

***NORTHWESTERN HAWAIIAN ISLANDS
CORAL REEF ECOSYSTEM RESERVE ADVISORY COUNCIL WORKSHOP
9-10 June 2009, 9:00 am- 4:00 pm
ONMS Pacific Islands Region Conference Room
Hawaii Kai, Hawaii***

Meeting Minutes
Day 1

ATTENDEES

Advisory Council Members: Louis “Buzzy” Agard (Native Hawaiian); William Aila (Native Hawaiian); Margaret Akamine (NMFS for Mike Tosatto); Brian Bowen (Research for Bill Gilmartin); Kelly Finn (WESPAC for Kitty Simonds); Rick Gaffney (Recreational Fishing); Gail Grabowsky (Education); Becky Hommon (U.S. Navy); Cindy Hunter (Research); Tim Johns (State of Hawaii); David Laist (Marine Mammal Commission) via phone; Linda Paul (Conservation); Joe Paulin (HIHWNMS for Naomi McIntosh); Eric Roberts (US Coast Guard); Don Schug (Research); Laura Thompson (Conservation); Susan White (US, Fish and Wildlife Service); ‘Aulani Wilhelm (Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve (NWHI CRER)).

Absent: Carlos Andrade (Native Hawaiian); Alexandra Curtis (U.S. Department of State); Bill Gilmartin (Research); Bobby Gomes (Commercial Fishing); Kem Lowry (Citizen-At-Large); Naomi McIntosh (Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS)); Kitty Simonds (Western Pacific Fishery Management Council (WPFMC)); Philip Taylor (National Science Foundation); Mike Tosatto (National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries (NMFS)); Jessica Wooley (Conservation); Matthew Zimmerman (Ocean-Related Tourism)

Alternate Council Members (not representing voting members): Isabella Abbott (Native Hawaiian); Athline Clark (State of Hawaii); Tammy Harp (Native Hawaiian, via phone)

[NWHI CRER Staff]: Keeley Belva; Kimo Carvalho; Hoku Johnson; Randy Kosaki; Justin Rivera

[Monument Staff]: Ray Born (FWS); Dave Weingartner (DLNR); Dani Carter (DLNR);

[Members of the Public]: Bill Friedl (HIHWNMS SAC); Andrea Aseff (KAHEA); Dave Rainey (Sierra Club); Marti Townsend (KAHEA); Stephanie Fried (‘Ulu Foundation); Don May; Barbara Mayer; Dave Raney (Sierra Club); Stewart Yerton (KAHEA);

PURPOSES OF THE MEETING:

- 1) Discussion and recommendations on Draft Natural Resources Science Plan
- 2) Discussion and recommendations on Monument Alliance
- 3) Discussion on World Heritage nomination

I. CALL TO ORDER (JOHNS)

Council Chair Tim Johns called the meeting to order and Linda Paul took roll and the participants introduced themselves. `Aulani Wilhelm offered a pule to begin the meeting.

II. REVIEW AND APPROVAL OF AGENDA (PAUL)

Mr. Johns reviewed the agenda for the next two days.

III. APPROVAL OF PREVIOUS RAC MEETING MINUTES (PAUL)

The group reviewed the minutes of the previous Reserve Advisory Council meeting on 18-19 March 2009. Laura Thompson moved to approve the minutes and Cindy Hunter seconded the motion. The minutes were approved unanimously.

IV. TOPIC A: MONUMENT CO-TRUSTEE AGENCY UPDATES (WILHELM, CLARK, WHITE)

`Aulani Wilhelm, NOAA Superintendent, highlighted the education and outreach success of NOAA's new wet lab at Mokupapapa Discovery Center designed by Mokupapapa staff. She also highlighted the PAA Program for community leaders and educators that begins this week. The Monument's Bio-geographic Assessment has been released recently is now available online. A second report was released just prior from ONMS on the Monument. Sanctuary sites are now releasing condition reports on how each of the sites resources is doing. Ms. Wilhelm also mentioned that the Monument is now at the beginning of its field season and preparations were underway for the research expeditions this summer.

Athline Clark, State of Hawaii Superintendent, updated the group on the field activities on Kure Atoll adding that staff already finished banding black footed albatross and have a NMFS staff member at their monk seal camp. She informed the group that staff has discovered a large algae bloom at the atoll that seems to be naturally caused, likely due to temperature rise. It's a fairly significant event since the algae are washing up on the beach and she will report more when staff knows more. Ms. Clark mentioned that the development of live-materials transport agreement between agencies is underway. All samples will be signed for and accounted for so that there is a chain of custody. She also mentioned that NOAA has agreed to take lead on World Heritage for this phase of the process including the site visits.

Susan White, FWS Superintendent, updated the group on how staff is managing certain components of the management plan. In her presentation, Ms. White shared an image of a deteriorating building on Midway, explaining that it has become a safety hazard, and that the restoration funds that have recently been allocated. Staff at Midway continues to monitor Laysan ducks on Eastern Island, the Laysan finch at Pearl and Hermes, and Hawaiian monk seals throughout the Monument. She also mentioned a study on adult survival of albatross through the use of geolocators to understand foraging and monitoring behaviors. As part of this study, they have documented the oldest black foot albatross. She added that many of visitors cancelled trips to Midway this year. Ms. White also discussed the development of officer quarters and the funds being allocated towards those efforts and in eliminating lead-based paint.

Rick Gaffney asked about long-term visitor permits at Midway Atoll. FWS plans to issue a five-year permit in order to help facilitate longer term planning for these types of permits. Ms. Wilhelm reminded the group that only outside of state waters are multi-year permits allowed to be issued.

Cindy Hunter asked about details regarding Native Hawaiian permits. Ms. Wilhelm provided an update about a pilot Cultural Health Index project last year. The researcher is now focusing on Pearl and Hermes this year.

V. TOPIC B: ENFORCEMENT

Eric Roberts gave an update on USCG activities as well as those from NOAA OLE for Jeff Pollack who was called to the field. Mr. Roberts provided an update on a case from 2000 with a longline vessel that was fined \$71,000. The fee will go into NOAA's general funds. Mr. Roberts and Mr. Pollack both attended and hosted a session at the International Marine Mammal Protected Area Conference in April.

PUBLIC COMMENT:

Stephanie Fried—Ms. Fried asked if there was a permit application for the ecotourism permit. She suggested that notice for permit applications be sent out to the listserve. She also clarified the number of people at Tern Island. She suggested that the permits be grouped for the NEPA process take place all at the same time. She also suggested that in consideration for the Monument Alliance that all seats have some knowledge or expertise with the NWHI.

LUNCH The group went to lunch and reconvened at 12:30

VII. TOPIC C: PERMITS

Hoku Johnson, NOAA Permit Coordinator for the Monument provided an overview of the permits issued to date. There have been 58 applications received which was comparable to previous years. Of these, 32 permits have been issued and 22 of those are renewals. So far two permit amendments were issued, seven applications were withdrawn, and 17 applications are undergoing review. Of the 32 permits issued, 18 are for research, four are for conservation and management activities, six for special ocean use activities, one for Native Hawaiian cultural activities, one Recreation activities, and two education activities. Ms. Johnson reminded the group that the National Historic Preservation Act protects specific information such as the exact location of shipwrecks. She also reviewed 2009 multi-year permits that were issued and reminded the group that applications under review are on the posed on the Monument website. The next deadline for applications is in September 1st for activities beginning in 2010.

RAC members asked about the process for providing comments on permit applications and enforcement of permits issued. Ms. Johnson explained that permits are posted for 15 days online for public review and mentioned that the 2008 Permit Report will be circulated via email once available.

VIII. TOPIC D: SCIENCE & RESEARCH

Report: Research Subcommittee Meetings (Hunter)

Cindy Hunter, Research Subcommittee Vice Chair, gave a report out from the subcommittee meetings and presented the recommendations that they developed, which were drafted in a letter to the superintendent, for the RAC to review. The draft Natural Resources Science Plan had been released a few weeks before for public review without an Environmental Assessment with it. Randy Kosaki, NOAA research coordinator for the Monument provided an overview of the development process and explained that NOAA attorneys determined that an Environmental Assessment was not required at this point, as the plan this plan does not commit agencies to a course of action, fund research, nor permit research, but is simply a statement of need with prioritized activities.

Dr. Kosaki reminded the group that the plan is a prioritization of research for the next five years. Activities listed in the plan include existing permitted research from 2006 to present day, recovery plans (ex. Monk seal recovery plan), and the MMP – existing activities, information needs, and research activities inserted to fill gaps. He explained the system that was used in ranking the importance of the activities and outlined the next steps in the process including a 30-day public comment period, time for agencies to respond to and incorporate comments received, and finalizing the plan. He felt that the previous Research Subcommittee meeting provided good input and encouraged the RAC to provide comments during this process.

There was discussion on the recommendations developed by the subcommittee. Don Schug said that he did not think that the permitting system should be a filter for the research activities and felt that the plan should be broader. There was discussion about what was the scope and purpose of the plan. Brian Bowen mentioned that there are already stringent barriers in place that sometimes prevent good, innovative, high impacted projects because of things like the permitting process. He recommends that this RAC should not add any further barriers.

The group discussed edits to the draft recommendations and the Chair asked for public comments on this topic before any action was taken.

IX. PUBLIC COMMENT

Dave Raney—Mr. Raney said that he also plans to submit comments during the comment period for the draft plan. He felt the plan should be the first step in prioritizing research and then the permit process was the second. He thought that the prioritization process should be more specific not just Critical and High as most of the activities are. He also offered a suggestion on the flowchart on Figure 2.

Marti Townsend—Ms. Townsend felt that there was no commitment to prevent bioprospecting and thinks it should be in writing. She also thought there should be a definition and prohibition of bioprospecting, that the MMB meetings should be open to the public, and thinks an environmental assessment is necessary for the science plan

Don May—Mr. May said he supported Ms. Townsend's comments and felt that the plan as a statement of need makes it useless.

Stephanie Fried—Ms.Fried said the RAC has been requesting a prioritization of science in the NWHI for a long time. She said it feels like the marine activities are too vague compared to the land activities. Feels like the plan needs to include more detail or be scrapped. Consider deleting phrases such as “overall there is a need for general... of taxonomic species” and include information about vessels.

Tammy Harp (via phone)—Relating to cumulative impacts she is trying to understand the benefit to the Monument of some activities. If it is for genetic studies how many samples are needed? Feels like the there are important cultural collections that take place there. Ms. Harp wondered if there are any recovery rates of lobsters since the Monument has been established. Brian Bowen answered that ongoing research for lobsters has not yet evidenced any recovery, but their growth rates are slow.

The Chair then adjourned for the day and asked the group to continue discussion on the Natural Resources Science Plan the next day.

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Draft Meeting Minutes
Day 2

ATTENDEES

Advisory Council Members: William Aila (Native Hawaiian); Margaret Akamine (NMFS for Mike Tosatto); Brian Bowen (Research Alternate for Bill Gilmartin); Athline Clark (State of Hawaii for Tim Johns); Kelly Finn (WESPAC for Kitty Simonds); Rick Gaffney (Recreational Fishing); Becky Hommon (U.S. Navy); Cindy Hunter (Research); David Laist (Marine Mammal Commission) via phone; Linda Paul (Conservation); Joe Paulin (for Naomi McIntosh HIHWNMS); Eric Roberts (US Coast Guard); Don Schug (Research); Laura Thompson (Conservation); Susan White (US, Fish and Wildlife Service); ‘Aulani Wilhelm (Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve (NWHI CRER));

Absent: Louis “Buzzy” Agard (Native Hawaiian); Carlos Andrade (Native Hawaiian); Alexandra Curtis (U.S. Department of State); Bill Gilmartin (Research); Bobby Gomes (Commercial Fishing); Gail Grabowsky (Education); Tim Johns (State of Hawaii); Kem Lowry (Citizen-At-Large); Naomi McIntosh (Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS)); Kitty Simonds (Western Pacific Fishery Management Council (WPFMC)); Phillip Taylor (National Science Foundation); Mike Tosatto (National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries (NMFS)); Jessica Wooley (Conservation); Matthew Zimmerman (Ocean-Related Tourism)

Alternate Council Members (not representing voting members): Tammy Harp (via phone),

[NWHI CRER Staff]: Keeley Belva; Kimo Carvalho; Hoku Johnson; Kaylene Keller; Randy Kosaki; Janna Shackeroff;

[Monument Staff]: Tracy Ammerman (FWS); Matt Brown (FWS); Jeff Pollack (NOAA OLE); David Weingartner (State of Hawaii)

[Members of the Public]: Cindy Waddington (Friends of Midway Atoll); Scott Fisher (FOMA—via phone); Andrea Aseff (KAHEA); Dave Rainey (Sierra Club); Marti Townsend (KAHEA); Stephanie Fried (‘Ulu Foundation); Barbara Mayer;

X. CALL TO ORDER (PAUL)

Council Vice-Chair Linda Paul called the meeting to order and Don Schug took roll and the participants introduced themselves.

XI. REVIEW AND APPROVAL OF AGENDA (PAUL)

Ms. Paul reviewed the agenda for the day.

XII. MONUMENT ALLIANCE

Presentation: Friends of Midway Atoll (White)

Cindy Waddington and Scott Fisher gave a presentation about the Friends of Midway Atoll (FOMA) non-profit organization. Ms. Waddington has been volunteering at Midway Atoll for several years and has also volunteered at Kure Atoll, Laysan, Lisianski, and Tern islands. She explained that FOMA's mission is to support Midway Atoll National Wildlife Refuge in efforts to preserve, protect and restore biological diversity and historical resources. In addition, the organization serves as fundraisers. The board is made up only of volunteers. There are members from all 50 states with varied interests (wildlife, history, etc). There are 10 committees and each member serves on at least one of them. There is an ongoing study for marine debris and support for albatross. Ms. Waddington explained that the board is selected by recruitment through board members—it is usually self-selected. FOMA also runs the gift shop on Midway and some of the items of the gift shop have been made from items at Midway (i.e. marine debris).

There were questions about the marine debris study as well as how volunteers are supported. Susan White explained that some of the volunteers' airfare is paid by FWS if they volunteer for a minimum amount of time. There was a question as to whether the group had discussed expanding their scope to encompass the Monument. Ms. Waddington said that the group has begun preliminary discussions. The RAC asked if FOMA provides advice to FWS. Ms. Waddington explained that they do not necessarily provide advice, but work closely with FWS. Ms. White added that other Friends groups do have more of an advisory role, but it depends on how the group is structured.

Scott Fisher, also a board member from FOMA, explained that FOMA's mission is to support Midway Atoll through advocacy and volunteerism. The RAC asked if advocacy applies to congressional representatives. He explained that board members have approached congress for FOMA in the past. Ms. Waddington also explained that as a 501(c) 3 they are limited to the amount of time that can be spend lobbying. There is also an "umbrella group" for the Friends groups to be informed of political issues. They mentioned that there are also other groups that represent military interests, but the groups are not necessarily working together, but FOMA has helped to provide some financial support for the Battle of Midway anniversary events.

Margaret Akamine mentioned that there was an early idea for an Alliance that was a group of groups and asked whether those groups would want to participate. Matt Brown added that FOMA has done an amazing job of bringing together many points of view and that the board works to encompass those. Ms. White explained that some of the other Friends groups that she has worked with have had boards that have made up many different viewpoints that developed organically. The RAC asked about any overlap with other Friends groups or Advisory Councils.

Report: Linda Paul said that Kem Lowry chaired the Monument Alliance subcommittee, but that she was giving the report in his absence. She pointed out that the meeting notes were in the packets as well as a draft recommendation letter. The group then discussed the government agency participation during the RAC and potentially in the future. The Marine Mammal Commission said that they would like to continue participating. Margaret Akamine gave some

examples of NMFS's participation and reminded the group that it may be hard, but necessary to break from the past to consider opportunities for the future. Kelly Finn reminded the group that fishing in the Monument will continue until June 2011. Despite the 2011 end to commercial fishing, there will always be fishing operations occurring outside Monument waters on fish stocks which may migrate between or spend a portion of their life history in waters within the Monument and outside and to manage using an ecosystem-based approach one must consider more than legislated boundaries. She also felt that there could be productive overlap between councils. In addition, Ms. Finn handed out a document she prepared listing the reasons the Fishery Council should remain as a member of the Alliance (attached). Ms. Akamine followed up that there could continue to be issues that could be addressed with WESPAC including providing information on the effects of fishing on sea birds (e.g. the gear changes which were implemented in the Western Pacific Region). Eric Roberts explained that the USCG has a role in protecting the Monument and other marine protected areas whether they are on the council or not, however he felt that there is an increased benefit to sitting at the table and feels that they are much better informed. He also pointed out that the group may benefit from reports on enforcement activities and asked that at minimum the group consider having an agenda item involving the USCG. Jeff Pollack said that his involvement in the meetings allows NOAA's Office of Law Enforcement to hear from the council and the public. He felt that he is more connected by being at the meetings and participating in discussions. He felt that a non-voting seat is a benefit to his agency.

The Vice-Chair then asked for public comment on this topic before any action was taken.

XIII. PUBLIC COMMENT:

Marti Townsend—Ms. Townsend said that the Alliance is the most important piece of public participation for the Monument. She reminded the group that every activity has an environmental impact and that the Alliance should be able to comment on environmental assessments and specific permits. She asked the group to keep in mind that the agencies will ultimately decide who is on the Alliance and is concerned that local voices could be outweighed and representatives may be too broad. She supported having non-Federal, non-commercial representatives in seats. She asked that the RAC consider having a standing list of government agencies that could be invited. Ms. Townsend expressed concern with wording of conservation seats and suggested keeping the original number of seats in the draft recommendation letter.

Stephanie Fried—Ms. Fried echoed Ms. Townsend's comments and encouraged NEPA reviews. She felt the group should consider leaving the seat to represent historic activities at Midway Atoll not commercial or recreational activities. She liked the idea of inviting non-voting members and agreed with concerns about having more citizen at large seats. Ms. Fried recommends against giving WESPAC a seat on the Alliance and agreed that there should be a non-federal requirement. She was concerned with not having more natural resource conservation representatives. She explained that having more citizen at large seats concerns her because there could be members without any expertise in the NWHI.

Dave Weingartner—Mr. Weingartner clarified that he was not speaking as a DLNR employee, but as a member of the public. He felt that Midway Atoll played an important role in our military and world history and hoped that the group would consider and remember that. He added that he thought it was sacred ground and felt it was important to remember the lives that were lost there.

New Business: Recommendations on the Monument Alliance

The RAC discussed edits to the draft recommendation letter. The group generally agreed to the edits, however there was not a quorum at this time and no action could be taken.

XIV. WORLD HERITAGE PRESENTATION

Athline Clark and Janna Shakeroff gave an overview of the World Heritage designation process. The group had some questions and discussion related to the process and timing. Ms. Clark also explained some of the terms from UNESCO including “owners” and how culture is incorporated and defined. Ms. Wilhelm explained that incorporating some of the Oceanic cultural efforts have led to cultural impacts for other countries in South America and Africa.

XV. SAC SUMMIT REPORT

William Aila gave a report from the SAC Summit in Thunder Bay National Marine Sanctuary. He explained that many of the sanctuaries are experiencing the same problems and are struggling with management plans reviews and boundary expansions. PMNM is different than many other sanctuaries and we often had to explain why we fit or did not fit. There was a group of Korean presenters who explained that they are starting to create MPAs and have a significant generational gap in whether this should continue. There was discussion on using the Sanctuary sites as sentinel sites—the idea that it is not what you have, but what you have to offer—and how to make our sites more valuable to the nation. There was focus on increasing partnerships to leverage the partnerships in the community and increasing the role of the advisory council coordinators positions. Mr. Aila shared some of the cultural aspects of the meeting.

XVI. NRSP Recommendations (continued from previous day’s discussion)

There was further discussion on a revised letter that was drafted from the recommendations on the previous day; however there was still not a quorum at this time. The group agreed that the recommendation letter will go back to the Research Subcommittee for further deliberation. There may need to be a full RAC meeting during the NRSP comment period. The group did address recommendations 1 and 3. Recommendation 2 and 4 will be further discussed further. The group also felt that the vision mission goals need to be restated in final version.

XVII. PUBLIC COMMENT

There were no further public comments at this time.

XVIII. ANNOUNCEMENTS

There was discussion about the committee and working group meetings.

The meeting was then adjourned.