey, Brad Wong (Office of Hawaiian Affairs); Samantha Brooke, Hoku Ka'aekuahiwi (National Marine Fisheries Service [NMFS])

Members of the Public and Non-Agency Presenters: Barbara Mayer, 'Aulani Wilhelm

I. CALL TO ORDER (Johns)

Chair Tim Johns called the meeting to order. Introductions followed.

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

Ms. Athline Clark requested that a resolution to nominate Dr. Isabelle Aiona Abbott be added to the agenda. Chair Johns agreed. The agenda was approved as amended. The minutes of the May 8, 2015 meeting were reviewed, and there were no objections or changes. The minutes were approved.

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

1. State of Hawai'i (DLNR): Mr. Alton Miyasaka noted that a written report from State Co-Manager Maria Carnevale had been provided for the RAC. Ms. Cynthia Vanderlip, Kure Biological Field Station Supervisor, presented and update on activities at Kure Atoll:

- They are in their 5th year of the *Verbesina encelioides* eradication program and are on schedule. They should be able to make the 2020 eradication date.
- The big-headed ant eradication effort started in 2014 also has been successful; they will continue to monitor and eradicate.
- The PCB removal that has been ongoing since the '80s continues. Another clean-up is scheduled for 2016. This time, the Coast Guard will re-bury rather than remove it.
- Last year 28 Laysan ducks were introduced. There have been 60 new ducklings, including 35 feathered ducklings as of July 15. They are checking the seeps every day. The field crew also continue to improve the ducks' habitat, including work on three guzzlers for water supply.
- On April 11, 2015, a pregnant Hawaiian monk seal was found entangled in a plastic ring. They were successful in using a soldering iron to melt the plastic ring.
- They recently published information on the Christmas Shearwater, which was estimated at 480 in the most recent count. They believe the primary reason for the population increase is the eradication of rats.
- The Laysan albatross are doing well. The black-footed albatross population is stable. The populations of the masked and brown boobies are increasing.
- Funding - They received \$125k from DLNR. NFWS funding is good through mid-2016. The Kure Atoll Conservancy maintains the website and provides support for volunteers. It is set up to receive donations to support work on Kure.

Ms. Linda Paul asked Mr. Miyasaka about the status of DLNR funding. Alton reported that a co-manager funding bill was submitted for both PMNM and HIIHWNMS. The funding requests were not approved but they will continue to seek more State funds. Chair Johns added that ONMS will fund the co-manager positions next year. Ms. Clark asked what happened to other requests to fund Kure. Mr. Miyasaka said there is no funding in the State's main budget; however, there is some money in the DLNR budget. Mr. Rick Lee asked if the Center [Conservancy] accepts donations. If so, the RAC can get the word out to generate some donation money. Ms. Vanderlip affirmed that the Kure Atoll Conservancy can accept donations.

Ms. Gail Grabowsky asked if any literature will come out about the success of restoration efforts on Kure. Ms. Vanderlip said that they are always trying to publish the results of their work, and they will continue to do so.

2. U.S. Fish and Wildlife Service (FWS): Mr. Matt Brown reported that on Midway Atoll, there was a large outbreak of botulism among the Laysan ducks. So far 100 ducks have been lost. In

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the last marine debris clean-up, 30,000 lbs. of debris was removed from the reefs. About 70 people are now on Midway, including crews for lead paint removal.

At Laysan, the field camps have been taken down so that they do not become entrapments for the birds. Mr. Rick Gaffney asked if the Laysan camps had been shut down because of a lack of funds, and Mr. Brown affirmed.

3. Office of Hawaiian Affairs (OHA): Mr. Brad Wong started a presentation on the recent expedition to Nihoa and Mokumanamana, which included himself and Mr. Keola Lindsey. The crew was on Nihoa for about a week to catalog the island's plants. In this process a snail was found that is a possible new species. OHA members on the trip led the crew in cultural protocols such as oli for approaching and leaving the island.

The trip to Mokumanamana was led by Dr. Pualani Kanahale, who was there to study the heiau and how they relate to the summer solstice. The group's studies focused on the positions of the uprights, and how the stars and constellations lined up with the manamana (the line of upright stones). Dr. Kanahale spoke on some of the initial results of the study at the Papahānaumokuākea symposium hosted by OHA at the Hawai'i Conservation Conference in Hilo. Video segments of the symposium are available on the OHA website.

Following Mr. Wong's presentation, Mr. Lindsey summarized the archaeological expedition to Mokumanamana and Nihoa, which was led by Dr. Kekuewa Kikiloi. Dr. Kikiloi continued to collect information on archaeological sites, including soil and plant collection at sites on both islands. The analyses of these samples are pending. They also conducted initial testing of traditional fishing equipment. A resource monitor also was there to do bird surveys because there is a data gap on land birds on Mokumanamana.

4. Office of National Marine Sanctuaries (ONMS): Ms. Clark summarized some of the activity highlights of the Monument in the past few months. OHA, on behalf of the Monument Management Board (MMB), sponsored an all-day component of the Hawai'i Conservation Conference (HCC) specifically on Papahānaumokuākea. Mokupāpapa Discovery Center expanded the area it occupies and held a reception for HCC attended by nearly 900 people. Several media events were held, including a radio talk show, television coverage for the Okeanos Explorer expedition, and news announcements of the discovery of the USS Mission San Miguel. There were a number of cruises in the monument, including a joint 'opihi and wayfinding cruise, as well as the most recent Reef Assessment and Monitoring Program (RAMP) cruise. On the RAMP, scientists documented the third major coral bleaching event. Their assessment showed that the deep sea corals recovered from the previous bleaching event, but the shallow corals did not. Ms. Clark also informed the RAC that there are plans to hold a special anniversary event, coinciding with a Papahānaumokuākea special exhibit at the Bishop Museum, to celebrate the anniversaries of the establishment of Coral Reef Ecosystem Reserve (CRER), the Monument designation, and the World Heritage designation.

Mr. Rick Gaffney asked if we are in an archipelago-wide bleaching event, rather than something that is limited to the northwestern Hawaiian islands (NWHI). Ms. Clark affirmed that while the damage last year was primarily in the NWHI, this year the main Hawaiian islands are likely to experience similar effects. Mr. Brian Bowen commended the research being done in the Monument, noting that PMNM is getting a global reputation for research and management.

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Regarding the 15th anniversary of the CRER, Ms. Paul suggested that instead of a party or social event, she instead would prefer using the money to fund a trip to Midway for the RAC. She felt that the stewards of the Monument should be sent to the Monument periodically. Ms. Clark responded that while that would be ideal, the cost of doing so is prohibitive.

5. United States Coast Guard (USCG): Mr. David Swatland presented the USCG report on behalf of Mr. Eric Roberts. Multiple patrols were done in the United States Exclusive Economic Zone (US EEZ) of the main Hawaiian Islands, the Northwestern Hawaiian Islands, and American Samoa. USCG has also responded to several official requests for marine mammal support, specifically humpback whales and Hawaiian monk seals.

Mr. Johns noted that the USCG report stated one ship in the foreign EEZ of Kiribati was cited for having an excessive amount of shark fins. He asked if shark finning is an ongoing problem. Mr. Lee responded yes, several South American ships are actively engaged in finning.

IV. PRESENTATIONS ON THE INTERNATIONAL UNION FOR CONSERVATION OF NATURE (IUCN) WORLD CONSERVATION CONGRESS (WCC)

1. Overview of the WCC in Hawai'i (Johns)

Every four years the IUCN holds a congress on conservation issues. The 2016 WCC will take place in Hawai'i in the first week of September, and this will be the first congress ever held in the United States. The logo for the 2016 WCC is a stylized hibiscus, and the theme is "Planet at the Crossroad."

The IUCN, founded in 1948, comprises six commissions:

- Commission on Education and Communication
- Commission on Environmental, Economic and Social Policy
- World Commission on Environmental Law
- Commission on Ecosystem Management
- Species Survival Commission
- World Commission on Protected Areas

The congress comprises two main elements: the Forum and the Members' Assembly. The Forum is an open opportunity to share ideas via workshops, world leader dialogues, knowledge cafés, a conservation campus, posters, and pavilions. The Members' Assembly is the IUCN's parliament that approves the IUCN's programs and adopts resolutions. The main part of the 2016 congress will be held in the Convention Center on O'ahu, but also there will be "field trips" on neighbor islands.

The primary task of the Hawai'i host committee is to make sure we are meeting all of our responsibilities as hosts. The Program sub-committee has the most influence over the content of the congress, and they are focused on telling the story of the conservation happening in Hawai'i.

Mr. Gaffney asked if there is support from the county mayors yet. Mr. Johns replied that they are starting to get involved. Generally the counties are eager to help, but the question is whether they

can allocate money for support. Approximately \$13 million will be needed, along with contributions beyond what the host committee can raise.

2. NOAA Involvement in WCC (Wilhelm)

Proposals for the WCC are due October 15, 2015. The proposals that involve partnerships with members of one of the six IUCN commissions are more likely to get accepted. Also, to be competitive, topics should be regional or global. If you are an expert in your field, it is beneficial to sign up to be a member of one of the commissions. ONMS has submitted proposals around ten themes. Possibly one or two will be accepted; possibly the IUCN will merge ideas and ask agencies to work together.

NOAA has been more engaged than most other federal agencies in the upcoming WCC. There will be a US agencies pavilion, although content will be focused primarily on the environmental activities of the Obama administration and the Obama legacy. However, possibly the Science on a Sphere (SOS) will be part of it, so that is a way to get broader science into the WCC. Beyond the official WCC, NOAA will have numerous side/parallel events.

V. PUBLIC COMMENT

There was no public comment.

VI. LUNCH

VII. UPDATES AND DISCUSSION

1. Update on the management plan review process of the Hawaiian Islands Humpback Whale National Marine Sanctuary (Chow): Ms. Malia Chow reported that they are currently reviewing and organizing the public comments they received on their draft EIS. Suzanne Case, Chair of DLNR, has identified staff to help them with this. They are hoping to be done by their advisory council meeting on October 1, but there are over 10,000 comments. These comments then will be provided to the State. They hope to have a final DEIS by the summer of 2016.

Mr. Johns asked what the State's position on the DEIS is. Mr. Miyasaka says the State has given the Sanctuary a list of clarifying questions, and they are awaiting response. They will have a more definite position after the responses and the public comments are received. Ms. Chow noted that one idea already being floated is that maybe it makes sense to go back out to the public with a new version of the DEIS, this time proposed by the State and NOAA together.

Ms. Chow also noted that Malama Maunalua will begin a spatial planning effort, marked by a September 16th event held in coordination with the Polynesian Voyaging Society. Ms. Laura Thompson mentioned that she is on the Society's board and is not aware of that partnership.

2. The O'ahu Discovery Center (Paul): Ms. Paul indicated that a summary of the O'ahu Discovery Center decision process is included in the sanctuary nomination packet. The main idea is that most of the population and most of the legislators are here on O'ahu, so it makes sense to have a center here. Two years ago, some Reserve and Sanctuary advisory council members met with HPU because all parties wanted to partner on this. The Oceanic Institute area was identified,

but DLNR owns that land and would lease it only at commercial rates. Linda has since met with Ms. Case, and she has indicated that DLNR has no money to allocate to this. Previously, the RAC had volunteered to raise money to build the center if the Monument could find land leased at lower than commercial rates. Ms. Paul would like to recommend restarting the process to search for an appropriate site.

Ms. Clark responded that PMNM already has the Mokuāpapa Discovery Center on Hawai‘i Island. Any discovery center on O‘ahu would have to be multi-purposed and involve multiple agencies. She also would like the RAC to consider if it makes sense to build a discovery center or if it is better to have a presence in several existing visitor centers. Ms. Paul responded that other sanctuaries have discovery centers run only by the sanctuary, and so a discovery center does not need to involve multiple agencies and might come into being more quickly if other agencies do not need to be involved. Also, Ms. Paul noted that our own center vs. components of other centers does not have to be an either/or proposition; we can have both. Ms. Pelika Andrade indicated a preference to have the Monument operate inclusive of other agencies. Ms. Chow stated that ONMS is going through facilities strategic planning, and sites are being asked to put together a list of priorities. Ms. Clark offered to share more about this process with the RAC if desired.

Mr. Johns asked what the management plan says about a discovery center in relation to the Monument’s education and outreach plan. Ms. Clark explained that there is no education and outreach plan in the management plan, only education and outreach actions throughout the other sections. Ms. Alyssa Miller added that the management plan discusses developing an interpretive plan, but that has not yet been developed. Mr. Johns proposed that a decision about a center be made in the context of a larger interpretive plan. Without a strategic plan, we just have a collection of education and outreach activities and facilities. As part of that strategic plan, we should evaluate the effectiveness of a brick-and-mortar site vs. perhaps an online site. Even our target audience should be a question in that planning—are we targeting tourists or the people of Hawai‘i? And unless an opportunity comes along that cannot be passed up, a discovery center decision should be on hold until an interpretive plan is developed. The RAC generally agreed after discussion that two tracks should be pursued. PMNM management will develop an interpretive plan with RAC input. At the same time, discussions with HPU should continue, and Mr. Lee, Ms. Paul, and Ms. Wooley will look at other potential sites.

3. Henderson Airfield: Ms. Paul suggested postponing discussion and possible action on Henderson Airfield to the next meeting to allow RAC members time to digest the information provided by Mr. Brown, and to think about how to lobby for funding for Midway.

4. Management plan evaluation (Miller): Ms. Alyssa Miller presented preliminary results of the ongoing management plan evaluation. For the most part, there has not been much change in the level of implementation—about 75% of the action plan is in process. A few areas in which there has been an increase in activity include maritime heritage, marine debris, restoration of Midway, and Laysan duck and Hawaiian monk seal recovery. Mr. Johns asked when the management plan review will be. Mr. Swatland responded that PMNM first will use the evaluation data to create a State of the Monument report, and that report then will be used to start a review process.

5. Member selection process update (Swatland): Mr. Swatland reported that of the two applications for each of the two open seats, Native Hawaiian and Native Hawaiian Elder, one application per seat has been chosen by a preliminary review panel that included Ms. Andrade, Ms. Tammy Harp, and Mr. Lindsey. These applications will be submitted for additional vetting.

VIII. PUBLIC COMMENT

There was no public comment.

IX. Discussion and Potential Actions

1. Sanctuary nomination proposal (Paul): Ms. Paul recounted that at the previous RAC meeting, Ms. Annie Sawabini presented on the sanctuary nomination process. She had said at the time that the CRER/Monument, in its efforts to be designated as a sanctuary, would go through the same process as other sites that have been nominated. Ms. Paul is not certain that that is the right answer, given what was stated in a letter from Donald Evans in 2001. Because the Monument already has gone through a public scoping process, she believes that if the boundaries do not change, we do not need to repeat the process. However, if the boundaries change from what was presented in the scoping process, then we need to repeat the whole process. Ms. Paul recommended reaching out to the Secretary of Commerce for a definitive answer. Regarding possible boundary expansion, Mr. Bowen asked how much fishing takes place in the 50 – 100 mile area. Ms. Samantha Brooke responded that there is a lot of fishing there. Ms. Clark noted that the RAC can put forward anything it wants in its proposal, but the agency then would have to go through the NEPA process with multiple alternatives as part of the designation process.

Mr. Johns stated that the original scoping process was more than a decade ago, and if the RAC tries to argue that it can still use comments that old for a current process, there will be a backlash. Mr. Swatland noted that public comment is not needed on the nomination process, only in the designation process down the road. Mr. Johns replied that new letters of support would be needed for a solid nomination, and the State probably would want “listening sessions” before issuing any statement of support. He believes that the RAC should decide what it wants first, then talk with ONMS, the State, and other agencies. Given all the public relations “hazards,” Mr. Bowen questioned why the RAC would want to expand the Reserve’s/Monument’s boundaries. He suggested it is most prudent to stick with the current boundaries at least in the nomination process. Mr. Don Schug noted that even if we ask for an expansion and the public is not receptive, we should keep in mind that the sanctuary designation can’t take away any of the current protections.

In terms of process, Ms. Clark stated that there are three main steps: First, the proposal is submitted with letters of support. Second, ONMS reviews the proposal and if it has the appropriate types and an adequate number of letters of support, it gets put in a pile of possible sites. Third, ONMS then pulls one or more sites from that pile to go through the designation process. Ms. Paul argued that the CRER/Monument is not subject to that standard process, that ONMS must allow the designation process or it is in violation of law. After discussion, Mr. Gaffney moved to have RAC leadership write a letter asking for clarification on the process, which will go to Athline to forward on to the Secretary of Commerce. Mr. Lee seconded the motion, and all were in favor.

2. Resolution to nominate Dr. Abbott to the ONMS Memorial Garden (Clark): Ms. Clark explained that in 2013, the RAC had recommended honoring Dr. Isabell Aiona Abbott for the ONMS Memorial Garden in the Florida Keys. Applications are now being called for, and Ms. Clark would like the RAC to support submitting Dr. Abbott's nomination. Mr. Kem Lowry moved to adopt a resolution of support, and Mr. Gaffney seconded the motion. All were in favor.

Mr. Gaffney also suggested recommending to ONMS that a west coast memorial garden be established. All were in favor of having Mr. Gaffney write a letter to ONMS with this recommendation.

3. Proposed revised status of the Hawaiian green sea turtle under ESA: Ms. Paul asked if it is correct that there is a proposal to downlist green sea turtles, as the public comment period has been extended, and possibly some RAC members might want to comment. Ms. Brooke responded that in response to a request to delist, USFWS and NMFS has researched the population and the green sea turtle as a larger group has been separated into distinct population segments. The previous designation of the green sea turtle was "threatened," and the Hawaiian green sea turtle found in the NWHI continues to have a "threatened" status. Mr. Bowen said that the green sea turtle was okay until tourism in Hawai'i picked up and people ate them as a delicacy. Then they became endangered. Analysis has shown that the population has almost fully recovered to its previous levels, but due to their extremely limited feeding and especially nesting areas, they remain vulnerable and probably will always be vulnerable for those reasons. And although the numbers are almost recovered, the juveniles are taking longer to reach maturity. The RAC requested a presentation on the status of the Hawaiian green sea turtle at the next meeting, even though it will be after the public comment period.

Ms. Andrade asked about the significance of the larger group now being distinct population segments—down the road, could one segment be delisted without affecting the status of other segments? Ms. Brooke affirmed this could happen. Mr. Miyasaka noted that even if a species were removed from the federal endangered species list, potentially it could still be protected by State laws. Mr. Gaffney stated that it seems designating distinct population segments, as a first step to delisting or downlisting species, is a new "tool" being used to get at protected resources and protected areas. Ms. Brooke explained that the ultimate goal of regulations is to eventually delist species through population recovery. Mr. Johns agreed but felt that this is a way in which species could be removed from the endangered list prematurely. The RAC requested an "ESA 101" presentation explaining the basics of the Endangered Species Act as well as the process of determining distinct population segments when the status of endangered species is questioned.

Regarding the Hawaiian monk seal critical habitat designation, Ms. Andrade asked for clarification on where Middle Bank is, whether it is in or outside of the Monument. Mr. Miyasaka responded that Middle Bank is between Kaua'i and Nihoa and is about half in and half outside of the Monument. It is Mr. Miyasaka's understanding that new areas of the critical habitat designation proposal are in the main Hawaiian islands. Although the final rule already has been issued, the RAC requested a presentation on the Hawaiian monk seal critical habitat.

Mr. Gaffney raised the point that the humpback whale delisting notice went out and the RAC was not informed nor asked for an opinion. Mr. Brown responded that the RAC's actions were influential even if their opinions were not sought. Ms. Brooke noted that there were many public

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hearings for the humpback whale action and all current actions are on the NMFS website. Mr. Johns requested that, going forward, the RAC get briefings on any proposed status changes of species in the NWHI while the public comment period is still open. It was also suggested that the RAC get a briefing on the status change of the humpback whale even though the comment period has closed.

4. Action items, items for the next meeting, and next meeting date: A summary of action items and items for the next meeting follows:

Action Items

- PMNM management will start the process of developing an interpretive plan.
- Mr. Lee, Ms. Paul, and Ms. Wooley will put together a list of potential discovery center sites.
- RAC leadership will write a letter to Ms. Clark, to be forwarded to the Secretary of Commerce, requesting clarification on the requirements of the sanctuary nomination process for the Monument's particular circumstance.
- Ms. Clark will submit the nomination of Dr. Abbott for the ONMS Memorial Garden, with the RAC's resolution in support of the nomination.
- Mr. Gaffney will write a letter suggesting the development of a west coast memorial garden.

Topics for the Next Meeting

- Funding for Henderson Airfield/Midway Atoll
- Full presentation on the archaeological expedition to Nihoa and Mokumanamana
- "ESA 101" presentation, as well as presentations on proposals regarding the green sea turtle, the humpback whale, and the Hawaiian monk seal critical habitat

X. PUBLIC COMMENT

There was no public comment.

XI. ADJOURNMENT

Mr. Johns adjourned the meeting for the day