

***NORTHWESTERN HAWAIIAN ISLANDS  
CORAL REEF ECOSYSTEM RESERVE ADVISORY COUNCIL WORKSHOP  
10 August 2009, 9:00 am- 11:30 am  
Teleconference Meeting***

Meeting Minutes

ATTENDEES

Advisory Council Members: Louis “Buzzy” Agard (Native Hawaiian); William Aila (Native Hawaiian); Margaret Akamine (NMFS for Mike Tosatto); Kelly Finn (WESPAC for Kitty Simonds); Rick Gaffney (Recreational Fishing); Bill Gilmartin (Research); Gail Grabowsky (Education); Cindy Hunter (Research); Tim Johns (State of Hawaii); Linda Paul (Conservation); Eric Roberts (US Coast Guard); Don Schug (Research); ‘Aulani Wilhelm (Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve (NWHI CRER)).

*Absent:* Carlos Andrade (Native Hawaiian); Alexandra Curtis (U.S. Department of State); Bobby Gomes (Commercial Fishing); Becky Hommon (U.S. Navy); David Laist (Marine Mammal Commission); 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); Laura Thompson (Conservation); Mike Tosatto (National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries (NMFS)); Susan White (US, Fish and Wildlife Service); Jessica Wooley (Conservation); Matthew Zimmerman (Ocean-Related Tourism)

Alternate Council Members (not representing voting members): Athline Clark; Tammy Harp

[NWHI CRER Staff]: Keeley Belva; Kimo Carvalho

[Monument Staff]: Jeff Pollack (NOAA OLE), Cori Kane (DLNR)

[Members of the Public]: Mike Collins (Public); Stephanie Fried (‘Ulu Foundation); Greg Garner (Public); Chris Kelly (Public); Joe Rafael (Public); Dave Raney (Sierra Club); Marti Townsend (KAHEA)

PURPOSES OF THE MEETING:

- 1) Discussion and recommendations on Draft Natural Resources Science Plan
- 2) Discussion and recommendations on Monument Alliance
- 3) Discussion and possible action on RAC quorum

I. CALL TO ORDER (JOHNS)

Council Chair Tim Johns called the meeting to order and asked for staff to take roll as the participants introduced themselves.

II. REVIEW AND APPROVAL OF AGENDA (JOHNS)

Mr. Johns reviewed the agenda for the meeting.

### III. TOPIC A: DRAFT NATURAL RESOURCES SCIENCE PLAN RECOMMENDATIONS

Bill Gilmartin, Research Subcommittee Chair, went over the committee's recommendations outlined in the draft letter (see attachment 1). The group discussed minor edits to make the letter more readable. The RAC had some discussion on the recommendation regarding environmental assessment.

The Chair asked for public comment on this topic. The following members of the public made comments:

Marti Townsend—Ms. Townsend emailed comments on the recommendations to some RAC members prior to the meeting.

Stephanie Fried—Ms. Fried recommended that on Page 2 the RAC should consider adding “documented” to the language in the second priority.

Mike Collins—Mr. Collins said he appreciated having the meeting via conference call so that he could participate from Maryland. He has a new technology for virtual meetings that he'd like to share with the group.

Dave Raney—Mr. Raney liked the language that Stephanie Fried suggested. He felt that the recommendations that Athline Clark had suggested to amend the NEPA recommendation were also appropriate.

The Chair asked for a motion on this topic. William Aila motioned and Cindy Hunter seconded the motion to accept the recommendations with the changes made today. The motion passed unanimously.

### IV. TOPIC B: MONUMENT ALLIANCE RECOMMENDATIONS

Linda Paul went over the draft recommendations on the Monument Alliance (see attachment 2). There was further discussion on how non-members would participate. Kelly Finn felt that there should be clarification of whether the list of agencies/entities in the letter were being suggested as members or as invitees and felt that if they are non-voting members then they are participants not just invitees. The RAC suggested amending Recommendation 3 to have three categories of participants: voting members, non-voting members, non-voting entities. Additional minor edits and grammatical changes were discussed. There was some discussion on the framework of the leadership as to having a hierarchical order versus equal co-chairs.

The chair asked for public comment on topic. The following members of the public made comments:

Marti Townsend—Ms. Townsend supported having an alliance that was able to advise all Monument managers. She felt that a hierarchical leadership was important and that there should be a Native Hawaiian representative in a leadership role.

Stephanie Fried—Ms. Fried supported a hierarchical leadership and agreed that there should be a Native Hawaiian representative involved.

Dave Raney—Mr. Raney agreed with the previous public comments.

The Chair asked for a motion. Buzzy Agard made a motion and Bill Gilmartin seconded a motion to support the recommendation with amendments as proposed. The motion passed unanimously.

#### V. TOPIC C: RAC QUORUM

Linda Paul brought up this topic due to the recent lack of quorum and suggested amending the charter with the following language, “A RAC alternate representing a specific RAC member who is representing a particular constituent group may also serve as an alternate for any RAC member who is representing that particular constituent group.” Council coordinator Keeley Belva stated that in her search thus far, there is no language restricting the council from simply making applying this policy. The RAC members and the superintendent agreed to assume this policy at this time and will continue to operate as such.

#### VI. PUBLIC COMMENT

There was no further comment at this time.

#### VII. ANNOUNCEMENTS

Keeley Belva reminded the group of the next meeting dates on September 2-3 and December 2-3. She also mentioned to the group that she will be heading to Washington, DC for a detail at the Office of National Marine Sanctuaries and that Andy Collins will be working with the RAC for the next few meetings.

Mr. Johns then adjourned the meeting.

#### ATTACHMENTS:

[Attachment 1](#)

### **NORTHWESTERN HAWAIIAN ISLANDS CORAL REEF ECOSYSTEM RESERVE ADVISORY COUNCIL**

10 August 2009

Ms. T. ‘Aulani Wilhelm  
Reserve Superintendent, Northwestern Hawaiian Islands  
Coral Reef Ecosystem Reserve  
6600 Kalaniana‘ole Highway, Suite 300  
Honolulu, HI 96825

Dear Ms. Wilhelm:

At the 10 August 2009 meeting, the Northwestern Hawaiian Islands Reserve Advisory Council (RAC) discussed recommendations provided by the Research Subcommittee relating to the Draft

Natural Resources Science Plan (NRSP) for the Papahānaumokuākea Marine National Monument (PMNM). In our review of the NRSP, we are generally supportive of the plan's prioritization of research related to protected species and invasive species. In addition, the RAC offers the following recommendations:

**Recommendation 1** (as recommended by the RAC in a X-X-X vote): Include the following language in section 2.5, on page 8 of the NRSP:

Research and monitoring activities must demonstrate consistency with the Vision, Mission, Guiding Principle and Goals of the PMNM Management Plan (MP) and, if applicable, must be consistent with the following findings and review criteria cited in the Proclamation establishing the PMNM:

- a. The activity can be conducted with adequate safeguards for the resources and ecological integrity of the monument;
- b. The activity will be conducted in a manner compatible with the management direction of this proclamation, considering the extent to which the conduct of the activity may diminish or enhance monument resources, qualities, and ecological integrity, any indirect, secondary, or cumulative effects of the activity, and the duration of such effects;
- c. There is no practicable alternative to conducting the activity within the monument;
- d. The end value of the activity outweighs its adverse impacts on monument resources, qualities, and ecological integrity;
- e. The duration of the activity is no longer than necessary to achieve its stated purpose;
- f. The applicant is qualified to conduct and complete the activity and mitigate any potential impacts resulting from its conduct;
- g. The applicant has adequate financial resources available to conduct and complete the activity and mitigate any potential impacts resulting from its conduct;
- h. The methods and procedures proposed by the applicant are appropriate to achieve the proposed activity's goals in relation to their impacts to monument resources, qualities, and ecological integrity;
- i. The applicant's vessel has been outfitted with a mobile transceiver unit approved by OLE and complies with the requirements of this proclamation; and
- j. There are no other factors that would make the issuance of a permit for the activity inappropriate.

Priority will be given to research and monitoring activities that:

- 1) clearly address the management needs of the Monument and Co-Trustees, as identified in the management plan;
- 2) have been assessed with respect to its individual and cumulative impacts (risks) to Monument natural resources;

3) include impact monitoring protocols and appropriate safeguards for all phases of the activity.

**Recommendation 2** (as recommended by the RAC in a X-X-X vote): For the purpose of evaluating future research and monitoring proposals and plan modifications, we recommend that the science plan panel prioritization process maintains a numerical ranking system and addresses the questions below. In addition, the process should not automatically prioritize a research and monitoring activity as critical, because risks are associated with all activities and should be evaluated.

- How important is this research/monitoring activity to the future protection and conservation of Monument natural resources? Applicant must identify how a specific Action Plan strategy in the MP is supported by the research/monitoring activity.
- What are the potential risks to the future protection and conservation of Monument natural resources of conducting this research/monitoring activity?
- What are the potential risks to the future protection and conservation of Monument natural resources of NOT conducting this research/monitoring activity?
- Are there specific management actions that would change if this research/monitoring activity is conducted?

Additionally we recommend that you change from “Examples of research needs and opportunities” to “Current research priorities addressing management needs” throughout plan.

**Recommendation 3** (as recommended by the RAC in a X-X-X vote): The text and content of Table 2 should include a brief statement of what is known, what gaps the research fulfills, and what management action is likely to result from the research. Please use the examples listed as a template to complete the remaining descriptions:

Table 2:

Habitats—Characterize intertidal zone habitats/communities

- Need a basic characterization of biodiversity (e.g. basaltic intertidal, rocky intertidal, and sand), to establish a baseline for one of the habitats that is most susceptible to natural or anthropogenic stressors (e.g. oil spills, human use, climate change, invasive species).

Native Species—Assess fish population characteristics

- Documenting the geographic distribution and abundance of native fish species in order to understand trophic/energetic relationships, environmental drivers of productivity, and diversity.

Specially Protected Species—Evaluate methods to reduce predation on monk seals

- Evaluate methods to reduce shark predation on monk seals

Oceanographic Processes—Understand marine primary productivity

- Need an improved characterization of marine primary productivity, particularly as it relates to Pacific Decadal Oscillation as a driver of ecosystem structure and function, and climate change as a driver of ecosystem degradation

Page 15—Include the following bullets:

- Quantify population structure, size, and connectivity of intertidal species (e.g. opihi, a‘ama crab), which may be proposed for cultural subsistence take but may exist in low numbers or with limited recruitment from outside sources.
- Characterize current abundance of invasive and/or alien species.

Page 18—Include in the description the prohibition of chemicals, toxins, and explosives in collection of cryptofauna in the Monument.

Page 59—Include a disclaimer that the themes are not listed in any particular order of priority. In the introduction, state that protected species and invasive species activities are generally given highest priority.

Page 63, bullet 8—While monitoring for high risk diseases should be a high priority, we do not believe that the evaluation and testing of vaccines is appropriate in the Monument.

**Recommendation 4** (as recommended by the RAC in a X-X-X vote): We recommend that the Monument comply fully with NEPA and prepare a programmatic EIS and/or individual project EAs/EISs to ensure that the environmental consequences, including cumulative impacts, of proposed research and other activities are fully evaluated and taken into consideration in the permitting process. When state agency actions are involved in a proposed activity, a Cultural Impact Assessment should also be prepared.

We hope you will give these recommendations full consideration.

Sincerely,

Timothy E. Johns  
Northwestern Hawaiian Islands  
Coral Reef Ecosystem Reserve  
Advisory Council Chair

Attachment 2

**NORTHWESTERN HAWAIIAN ISLANDS  
CORAL REEF ECOSYSTEM RESERVE ADVISORY COUNCIL**

10 June 2009

Ms. T ‘Aulani Wilhelm  
Acting Reserve Coordinator, Northwestern Hawaiian Islands  
Coral Reef Ecosystem Reserve

6600 Kalaniana'ole Highway, Suite 300  
Honolulu, HI 96825

Dear Ms. Wilhelm:

At the 9-10 June 2009 meeting of the Northwestern Hawaiian Islands Reserve Advisory Council (RAC) discussed recommendations provided by the ad hoc Monument Alliance Subcommittee relating to developing a Monument Alliance for Papahānaumokuākea Marine National Monument.

We strongly support the existence of an advisory-type body for the Monument and encourage the managers to incorporate the Monument Alliance in the management of the Northwestern Hawaiian Islands. In our consideration in designing an advisory-type body for the Monument, we offer the recommendations listed below.

**Recommendation 1** (as recommended by the RAC in a X-X-X vote): The purpose of the Monument Alliance would be to:

- Carry out the Vision, Mission, Guiding Principles and Goals for the Monument
- Provide effective advice that influences and informs the management of PMNM resources;
- Provide broad representation of stakeholders and constituent groups;
- Inform community;
- Provide a discussion forum;
- Provide a voice, conscience, and institutional memory for the place;
- Provide feedback on management actions.

**Recommendation 2** (as recommended by the RAC in a X-X-X vote): When defining its responsibilities, Monument Alliance should seek to:

- Offer opportunities for informed, constructive engagement with managers before formal review processes commence;
- Act as liaison with user groups and the community;
- Provide guidance to managers on the Monument Management Plan implementation, review and revisions;
- Contribute expertise on various aspects of Monument activities and management;
- Provide recommendations on research and education needs and gaps, and permit use and trends, and any other matter of concern.

**Recommendation 3** (as recommended by the RAC in a X-X-X vote): The following parameters are suggested in outlining the membership of the Monument Alliance:

- Members shall be appointed to three-year terms with a limit of no more than two consecutive terms. Members may re-apply after laying out for one term.
- Terms shall be staggered to avoid having all of the members turn over at the same time. Members shall be selected through recommendations by an ad hoc membership review committee, which will then provide recommendations to the managers.

- Each seat shall have a primary representative. Alternates shall represent membership categories rather than individual seats and may vote in the absence of any member in that category.
- No full time federal employee or commercial interest shall hold a voting seat.
- The Alliance shall have 15 voting seats outlined as follows:
  - Three Native Hawaiian representatives, including one kupuna (elder), with experience or knowledge regarding Native Hawaiian subsistence, cultural, and/or religious practices;
  - Three science representatives with expertise related to the NWHI;
  - Three conservation representatives with demonstrated experience related to the protection of the resources of the NWHI.
  - Two education/public outreach representatives;
  - One representative with demonstrated experience in historic and/or current activities related to Midway Atoll;
  - Three citizen-at-large representatives.
- Members shall be selected via application or nomination demonstrating expertise and experience. Selected members should be diverse in terms of age, gender and geographic location or experience;
- Non-voting members: the following entities should be issued an open invitation to come to all Alliance meetings. The Office of National Marine Sanctuaries, the Marine Mammal Commission, the U.S. Coast Guard, the NOAA Office of Law Enforcement, the NOAA General Council, the Fish and Wildlife Services Office of Law Enforcement, the U.S. Department of Defense Pacific Islands Regional Office, Pacific Science Center, Western Pacific Regional Fishery Management Council, Environmental Protection Agency, Department of Conservation and Resource Enforcement, Office of Hawaiian Affairs, Friends of Midway Atoll, Division of Aquatic Resources, Division of Forestry and Wildlife, National Wildlife Refuge Complex, Pacific Islands Fish & Wildlife Office, the U.S. Geological Survey, the Federal Aviation Administration, the Department of State, the Humpback Whale National Marine Sanctuary Advisory Council, and any other appropriate entity. Representatives of these entities may be invited to give specific presentations as needed.

There was a discussion about the value of having representatives of certain entities seated at the table. However, there was also discussion about the need to keep the Alliance at a manageable size. Therefore the RAC recommends that no more than 15 non-voting entities be appointed as non-voting members of the Alliance and leaves it up to the discretion of the MMB who the 15 selected to sit at the table as non-voting members of the Alliance shall be.

**Recommendation 4** (as recommended by the RAC in a X-X-X vote): The following parameters are suggested in outlining the operations of the Monument Alliance:

- Decision-making—A quorum is needed before a decision can be made by the Alliance. A quorum shall consist of a majority of the voting members of the Alliance. Alliance participants should strive for consensus, but if consensus cannot be reached, a vote may be taken. A simple majority of the total number of voting members is needed for passage. ‘Majority’ and ‘minority’ opinions may be issued and individual

opinions expressed in the meetings shall be noted in the minutes. Council members participating by phone may vote.

- Leadership— The Alliance shall be led by a chair and two vice chairs. A vice chair may also serve as secretary as needed.
- The Alliance shall have the ability to establish sub-units (i.e. working groups and subcommittees)
- The Alliance should have the ability to use some type of virtual meeting and participants will be allowed to vote.

We hope you will give these recommendations full consideration.

Sincerely,

Timothy E. Johns  
Northwestern Hawaiian Islands  
Coral Reef Ecosystem Reserve  
Advisory Council Chair