Scoping Meeting Kona, Hawai'i
August 11, 2010

• If the Sanctuary expands to include other species, it should include: monk seals, false killer whales, and spinner dolphins. With false killer whales there are issues with toxicity (heavy metals, persistent organic pollutants) and same goes for other toothed whales. Spinner dolphins – movement offshore if swim with dolphins programs are curtailed nearshore. At 100 fathom isobath you miss all species, but spinner dolphins. The Sanctuary should manage at whatever boundary is doable and feasible.

- There is some marine mammal feeding ground at Penguin Banks. The Sanctuary boundary ends at the feeding ground. I'm not sure what the marine mammal species is that feeds there, but I heard it in a talk at the Hawaii Conservation Conference. The Sanctuary could help with research if it expands.
- The Sanctuary may need other partners (e.g., State) to help with enforcement. There is currently no enforcement presence on the Big Island.
- There is no need to bring in other species, they are protected by existing laws like the ESA and the MMPA, if those laws are adequately enforced, but that is a big problem. If higher fines are implemented in the sanctuary, this may not be effective for boaters; what is next? Ban boaters? The government is growing too big, the Sanctuary staff is too large, there are more regulations. The Sanctuary boundaries do not need to be expanded. The whale population is growing at 5-6% a year so there is no need to expand. There are about 11 species of whales that are associated with the Hawaiian Islands. The whales move around a lot, they are not helped by the Sanctuary's existence unless they are in it. What will you do for them the rest of the time? Expanding the boundaries may impact (especially economically) commercial whale watching. The government is too large.
- If the Sanctuary were to expand to monk seals, is there enough manpower to also do whales?
- One of the worst threats to whales is Naval SONAR. The Sanctuary is doing nothing to step up and protect the whales from SONAR. SONAR does not respect boundaries.
- SONAR testing takes place at depths greater than 100 fathoms.
- Cruise ships are dumping massive amounts of sewage, etc off of the Big Island. Is the toxicity in whales influenced by that? What will be done to address water quality in the sanctuary?
- Is the sanctuary going to get more money to do education? There should be more education on the cultural Hawaiian practices towards whales.
- I do think that the boundaries should be expanded and other species should be included. Boats are swarming pods and there are too many swim with dolphins programs. Based on personal dolphin research the swim with dolphins program does change the pod behavior. Inside the Sanctuary there needs to be faster and more efficient ways to respond to entanglement. What are the impacts of swordfishing? Are we taking too many fish? We

- need to capture good information and research on sustainability. We need to study the baseline; what are the impacts on commercial species?
- We should expand the boundary and include other species for recognition since the work
 with other species is already being done and for possible additional funding. We should not
 increase regulations. The State should consider re-instating the Marine Patrol to increase
 enforcement and education because DOCARE is spread too thin. There should be increased
 education on whale avoidance. The boundary expansion could be good for tourism, but it
 doesn't need to change anything (ie regulations, shipping lanes), but it should increase
 awareness of the animals.
- I suggest the Sanctuary expand to include corals. The Sanctuary should look at native
 Hawaiian coral reef protection practices. West Hawaii Island is one of the only spots in the
 State where we've seen coral growth. Hawaiians understood the importance of the coral
 reefs.
- Taking on other stuff may shoot the sanctuary in the foot. Taking on so much because the resources are so vast you run the risk of not completing the existing mandate. Public education can continue to be done without expanding the boundary and expanding the species. Are the economic resources available to expand? If it expands, the sanctuary could expand to other resources that eat fish here and could have an impact on fishing rights. Humpback whale habitat can include water quality and human interaction.
- Coral reef ecosystems should be included and is a resource in Hawaii. Work together on land side as well as sanctuary side. Should include coral, not only ESA-protected coral species.
- Mauka to makai connections need to be looked at. Should look at urban development and impacts on coral reefs. Look at deposition of sediment impacts on coral reefs.
- More people having a presence on Hawaii Island is needed. More resource s are needed
 [manpower, outreach]. Evidence of humpback whale defecating and eating in Hawaii. Coral
 reef is an important and long-lasting habitat that needs protection.
- Fishing is a Hawaiian gathering right.
- Regulation of the number of boats in a particular area in important for protecting dolphins.
 To reduce boating impacts on marine mammals we should have some regulated locations of boats, possibly direct them in two different directions around pods.
- Protect animals in the sanctuary even if they are outside the sanctuary. Seabirds should be
 considered. Concern has to go beyond the boundary because whales swim outside the
 boundary and fish farms have impacts without boundaries. The Sanctuary should provide
 input to fish farms that might submerge nets in the ocean outside of sanctuary boundaries.
 Possibly suggest to make the nets more visible to whales.

• Focus on habitat, not necessarily on species only. Inclusive—flows from one area to another (habitat). Historical and cultural history should be incorporated, like kumulipo and ahupua'a system. We need to learn from that history to continue on.

- Don't necessarily expand unless you can take care of it. Increase research and understanding about what is there. Help with research, help Justin, help enforcement.
- Can the sanctuary address aquarium collecting management issues? (if the sanctuary expanded to other species)
- Don't look away from other problems just because the funding is not there.
- We need more staffing (to help Justin) and a visitor center in Kona and on Kauai.
- The sanctuary should actively solicit research help from UH universities.
- Humpback whale recovery rate should be stated in the presentation. Recover of humpback whales since the sanctuary was established is good. Why reach out to include more?
- Increase transparency on budget and spending so information is readily available to the public so the public can see the details on how the money was spent.
- What benchmark would the Sanctuary want to hit and at what certain time if it added other species? What are the metrics to measure success?
- Put on the website the maps on whale population growth since the sanctuary was established.
- Would the sanctuary add refuge zones (closed to all boat traffic) for moms/calves to rest?
- The sanctuary should establish a minimum water depth in which boats cannot enter to
 protect where whales can go to rest. Given all of the boat traffic, the humpback whale
 population has increased. The animals are adaptable to human interactions. Look at the
 existing humpback whale habitat and current HIHW mandate to address concerns, not
 necessarily expand the boundary and add additional resources.
- The growth in population is not necessarily an indication of whale health because some of the species reproduce as a stress reflex.
- Not all subpopulations of humpback whales are increasing.
- Add Hawaiian endemic species and other marine mammals and sea turtles to sanctuary
- Concerned about sustainability of deepwater fish and possible overfishing
- Dolphin population issue: the number of boats surrounding dolphins should be limited
- Local and global impacts (ocean acidification, climate change) some species can act as local indicators of global phenomena, such as corals. Adding corals to the sanctuary would be good because they are an important indicator of climate change.
- We can do something on land as well as in the water. Corporate NOAA should do more to be "green" such as energy efficiency to lessen our footprint. Link between impacts on land and ocean.
- Most people don't know what the sanctuary boundaries are. Need to increase education and outreach on sanctuary in general and also on management plan review process.

• Add other marine mammals such as false killer whales, melon-headed whales (resident population in Hawai'i), and other resident populations or populations of small sizes.

- Don't prevent people from getting close to whales because education is the most efficient when people can get close (life changing experience)
- More education the better, education is more important than regulations.
- There are too many regulations, people move away because of that.
- Don't agree with 100-yard approach regulation don't want to have negative impact on tour boat operators or impact their ability to educate people.
- Animals are able to adapt, either they come close or not.
- Biggest loss of regulations isn't to charter business but a loss to the world when people can't experience these animals first hand.
- Boundaries should not be straight following isobaths is easy when you are a boat captain.
- Education is important, operators and captains need to know where 100 yards is and need to learn methods of approaching and positioning your boat without stressing whales. Need to learn what different whale behavior means.
- Perception of distance (100 yards) from shore is difficult to estimate. People might think a boat is breaking the rules when they are not.
- Protect native species and endemic species. Sanctuary should include other species, maybe even the whole ecosystem, maybe regulations on fishing and number of boats that make an economic profit off these animals (whales).
- Underwater cultural heritage sites (native Hawaiian), consider land-based cultural heritage sites that border sanctuary. Land-sea interface (national park service) agencies need to work together (more coordinated management).
- More enforcement personnel.
- Educate captains with possible certifications to operate boats and approaching whales.
- Erosion events land-sea interface, what regulations are there to address the issue? Sanctuary should have regulations against damaging resources, for example if people cause erosion that then flows mud into coral reefs.
- MPAs (other protected areas) do function in increase of coral reef cover.
- Sanctuary should help operators to provide educational materials to educate people.
 Operators are on the water everyday, they work with the people who live it. Use operators as a resource, they are willing to help.
- Need more places to educate visitors before they go on board on an operators boat (such as Whale Center in Hawaii Kai (??))
- Enforcement not easily recognized, people aren't aware that it exists, not a big deal to break the rules because they are not enforced. Need to have a boat on the water with logo, need to be visible.
- Education vs. enforcement
- DOCARE is spread thin, there aren't enough people, it's overworked and the law enforcement officials aren't familiar with working on the water.
- Sanctuary should support state to increase enforcement (funding)

• Needs to be a center (Honokohau) – a tourism support center to educate people. Kona is the center of the industry on Big Island. Should also have a multi-purpose vessel (research, education, enforcement) based in Kona.

- There are a lot of reasons to expand sanctuary further south.
- Should base a boat within the sanctuary.
- Enforcement in Monterey Bay and Florida Keys not always giving a ticket, but can help educate users on how they are breaking the rules, can be a source of knowledge.
- Education and enforcement can work hand in hand
- If sanctuary takes on more enforcement it needs to be inviting, friendly.
- UH Hilo is developing a new marine research lab; sanctuary should partner with them to have space for education along sanctuary coast.
- Missing voice of traditional kupuna, sanctuary needs to reach out to get that kind of knowledge and wisdom because public meetings are not the way they like to share information.
- Dolphins operator offers encounters with dolphins, go about 200 yards away and wait to see if dolphins come to interact, don't stay more than 15 minutes. Other operators do it differently, they cut off dolphins and drop divers in which puts a lot of pressure on dolphins allowing commercialization of dolphins to get out of hand. Affects dolphins' ability to rest.
- Industry is exploiting the dolphins too much, may need to regulate how the operators do their tours (in blocks of time, not when they are resting). Now tours are run throughout the day, even when dolphins are resting.
- There is way to make dolphin tours ok but not with regulations regulations get people angry. Dolphin tours should self-regulate with cooperation, education.
- Tour industry is divided. Some care about the bottom line of profit and guarantee customer lots of time with marine mammal, others don't let people in the water so as to not harass the whales.
- Needs to be better education about MMPA, differences with the whales and dolphins.
- Need education about spinner dolphins and pilot whales, they are nocturnal and need to rest during the day.
- NMS Foundation needs to be brought into the management plan review process. Support group for foundation that is part of the sanctuary.
- West Hawai'i Fisheries Council needs to be brought into the process. They have kuleana.
 Need to take this meeting to this Council.
- Dolphins are interacting with jet skis, it seems dolphins really want to play with people. Sometimes people almost hit them.
- See dolphins congregate in areas where there are boats but no swimmers.
- Education and outreach critical for kids and community to inform and understand about sanctuary so there's buy-in. Children need to be involved
- Create holding area for marine users with kiosk about marine mammals. Education about what the sanctuary is for boat operators in Honokohau with education materials available.
- All marine mammals and turtles should be protected in sanctuary due to harm to turtles (and for other reasons).

• Not enough attention is paid to the situation/impacts on fishermen. Need to view from fishermen's viewpoint. Take fishermen's needs/recreation into consideration. Remember: sanctuary is only 1 agency with potential fishing regulations and restrictions.

- Address the fears of the people (such as fishermen, public, etc.)
- Fear: future generations won't have access to resources. Next generations won't have learned/be able to have connections to fishing and traditional practices. Keep traditional practices (through generations) in mind.
- Include resources available to all stakeholders (Native Hawaiians, animals, ocean users, etc.) Need balance.
- Start education; "the younger the better." Need more outreach, harbor outreach/educational resources. Educate people before they use the ocean.
- Balance is key. Connection of being "own enforcer" lost. Education programs that teach sustainable practices and traditional practices.
- Education that goes around the whole island (idea: a mural that is constructed of pieces that cover large animals placed in different towns). Need a wide breadth of education.
- Illegal operations of jet skis. Have same prohibition of jet skis on Big Island within sanctuary boundaries as in W. Maui. Current rules defective/not well enforced.
- Have jet ski rules statewide. Current rules defective. Have sanctuary follow traditional practices (beyond, and including, Native Hawaiian) in management.
- Sanctuary needs to promote non-divisive approach. All ocean users play a part.
- Fear: Expansion will mean no say; that the sanctuary will then be a government entity. Managing the protection of animals needs to be done so scientifically.
- Sanctuary management should be adaptive and should think about the future, be community based and adaptable.
- Expand the sanctuary boundaries to include waters around all Hawaiian Islands. Need to look at the long run. Boundary expansion is more professional and will bring in more research, education, and coordination. Need more comprehensive management.
- Not enough cross-cultural education. Need bigger picture of other perspectives of ocean. Sanctuary represents all the different cultures of ocean users and the sanctuary needs to keep this in mind in education and management.
- No not-take zones. Kids need to learn balance/sustainability and how to be enforcers through education on sustainable fishing. Climate change should be managed comprehensively through the use of models and information sharing to make long-term, informed decisions.
- Have rotating models/studies to try practices. Have rotating no-take areas to bring balance.
- Need federal enforcement officers on each island. Include federal officers and community education similar to the Florida Keys.
- Putting enforcement in writing no good—only put in regulations you can really enforce.
 Seen a renewed vigor in DOCARE. Currently there is an environment of ignoring rules.
 Education is preferable to enforcement. Regulations need to be enforceable.
- Sanctuary should be expanded AND adaptable/flexible in what it means and does.
- Goal is cross-cultural education and management. Need total buy-in by inviting input from traditional practitioners and go around to all communities.

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 Aquaculture and fishponds (in water and land-based) should be expanded to take stress off the ocean.

- Need to think about other currently forming/to-be-formed islands in management plan.
- Spell out the details of the sanctuary management plan for the public.
- Take MPR to the people:
 - o To all communities
 - Through newspaper ads to solicit input with information on how to do so
 - Through personal phone calls

Parking Lot Issues

- Is it an option for the Sanctuary to remain single species?
- Does the Sanctuary feel it has met its mandate? And that it is ready to expand?
- Why do we need to include monk seals? They are already protected by the ESA and MMPA.
- Why should we expand the boundary to include more areas of human interaction?
- What were the original reasons that Gov. Cayetano modified the boundaries?
- Will you ban boating in the Sanctuary?
- What happens if NOAA and DLNR disagree? What about a change in Presidency, how does it affect the Sanctuary? What happens if the Governor and President don't agree? To what extent can the Sanctuary go to bat against the President/government/Navy?
- What role does the Sanctuary play in related activities that take place outside the sanctuary boundaries?
- Does the Sanctuary collaborate with universities to conduct research?
- Can the Sanctuary produce a map of the whale population growth since the sanctuary was established?
- Is there a place someone can go to see where funding has gone? Is it a transparent budget?
- What is the final product of federal regulations in state waters?
- Why is the sanctuary looking to expand if recovery of whales and honu so good?
- Why are we bringing in monk seals into a harmful environment?