



**Hawaiian Islands Humpback Whale National Marine
Sanctuary Advisory Council**

96th MEETING MINUTES
November 8, 2023 9:00 am – 2:00 pm

ATTENDANCE

Primary SAC members:

Conservation – Kawika Winter
Education – Maya Walton
Kaua‘i Island – Maka‘ala Ka‘aumoana
Moloka‘i Island – Malia Akutagawa
Whale Watching – Sherry LeMaster
WESPAC – Joshua DeMello
Office of Hawaiian Affairs – Kealoha Pisciotta

Alternate SAC members:

Business/Commerce – Thorne Abbott
Education – Robyn Ehrlich
Kaua‘i Island Representative – Nina Monasevitch
Ocean Recreation – Shoko Ogata
WESPAC – Zachary Yamada

Government Representatives:

NOAA National Marine Fisheries Service – Nicole Davis
Hawaii State Energy Office – Cameron Black, Brian DeSanti II
U.S. Coast Guard – Maile Norman

ONMS Staff:

HIHWNMS Superintendent – Kim Hum
PMNM Superintendent – Eric Roberts
HIHWNMS staff: Sara Wood, Catherine Takata, Cindy Among-Serrao, Shellyann Rofrits, Madeline Keck, William Carrier, Marc Lammers, Maria Harvey, Ed Lyman, Jean Souza, Maura Schonwald

Members of the public:, Grover Hatcher, Noelani Kalipi, Michaela A Kratofil, Alex, Cyrene, Comet Enos-Nakanelua, Lydia Lostan, Parker Kushima, Peyton Flint, Freedom Dennis, Nicole Shintani.

Welcome & Council Business

- Aloha and Welcome from Vice-Chair and Kaua‘i Island Representative, Maka‘ala Ka‘aumoana. The Chair, Solomon Kaho‘ohalahala, cannot be present today so the Vice-Chair will serve in his stead. The last meeting was canceled due to the Maui wildfires and we acknowledge that is still heavy on everyone’s hearts and minds.



- Roll call was completed by the SAC coordinator, Sara Wood
- Review & approval of November 8th agenda
 - Motion: To approve the meeting agenda, as revised
 - Motioned by: Whale Watching – Sherry LeMaster
 - Seconded by: Conservation – Kawika Winter
 - November 8 meeting agenda, as revised, was unanimously approved.
- Review & approval of May 25, 2023 Meeting Minutes
 - Motion: To approve meeting minutes
 - Motioned by: Conservation – Kawika Winter
 - Seconded by: Whale Watching – Sherry LeMaster
 - May 25 meeting minutes were unanimously approved

- **Papahānaumokuākea Designation Resolution Discussion**
 - Education – Maya Walton: Suggest to update the dates listed at the top of the page and in the last sentence.
 - HSEO – Cameron Black: The second WHEREAS should end with a semicolon rather than a period.
 - A vote in support of approving the Resolution with amendments was taken. Results: eight voting members voted in favor, one voting member opposed. Resolution to designate Papahānaumokuākea as a National Marine Sanctuary approved as amended.

- **Pacific Remote Islands National Marine Sanctuary Designation Discussion**
 - Council Coordinator – Sara Wood: Ocean Recreation Primary, Chad Wiggins, emailed to suggest that paragraph eight “WHEREAS there is no obligation under the Antiquities Act for marine national monuments to have education programs, Advisory Councils, or public and community engagement” be removed because it is unnecessary.
 - Education – Maya Walton: I lean towards keeping the text in. Conservation – Kawika Winter agrees. Discussion continued, SAC members decided to revise the text. Moloka‘i Island Representative – Malia Akutagawa suggested new language and the SAC agreed on the following amendment:
 - “WHEREAS under the Antiquities Act, currently PRI is a Marine National Monument; the Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council supports sanctuary designation to facilitate greater community engagement, stronger education programs, and the formation of an advisory council for continued oversight and management;”
 - Moloka‘i Island Representative – Malia Akutagawa acknowledged that it is important to distinguish the different protections under National Marine Sanctuary Act and the Antiquities Act; she suggested the following language and the SAC agreed:
 - “WHEREAS national marine sanctuaries and marine national monuments provide two different types of protections and are created under different



federal laws. National marine sanctuaries are designated under the National Marine Sanctuaries Act (NMSA), while marine national monuments are established under the Antiquities Act. The Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council acknowledges the PRI Marine National Monument is afforded certain protections under the Antiquities Act, and supports the additional protections afforded under NMSA;”

- A vote in support of approving the Resolution with amendments was taken. Result: seven voting members voted in favor, one voting member opposed. Resolution to designate Pacific Remote Islands as a National Marine Sanctuary was approved as amended.
- **Superintendent Update** – Superintendent, Kim Him provided several updates to the council including:
 - Welcome Sara Wood, our new Advisory Council Coordinator. Thank you to Cat Takata and Cindy Among-Serrao for helping her transition and your continued support.
 - Continuing Resolution (CR) Updates
 - Current CR ends at the end of the day on November 17, 2023.
 - If there is a lapse in appropriations, the Kīhei site will be closed.
 - The newly selected members are currently undergoing background checks. If the government does shut down, this will delay their onboarding. Otherwise, it is expected that it will be complete around December 5, 2023.
 - Question: Kaua‘i Island Representative – Maka‘ala Ka‘aumoana: How does that affect State staff (Jeannine)?
 - Hum: She is completely State-employed and therefore would continue working. Additionally, NOAA Corps officers continue working through any potential shutdown.
 - Inflation Reduction Act Funding
 - HIHWNMS received \$17 million for upgrades to improve the climate resilience of the Kīhei facilities. During the week of November 13, 2023, HIHWNMS staff will meet with contractors to discuss alternatives and options for construction and landscaping. The design build contract would begin in FY26.
 - Priority items include: sand dune management to reduce sand migration onto the property; flood mitigation measures (e.g., regrading the parking lot, installing permeable surfaces, landscaping with native plants, etc.); expanding office and bunk facilities; building a boat house; and creating a visitor’s center in Kona.
 - There will be a public comment process in the environmental assessment phase; staff will keep SAC apprised as we move through the process.
 - Education – Maya Walton shared the following link on additional green infrastructure resources:
<https://seagrant.soest.hawaii.edu/sbcd-stormwater-practices/>



- Currently HIHWNMS is hosting US Coast Guard Lahaina harbor incident command at the Kīhei site. They expect to complete work by the end of the year.
- Please see ONMS Report handout in email, or posted on [SAC website](#).
- Question: Conservation – Kawika Winter: What is the update on new members?
 - Council Coordinator: Sara Wood: We have made our recommendations for 26 seats and routed those applicants up to headquarters. We are now awaiting their background checks and John Armor’s approval. We anticipate these will be complete by early-to-mid December.
 - Discussion continued regarding the Youth seat in particular and the adjustments to SAC meetings that may need to be made to accommodate high school students.
- **Agency Updates and Questions**
 - Hawai‘i State Energy Office (HSEO) - Cameron Black:
 - Introduced Bryan DeSanti II, HSEO’s new renewable energy specialist.
 - For decarbonization meeting information and to provide input, see website: <https://energy.hawaii.gov/what-we-do/clean-energy-vision/decarbonization-strategy/>
 - Webinar to be held November 14, 2023.
 - HSEO - Decarbonization Feedback link
 - <https://forms.office.com/pages/responsepage.aspx?id=xt5HOLJj-UOm0FikCqoaEOoTsKIFAT9FqIwZhRU8GnhUO1NUWFE0RFowWVpGO1ZVRlpKS1VOVE9WSi4u>
 - Question: Moloka‘i Island – Malia Akutagawa: How does the Decarbonization Strategy relate to the Sanctuary? I know the whales play a large role in carbon sequestration, is that the direction we're looking at?
 - Black: We are asked to look at carbon sinks & sources and general policies. We'd like to include the SAC’s input for how to get to our decarbonization goals.
 - Hum: While it’s not in our management plan to reduce our carbon emissions, we will include it in our next plan. E.g., one goal of our IRA project is to reduce our carbon footprint.
 - Black: The report is due in December; we want to provide specific recommendations at the state level.
 - Question: Education – Maya Walton: Is there a particular place on the decarbonization strategy website where we can find info on the vision for any ocean renewable energy?
 - Brian DeSanti II: See HSEO website information (below) on renewable sources. The Decarbonization plan does not currently have the exact amount of energy that could be provided by ocean resources.
<https://energy.hawaii.gov/what-we-do/energy-landscape/renewable-energy-resources/>



- **USCG - Maile Norman:**
 - Full update can be viewed [here](#).
 - Transported four Hawaiian monk seals for care and rehabilitation.
 - USCG is continuing recovery efforts in Lahaina with hopeful completion in December.
 - Conducted pre-storm preparation and post-storm response and recovery efforts to Typhoon Mawar in Guam.
 - Maui Wildfires: USCG conducted initial response search and rescue which transitioned into a mass rescue operation; established a safety zone and is still supporting the FEMA Mission Assignment for Oil & Hazardous Materials Response.
 - Hosted the Shiprider Symposium in July 2023. In attendance were representatives from Fiji, Tonga, Kiribati, Tuvalu, Nauru, Federated States of Micronesia, Papua New Guinea, Vanuatu, Samoa, and the Republic of the Marshall Islands to discuss critical topics that affect our oceans and coastal regions.
 - Continued work on Shiprider Program initiative. Support for the Pacific Island countries by conducting maritime law enforcement; protecting life and property; safeguarding navigation on the high seas; and providing humanitarian assistance.
 - Signed an expanded bilateral law enforcement agreement with the Republic of Palau. The enhanced bilateral agreement empowers the USCG to enforce regulations in Palau's exclusive economic zone (EEZ) without a Palauan officer present.
 - In October, the USCG established two new marine environmental response units in Honolulu: The USCG Marine Environmental Response Regional Activities Center (MER RAC) and the Illegal Unreported Unregulated Fisheries Center of Expertise (IUUF COE).
 - The South Pacific Regional Fisheries Management Organisation (SPRFMO) adopted a comprehensive High Seas Boarding and Inspection (HSBI) measure in its convention area that went into effect October 1, 2023.
 - USCG Cutter Harriet Lane arrives late 2023 and is the first vessel dedicated to collaborating with Indo-Pacific partners.
- **Field Season Update** (Ed Lyman, HIHWNMS Natural Resource Specialist)
 - Please see powerpoint slides on [SAC website](#).
 - Health and Risk Assessment monitoring program highlights:
 - Fluke catalog
 - New paper to be released soon.
 - Survivorship rate: six of the humpback whales that the team has freed of entangling gear have been resighted later.
 - Vessel contacts
 - Six reported cases during the 2022-2023 whale season; 50% of reports involved calves. One case was a whale watch boat, one case was an instance of a whale hitting a boat.



- All vessels were under 65 ft and reported moving at less than 15 kts.
- The overall number of reported animals impacted by whale-vessel contacts over time is increasing. Awaiting paper publication to share numbers.
- Effort/outreach is hard to measure.
- If a mother is hit, it has detrimental effects on the calf as well.
- Whales are more likely to be “seriously injured” from vessel contact.
- Best defense is vigilance: a vessel moving slower has a better chance of detecting a whale. Recommend vessel speed less than 15 kts during whale season.
- Entanglement
 - To date, the team has removed gear from over 40 animals and conducted hundreds of large whale entanglement response trainings in more than ten countries.
 - Four entanglement publications in recent months (see slides on [SAC website](#)).
- Drone use
 - Collaborated with Ocean Alliance, the creators of “Snotbot” to increase assessment potential. A drone that tows a camera next to a whale is much less invasive than a vessel approaching the whale with a polecam.
 - Drones are capable of dropping suction cup tags equipped with cameras and acoustic devices to record behavior.
 - Next steps: use of drones to cut entangling gear.
- Preparations for next season
 - Continued fluke catalog photo identification.
 - Visual health and risk assessment, including scar analysis.
 - Transect survey app (beta testing) for use on tour boats. Possibly an opportunity for volunteers to get on the water and collect data.
 - Continued collaboration with Ocean Alliance to increase drone use for entanglement response.
 - Dr. Kristi West and student Jessie Hoffman to do breath analysis and biopsy work.
 - Planned analysis of humpback whale tissue to identify presence of any possible contaminants from the Lahaina wildfires.
 - The Lahaina entanglement gear kit has mostly been replaced, thanks to gear donation from Center for Coastal Studies.
- Question: Education – Maya Walton: Will the HIHWNMS be collaborating with researchers to better understand where whales are getting entangled?
 - Lyman: Yes, we do. Usually the fishing gear is helpful, as well as imagery. If we can get the numbers on the buoy or fishing gear, it can be traced back to geographical location and/or owner.



- Walton: [Dr. Eileen Nalley](#), Ocean and Coastal Ecosystem Health Specialist with Hawai‘i Sea Grant could be helpful.
- Question: Office of Hawaiian Affairs – Kealoha Pisciotta: On the royal society paper. Is it available if so where can we look it up?
 - Lyman: We are still awaiting the release, but we will share once it's available.
- **Subcommittee and Working Group Updates**
 - Huhuli Subcommittee: Malia Akutagawa, Moloka‘i Island Representative
 - Nod to Biden’s Indigenous Knowledge Guidance for Federal Agencies memo. Important to include a cultural element in our plans moving forward. It is imperative that we make shifts in light of the current climate, especially when considering current projects like dredging, deep sea mining, boundary lines, etc.
 - Huhuli will be recommending that the management of HIHWNMS move in a direction similar to Papahānaumokuākea Marine National Monument, with greater priority in terms of Hawaiian voice and cultivating a strong co-trustee relationship. They will be inviting Kalani Quiocho to a SAC meeting to cover what it looks like holistically to work from a Hawaiian management framework. Also talked about inviting others that belong to other NGOs that are monitoring international policies and high seas such as Julian Aguon, an attorney from Guam.
 - In regards to whale strandings, how can Huhuli proactively advise the SAC on what to do before a stranding. Still working on how to increase native priorities into stranding protocols. Huhuli plans at some point to invite Jeff Walters to respond fully to the Huhuli letter provided years ago.
- **Papahānaumokuākea Designation Discussion**
 - Update from Eric Roberts, Superintendent:
 - We have completed our first internal management plan. The documents are currently in review by cooperating agencies, awaiting their input prior to sending to clearance. Hopeful to complete this phase in the next two months, the goal is to release public documents in February. Once documents are released, there will be a 30 day public comment period followed by 30 days of public meetings.
 - The public (including the SAC) can provide comment on PMNM documents in two ways:
 - 1. Once posted, comments can be provided on <https://www.regulations.gov/>.
 - 2. At public hearings. These will take place across the archipelago; hearing schedule to be released at a later date.
 - E/V Nautilus operated in PMNM during September; they captured amazing deep sea ROV footage. There was a strong cultural component including a video made showcasing oli and protocol in the monument. See <https://nautiluslive.org/cruise/na154>



- **Pacific Remote Islands National Marine Sanctuary Designation Discussion**

- Update from Cat Takata, Policy and Planning Specialist

- The process to designate PRI as a National Marine Sanctuary is the same as what Papahānaumokuākea is currently going through, but happening a few months later.
- Cross-cultural connection to this region including seafarers and Native Hawaiian navigators.
- Pre-existing monument includes refuge areas.
- In June 2023 the formal comment period concluded during which 57,000 comments were received; now finalizing the draft documents. All comments will be considered in the documents. A workshop was held September 12-15 in Pago Pago, American Samoa to discuss how this will affect commercial fishing.
- NOAA is in the drafting phase, no formal decision yet on boundaries, etc.
- Map and current timeline can be found on ONMS-PRI website:
<https://sanctuaries.noaa.gov/pacific-remote-islands/>
 - Draft designation documents are expected to be released winter-spring 2024. Public comments will be received during this time for a period of 30-45 days.
- Question: Whale Watching – Sherry LeMaster: What is the relationship of these places to the US - what is the jurisdiction?
 - Takata: There is federal oversight. The Pacific Remote Islands Monument area is cooperatively managed by the Secretary of Commerce (NOAA) and the Secretary of the Interior (U.S. Fish and Wildlife Service), with the exception of Wake and Johnston Atolls, which are currently managed by the Department of Defense. National Wildlife Refuges also exist at each of the islands within the Monument.

- **SAC Chair & Coordinator Summit Update**

- Update from Sara Wood, Advisory Council Coordinator:

- Summit occurred in Oswego, New York, the proposed site of the Lake Ontario National Marine Sanctuary.
- Director John Armor, HQ staff, SAC chairs and coordinators attended. John Armor and Paul Scholz gave presentations on the ONMS budget and proposed ONMS expansion, including the designation of six new sanctuaries.
- There were numerous talks on indigenous engagement, led by Carolina Behe. Sol Kaho'ohalahala (SAC Chair) was able to provide the Native Hawaiian perspective.
- Representatives from the ONMS Business Advisory Council (BAC), were present. The BAC functions much like our SAC but was established to provide advice and recommendations to the ONMS director specifically on the sustainable management of national marine sanctuaries and ways in which the business community may help advance ONMS' goals.



- There was a discussion about offshore wind. Stellwagen Bank, in particular, has had a lot of involvement working with BOEM about offshore wind energy in their sanctuary.
- Several panels were held on topics like effective meeting strategy, recruitment, indigenous engagement, and the power of the SAC. It was clear that many SACs have difficulty filling certain seats, such as Fishing.

Public Comment was held at 12:00 pm

No public comments.

- **FY23-25 SAC Work Plan**

- Introduced by Superintendent, Kim Hum. The goals were set at our last SAC meeting. Today we want to review those goals and assign them to SAC subcommittees, including:
 - Native Hawaiian Culture - Huhuli Subcommittee
 - Education and Outreach - new Subcommittee
 - Resource Protection - new Subcommittee
 - Research - new Subcommittee
- **Native Hawaiian Culture - Huhuli Subcommittee**
 - 1st Goal: Develop protocols for the opening of all future SAC meetings.
 - SAC Lead: Roxane Keli‘ikipikāneokolohaka
 - Task complete, mahalo to Native Hawaiian seat – Roxane Keli‘ikipikāneokolohaka for creating an ‘oli.
 - 2nd Goal: Develop and present cultural training on the Kumulipo for staff, SAC members, volunteers, and partners.
 - SAC Lead: TBD
 - No comments or suggested leads; to be discussed with Sol Kaho‘ohalahala.
 - 3rd Goal: Rename the sanctuary in ‘ōlelo Hawai‘i.
 - SAC Lead: TBD
 - Conservation – Kawika Winter: Members of Huhuli committee will take these concerns into consideration as an item. Whale Watching – Sherry LeMaster also indicated a desire to help with this project.
 - Discussion as to whether this would be for the entire sanctuary or just different parts (e.g. atolls, seamounts, five separate boundary areas, etc).
 - Vice Chair/ Kaua‘i Island Representative – Maka‘ala Ka‘aumoana: It may be too confusing if there are multiple names. It’s probably best to have a one holistic name but acknowledge the parts and pieces within it.



○ **Education and Outreach Subcommittee**

- 1st Goal: Expand outreach to islands/regions of islands where we don't currently have a presence.
 - SAC Leads: Proposed Solomon Kaho'ohalahala for Lāna'i, Chad Wiggins for Kona, Malia Akutagawa for Moloka'i.
 - SAC members interested in joining this subcommittee: Maya Walton, Robyn Ehrlich, Maka'ala Ka'aumoana, and Sherry LeMaster.
 - Superintendent – Kim Hum: We are close to establishing a visitor's center on O'ahu at Aloha Tower. It will be a collaborative regional space. We are still in discussion for a visitor's center and office at the Kona Brew location, dependent on funding.
 - Hawai'i Island Program Coordinator – Cindy Among-Serrao: HIHWNMS conducted outreach on Moloka'i and Lāna'i for Get Into Your Sanctuary Day.

○ **Resource Protection Subcommittee:**

- 1st Goal: Build Sanctuary understanding of and ability to address risk and impacts of climate change. Promote greater awareness & understanding of climate risks.
 - SAC Lead: Brian DeSanti II, HSEO
 - Discussion: There is already a Climate Change Working Group, Staff Lead: Jeannine Rossa.
 - Members: Jeannine Rossa, Ed Lyman, Marc Lammers, Jens Currie, Maka'ala Ka'aumoana, Maya Walton, Chad Wiggins, Sherry LeMaster. Add: Brian DeSanti II.
- 2nd Goal: Build compliance with recommended vessel speeds within sanctuary boundaries and throughout Hawai'i waters.
 - SAC Lead: TBD
 - Discussion: There are existing recommendations to maintain safe speeds during whale season. Research Coordinator – Marc Lammers: nothing concrete has been formed at this point, although Jeannine Rossa has been leading the effort to get the word out to boaters.
 - Kaua'i Island (alternate) – Nina Monasevitch would like to help with this goal.
- 3rd Goal: Provide science to inform offshore wind development.
 - SAC Lead: Cameron Black, HSEO.
- 4th Goal: Increase on-water community engagement in mitigation of large whale entanglement and response.
 - SAC Lead: TBD, but acknowledged that this can also fall under the Education & Outreach subcommittee.



- **Research Subcommittee:**
 - 1st Goal: Provide research to inform adaptive management.
 - SAC Lead: TBD
 - 2nd Goal: Develop collaborative research plan.
 - SAC Lead: TBD
 - OHA – Kealoha Pisciotta Research joined the subcommittee.
 - Discussion: This involves getting information out to key constituencies. E.g., there are questions about the impact of the Lahaina wildfires on humpback whales.
 - Research Ecologist, HIHWNMS – Marc Lammers: Researchers are getting together to determine how to share resources including vessels and tools to help each other get on the water and continue research. The research plan is still evolving and will be shared with SAC members and research partners once formulated.
 - Engaging indigenous communities and local community partners.
 - Pisciotta: Kilo, or observation practice, is a Native Hawaiian methodology that should be considered a science. In collaborating ideas for research, I do really support integrating native research as well. What does native research look like, how is it protected?
- **2024 Meeting Dates**
 - Planned joint RAC/SAC meeting on January 29th, likely on O‘ahu (pending approval of federal appropriations).
 - The remaining 2024 meeting dates will be determined by a questionnaire, expect to receive that sometime in December. It will be sent out once new members are onboarded to incorporate their opinions.

Vice Chair/Kaua‘i Island – Maka‘ala Ka‘aumoana adjourned meeting at 1:33 pm.