



Hawaiian Islands Humpback Whale National Marine
Sanctuary Advisory Council

MEETING MINUTES

NON-GOVERNMENT (Voting)

Vacant
Business Commerce

Glenn Hong
Commercial Shipping

Barbara (Maka'ala) Kaaumoana
Conservation

Judith Lemus
Education

Myrick (Rick) Gaffney
Fishing

Steve Turner
Hawai'i Island

Vacant
Oahu Island

Nina Monasevitch
Kaua'i Island

Solomon Pili Kaho'ohalahala
Lana'i Island

Robin Newbold
Maui Island

Vacant
Moloka'i Island

Vacant
Native Hawaiian

Jim Coon
Ocean Recreation

Mark Deakos
Research

Vacant
Tourism

Tara Leota
Whale Watching

GOVERNMENT (Non-Voting)

Leo Asuncion
DBEDT – Office of Planning

Veronica Rocha
DBEDT Renewable Energy

Bruce Anderson
Division of Aquatic Resources

Laura McIntyre
DOH

Sandra Rossetter
DOT – Harbors

Keola Lindsey
OHA (Voting)

Malia Chow
*Hawaiian Islands
Humpback Whale NMS*

Athline Clark
Papahānaumokuākea MNM

Jeffrey Pollack
NOAA OLE

Jeff Walters
NOAA Fisheries PIRO

Eric Kingma
WESPAC (Voting)

Tunis McElwain
US Army Corps of Engineers

Eric Roberts
US Coast Guard

Janice Fukawa
US Navy

72nd Meeting

March 29, 2017 9:00 am – 4:00 pm

**NOAA Inouye Regional Center, Honolulu
Ko'olau Haka Conference Room, Room #1564**

Purpose:

The Sanctuary Advisory Council (SAC) will receive updates on sanctuary activities and discuss the draft SAC workplan. The SAC will consider taking action on the letter proposed by the enforcement discussion panel.

Welcome and Introductions

- Chair Sol Kaho'ohalahala called the meeting to order and Sabra Kauka performed opening pules. Introductions of SAC, Staff, Public
- Welcome New Members
 - Sol introduces new council members.
 - Youth alternate seat Annabelle Padilla, wants to be a marine biologist.
 - Hawaii Island primary seat Steve Turner, professional mariner since 1990.
 - New state representative as a part of co-management for DLNR: Alton Miyasaka
- Secretary Judy Lemus takes attendance.

Primary SAC council members present:, Malia Chow, Jim Coon, Mark Deakos, Janice Fukawa, Rick Gaffney, Clarissa Honeker*, Glenn Hong, Maka'ala Kaaumoana, Sol Kaho'ohalahala, Eric Kingma, Judy Lemus, Tara Leota, Alton Miyasaka (for Bruce Anderson), Nina Monasevitch, Robin Newbold, Jeff Pollack, Eric Roberts, Sandra Rossetter, Steve Turner, Jeff Walters

*not present for roll call but attended later in the day

Alternate SAC council members present: Thorne Abbott, Sabra Kauka, Gordon LaBedz, Anabelle Padilla

Primary members excused: Bruce Anderson, Leo Asuncion, Athline Clark, Keola Lindsey, Tunis McElwain, Laura McIntyre, Veronica Roche



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Staff: Ka'au Abraham, Jon Martinez, Patty Miller, Shannon Lyday Ruseborn, Jean Souza, Paul Wong

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Council Business

- Overview of Agenda
- Approval of Meeting 71 Minutes
 - Eric Kingma: At the last SAC meeting there were comments and statements from members opposing Westpac. It was mentioned that his participation is negative and minimal but he has always supported the sanctuary. Following that meeting Westpac requested a copy of the voting record from all previous council meetings which showed that Westpac does not always vote against all resolutions. A copy of these records should be passed on to all SAC members.
 - Rick Gaffney motioned to approve the minutes, seconded by Nina Monasevitch. All members said aye. Minutes adopted.
- Upcoming SAC Recruitments (*Shannon Ruseborn*)
 - Four quarterly recruitments per year: February, May, August, November. SAC member terms will now be 3 years. In May there will be a big recruitment due to vacant seats and renewals.
 - For each recruitment, a council review panel reviews applicants and gives recommendations to the superintendent. We would like to establish a panel that can assist with recruitment for 2017. Need at least three council members to look at applicants.
 - Jim Coon, Nina Monasevitch and Rick Gaffney volunteered for review panel.
- Update on MPR Working Group (*Sol/Malia*)
 - Working group was created at last meeting as a result of the HIHW expansion proposal being withdrawn.
 - Need to discuss how to continue moving forward.
 - Proposal to disband existing working group (council can form new working group if needed with chair, purpose, and membership)
 - Maka'ala Kaaumoana: I was strongly for the working group when it was formed and wanted to bring people in from the outside. But once we get the definition of humpback whale habitat then maybe we can discuss forming a working group again
 - Jim Coon motioned and Robin Newbold seconded to disband the working group.
 - All members said aye. Motion is carried for removal of working group
- Enforcement Discussion Panel Letter for SAC to consider signing (*Rick Gaffney*)
 - Letter for consideration is in council members' folders.
 - Advisory council chairs for all sanctuaries met in 2016 with Office of Law Enforcement (OLE). As a result of this meeting, they created an enforcement discussion panel which drafted a letter to give to the head of NOAA (currently has not been designated yet).
 - Olympic Coast NMS did not sign onto the letter. This was because they are a remote sanctuary and the majority of use is by the tribes. The four coastal tribes



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in the sanctuary were concerned with this being the only option for enforcement (they want other options than OLE).

- What is enforcement now? And in the future? There is new law enforcement methodology coming such as drones. Currently at the federal level, the US Coast Guard and OLE have less than 10 staff for Hawaii. They are responsible for enforcing federal laws, including the laws of the sanctuary.
- Glenn Hong: The Coast Guard should be more involved in law enforcement since they have the resources. They are getting new vessels next year, high tech ones.
- Sol: This letter is also to help promote education of OLE about sanctuaries and sanctuary needs.
- Glenn: Feels NOAA should not be so involved with law enforcement.
- Rick: The letter is to explain how important OLE is for the work we do. It's just a tool to inform the head of NOAA that the council feels that OLE is valuable.
- Eric Kingma: "Get in line." There are lots of people asking for more on enforcement.
- Jeff Pollack: The joint enforcement agreement was worked out with state partners based on resources and priorities. Priorities are passed on to state partners. We work together.
- Jim Coon: The current regulations provide no wiggle room. There is no way to know where exactly the humpback whales will pop up. This makes mariners nervous. He would like to see NMFS and OLE enforce the intentional law breakers.
- Rick Gaffney motioned to approve the letter and it was second by Maka'ala Kaaumoana.
- Rick: We are asking for prioritization of law enforcement in the sanctuary with the letter.
- Jim: He recommends another vessel strike training/meeting hosted by the sanctuary. In the past it was very helpful and educational.
- Motion is carried to support sending letter to head of NOAA.

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Superintendent's Report (Malia Chow)

- Staff and Resources Update
 - Budget:
 - Not sure what the future will look like. We don't have a budget at the moment. FY17 budget should come in soon.
 - The ONMS budget must be allocated across 14 sites. There is fluxuation of budget based on number of staff.
 - The majority of budget goes for paying staff. Education/outreach is majority of our budget. Would like to expand the research and response sections.
 - Maka'ala: How does the budget and proportions compare to other sanctuaries?
 - Eric: Has the budget been fairly stable? Malia: Yes
 - Is 100% of this funding from NOAA: Yes, base funds.



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- ONMS Strategic Plan
 - New director: John Armor.
 - Created new strategic plan that is very user friendly. Still under review but will be sent out soon.
- Research and Management Roundtable (*Jon Martinez*)
 - Humpbacks delisted but still need to be monitored.
 - Humpback whale management and research forum is targeted at North Pacific humpback whale researchers and managers.
 - Will hopefully get this major forum done next year, not this year but will start with a smaller scale roundtable to get input from researchers and managers.
 - We formed a steering committee for input and the major agreement is the need for regular updates about population/abundance.
 - The goal is a collaborative effort for population/abundance monitoring with the Navy, NMFS, etc.
 - This is a shared management initiative with lots of experts and planning.
 - PIRO is the lead of monitoring the delisted humpbacks in Hawaii. But currently the agency has no focused research on humpbacks in Hawaii.
 - Sanctuary is trying to get input from as many people as possible for participation in the roundtable. Via in person, virtual, online surveys.
- Recreational Fishing
 - People think there is no fishing allowed in sanctuaries which is not true.
 - Sanctuary program is working with NMFS for coordinating with fisherman and increasing collaboration. This initiative is at regional and national level.
 - Rick: Recreational fishing industry more valuable than commercial fishing.
- State of Hawai'i Report (*Alton Miyasaka*)
 - Co-manager on maternity leave but will be leaving when she is back. Looking for another co-manager for DLNR.

HIHW Strategic Initiatives (Malia Chow)

- Process for developing plan
- Highlight key initiatives for Resource Protection/Research, Education and Outreach, and Conservation Practices/Sustainable Uses
- Sanctuaries can be created by Congress or through public process. Need to make sure sanctuaries support community needs.
- Long public process that the people in Hawaii finally made a humpback whale sanctuary. Every 5 years must update management plan.
- A lot has come about since the 2002 management plan.
- State did not support the proposed management plan which expanded the protection beyond humpback whales to ecosystem as a whole
- Strategic initiatives plan is a road map for staff and partners. It outlines what will we do to protect humpback whales, educate and interpret, manage human uses.



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- Political landscape: if no support then we will not move on with it.
- To create road map, first grouped initiatives based on high-impact and ease of implementation.
- Jim Coon has been there since the first management plan.
- Eric Kingma: Next management plan review must be done in? Next five years but depends on the timing and when a new NOAA head is determined.

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Sanctuary Advisory Council Workplan (Shannon Ruseborn)

- Purpose of a SAC Workplan
- Guiding document to help SAC set and prioritize what SAC works on. Also to help with developing agendas for upcoming SAC meetings, etc. Helps direct your work as well as at the working group level. Helps prioritize items and make sure they are addressed in a timely matter. Can be used to check on what the council has accomplished.
- Good tool moving forward
- Overview of Process to Develop Draft Workplan
 - Executive committee drafted workplan for 2017-2020
 - Shannon sent survey to all council members through surveymonkey. It was a blank space survey not multiple choice. The survey was for what SAC should focus on (not what staff should be doing).
 - Major Topic Areas:
 - Advisory Council Admin & Operation (overall)
 - Conservation Practices/Sustainable uses
 - Education & Outreach
 - Native Hawaiian
 - Research & resource protection
- Focus on what the Council wants to work on not what SAC feels the HIHWNMS staff should be doing.
- Subcommittees Role in Refining Workplan
 - Goal is to review draft SAC Workplan and determine if topics are missing/prioritize activities
 - Use SAC Survey results to further develop workplan
 - Use HIHWNMS Strategic Initiatives to inform SAC activities in workplan. Handouts in folder of easy wins and must haves; not the only things staff will be working on but the priority areas
 - Initiatives in conservation section from staff initiatives plan should be addressed by Native Hawaiian subcommittee.
 - There will be things that are addressed/duplicated by more than one subcommittee and that's okay. Will find a home for it later.
- Logistics for Subcommittee Meetings
 - Gather in groups at 12:40pm
 - Meetings are for one hour: 12:45 -1:45
- Overview of Administration and Operation section of workplan
 - SAC Review Applicants



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- Judy Lemus: Suggested have rolling assignments since there are quarterly application periods for SAC applicant review. So everyone can take part in the review process.
- HIHWNMS was one sanctuary chosen to work with head quarters to get a more diverse SAC members
- We need broader advertisement in order to get more people interested in applying for the SAC. Also having perhaps a “bench” where when the seat they want opens then we have someone on deck to fill it.
- Need to find better ways to communicate what the SAC does to have more applicants interested in serving
- SAC chair summit:
 - Sol: ongoing conferencing with all sanctuary chairs to set up workplans and in terms of redirecting. Recommends adding this initiative with our SAC and other SAC's to be more collaborative.
- Governance structure: What is the status of OHA?
- Site Specific Issues:
 - BOEM or someone with the wind farms to come and present at next SAC meeting
 - Formal invitation to Navy to present at next SAC meeting
- Items for Next SAC Meeting:
 - Next SAC meeting will have an update on the 2017 whale season
- 1992 management plan has a great habitat definition. Will Xerox copies for all of SAC.

Subcommittee Meetings

- Goal: Subcommittee determine what topics/activities they would like to work on
- Time for Research, Education, Conservation, and Native Hawaiian Subcommittees to meet
 - Review Draft SAC Workplan and determine if topics are missing/prioritize activities
 - Use HIHWNMS Initiatives and SAC Survey Results to further develop workplan

Council Discussion of Workplan

- Subcommittees report out to full council
- Hawaiian Sub-committee: Eia no ke kumu! Foundation of who we are, to where we are. Education is really important and lets be innovators in education and outreach. See video of Uncle Sol.

Sanctuary Partner Updates

A. National Marine Sanctuary Foundation Local Chapter (*Monty Clark*)



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- Build Board of Directors including people with the following expertise: Native Hawaiian Culture, Financial, Media Savvy, Political, Fundraising, etc.
- 2 tiered approach: Top: Planned Gift Giving through estate planning; Middle: Grants and Donor Relationships, Bottom: events that raise awareness (Art auctions, Hawaii Symphony concerts, Concerts, Film festivals)
- 2017 goals: strong board of directors; greater fundraising capacity; bring the islands together->social media/communication

B. Papahānaumokuākea MNM (*David Swatland*)

- PMNM Expansion: Expanded borders of PMNM to U.S. Exclusive Economic Zone. New proclamation 9478, does not impact or change previous Proclamations 8031 and 8112.
- Shared management responsibility under DOI thru FWS and DOC under NOAA.
- Prohibited and regulated (could be permitted) activities
- Sanctuary Designation: DOC considering initiating the process to designate as a National Marine Sanctuary.
- Benefits further defined by National Marine Sanctuary Act: Authority to issue regulations; ability to access civil penalties for violations and damage to sanctuary resources; Establishment of Sanctuary Advisory Councils; National resource damage assessment/help
- What we are doing as ONMS in PMNM?
 - Outreach and education
 - Communication coordination
 - Discovery Center
 - Maritime heritage
 - Cutting-edge research
 - Maintaining web site
 - Constituency building
 - RAC
 - Native Hawaiian Program
- Eric Kingma: Fishing regulations-WESPAC to revise fisheries management plans and make recommendations to NOAA on regulations for non-commercial fishing permits in the expanded monument area. Commercial fishing is no longer allowed. Public meetings to gather input on the fishing recommendations to occur in Feb-Mar time frame. NMFS and WESPAC staff can provide more details as needed.
- How much noncommercial fishing goes on in PMNM? A bit plus Native Hawaiian fishing



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Public Comment Period: No Comments

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Next Steps

- Create a working group for Sol's vision from Native Hawaiian subcommittee break-out group. Purpose of working group is "refreshing the mission of the HIHWNMS affirming the perspective of the Native Hawaiian people." "Ulu" = to sprout, renewing as we grow. E ulu ana working group. Ulu to grow, a growing group.
- Working group will refine subcommittee group focus and compile all the suggested edits from the break-out group. Then refine humpback whale habitat definition. Working group can also prioritize SAC initiatives.
- Motion to create new working group named the "e ulu ana" group, the "growing" working group. Moved by Rick Gaffney, second by Robin Newbold.
- Malia Chow: Want to encourage SAC to work with HIHWNMS staff in the "rebranding" of the sanctuary through humpback whales.
- Motion to nominate Judy Lemus as the chair of the "ulu" working group. Moved by Rick Gaffney second by Thorne Abbott.
- Proposed next SAC meeting either 8th or 9th of August 2017.