

Sanctuary Advisory Council
Fiftieth Meeting
Wednesday, August 29, 2007
9:30 a.m. to 3:00 p.m.
Honolulu International Airport
Inter-Island Conference Center

FINAL MINUTES

Attendance

Primary Council Members Present:

Bob Bruck, Jim Coon, Bill Friedl, Lou Herman, David Hoffman, Eric Kingma, Marc Lammers, Teri Leicher, Marnie Meyer, Jerry Norris, Sara Peck, Dale Sarver, Mike Stanton, Cheryl Sterling, Chris Yates

Alternate Council Members Present:

Stephen Juarez, John Muraoka (for Becky Hommon), Adam Pack, Iris Thompson (for Dean Watase)

Excused:

Athline Clark, Liz Corbin, Tommy Friel, Kimokeo Kapahulehua, Jeanne Russell, Don Thornburg, `Aulani Wilhelm

Others Present:

HIHWNMS: Mary Grady, Naomi McIntosh, Jeff Walters, and Paul Wong

NMSP: Ed Lindelof

Distributed Materials

- Meeting Agenda
- Table of Contents
- Meeting Minutes (06/19/07)
- Meeting Action Items
- Sanctuary Manager's Report
- Sanctuary Co-Manager's Report
- Hawai'i County Report
- Maui County Report
- Aquaculture Working Group Report
- Draft Letter to Governor
- Summary of Comments on Letter to Governor
- Summary of Comments on Additional Resources Report
- SPLASH Information Sheet

- Prospectus on The First International Conference on Marine Mammal Protected Areas
- Article: Collision doomed humpback whale
- Pacific Islands Region Marine Mammal Response Network Activity Update July 2000
- Sanctuary Watch – Summer 2007 Vol. 8. No. 1

Call to Order

The purpose of this meeting is to elect council officers, follow up on previous action items and discuss management plan review.

Council Vice Chair Jim Coon called the meeting to order at 9:36 a.m. Teri Leicher then took role.

Elections

Elections were held from 9:45 a.m. until 10:00 a.m. Dam Midyett and Mary Grady counted the votes. Bill Friedl was elected as Chair, Jim Coon as Vice Chair, and Teri Leicher as Secretary.

Approval of Meeting Minutes

The meeting minutes from the council's June 13, 2007 were read and approved.

Public Forum

Bill Friedl asked the members of the public to introduce themselves.

Presentations

Chris Yates and David Schofield, NOAA Fisheries

Chris Yates provided the council with information the on the Recovery Plan for the Hawaiian Monk Seal. He spoke about status of the Hawaiian monk seal and a population decline that has lasted 20 years. The population is currently around 1200 monk seals and modeling predicts the population will fall below 1,000 animals in the next 5 years. Although there have been ongoing recovery efforts, threats to the population include human interaction, erosion of haul-out and pupping beaches, prey resources, and potential disease outbreaks. He informed the council of the updated Monk Seal Recovery Plan released in August 2007. The recovery strategy for the Hawaiian monk seal includes: 1) Improve juvenile female survivorship in the Northwest Hawaiian Islands (NWHI), 2) Maintain extensive field presence in the NWHI, 3) Ensure the continued growth in the main Hawaiian Islands (MHI) by reducing threats, and 4) Reduce the probability of the introduction of infectious diseases. The Recovery Plan can be downloaded at: www.fpir.noaa.gov/PRD_hawaiian_monk_seal

David Schofield presented on the Main Hawaiian Islands Hawaiian Monk Seal Response Network: A Management Program Overview. Ongoing priorities for the program include: 1) Community involvement, 2) Ensure staff, public, and animal safety, 3) Promote humane animal decisions, 4) Scientific data collection, 5) Facilitate the use of data for marine mammal management, and 6) Communication. The Monk Seal Response Network includes responders on the islands of Kauai, Oahu, Molokai, Maui/Lanai, Kahoolawe, and the Big Island. Two of these responders are also

sanctuary staff members. Response to monk seal incidents includes dehookings, translocations, and necropsies. The Main Hawaiian Islands Hawaiian Monk Seal (HMS) Management Plan is a subset of the HMS Recovery Plan. This plan includes outreach and a semi-annual seal count. Volunteers are needed for monk seal monitoring, haul out response, scientific data collection, public outreach, education, pupping events, stranding response, organizing events, and leading teams. In the future, NOAA Fisheries will continue to work with the State to build response capacity, build outreach programs and community stewardship, and sustain programs through funding.

Discussion

Teri Leicher asked about education and outreach and the programs that will be taking place. Chris Yates spoke about the need to maintain human safety and seal safety. Monk seals that become conditioned to people may be dangerous because they may pull people under the water.

Chris Yates also spoke about the recovery strategy to raise pups until they are healthy enough to survive in the wild; however the program lacks funding and will start off small. Lou Herman asked where the monk seals will be raised—if this will be in a captive habitat facility? Chris Yates responded that he doesn't know where it will be, they are still at the very beginning stages of the captive care program. Population modeling shows that it is necessary to rehabilitate 50 pups a year; the program is looking at build up to that number.

Charles Littnan with NOAA's Pacific Islands Fisheries Science Center tagged seals on Molokai two weeks ago for foraging studies. Marc Lammers asked if there was an age class that determines where seals haul out or pup. There are specific spots for individuals but age class structure has not been documented. Usually monk seals are looking for shark protection or protected bays. Cheryl Sterling asked about the interpupping interval. The interpupping interval is 12 months (every year for a few years and then skip a year and start over). Female monk seals become sexually mature at age 5 to 25 or 30.

Adam Pack asked Chris Yates what he thought the role of the sanctuary should be. Chris Yates said it is for the sanctuary decide what role to play and that he would definitely want the sanctuary to continue supporting current efforts to assist his agency with monk seal responses in the MHI. Chris Yates said the sanctuary will be able to help in determining threats and educating the public about monk seals. The model is already there for humpback whales under the outreach and education capability that the sanctuary has. The sanctuary should continue supporting what they are currently doing and then look into furthering response, education, and outreach efforts.

Adam Pack asked if this will mean more funding for the sanctuary or will the sanctuary have to do more with the same funding. Jeff Walters said it depends on how it is approached and that the sanctuary may be able to tap into other funding sources. Bill Friedl also asked about funding and implementing monk seal recovery programs if the sanctuary includes monk seals under their authority. Chris Yates said

that this discussion is still ongoing with the National Ocean Service (NOS) and that Jack Dunnigan, Director of NOS, is supportive of this partnership.

Eric Kingma asked whether the humpback whale recovery plan would be revised. Chris Yates responded there are no immediate plans for revising the recovery plan for humpbacks.

David Schofield provided the response line for monk seal sightings and strandings: 888-256-9840.

Discussion on Reports and Updates

Chair's Report:

Mr. Friedl asked the council members to review the Action Item Report (see attachment 1).

Sanctuary Manager:

Sanctuary Manager, Naomi McIntosh, submitted a written report (see attachment 2). Naomi McIntosh provided the council with an update on the education curriculum project, the status of the completion of the draft of units, and announced that NOAA Pacific Services Center will take over the management of the curriculum project.

She also announced that Christine Brammer, Oahu Programs Coordinator, had a healthy baby girl on August 9, 2007.

Naomi McIntosh spoke about the steering committee meeting that the sanctuary hosted in July to plan for the first international conference on marine mammal protected areas. The group is proposing the conference be held in Hawaii in March 2009. Teri Leicher asked where the funding would come from. Ms. McIntosh responded that the committee is exploring funding opportunities. Possible funding sources include NOAA Fisheries International and the National Marine Sanctuary Program.

Teri Leicher asked if a presentation on SPLASH can be made to the council. Ms. McIntosh responded yes. Marnie Meyer asked if the NOAA Marine Protected Area (MPA) Center is involved in the conference plans. Ms. McIntosh said yes they are interested in being involved.

Sanctuary Co-Manager:

Sanctuary Co-Manager, Dr. Jeffrey Walters, submitted a written report (see attachment 3).

Jeff Walters announced that Laura Thielen has become the Interim Director of the Department of Land and Natural Resources. Mr. Walters recently took Ms. Thielen to the monk seal recovery plan ceremony. Ms. Thielen is interested in the Ocean Resources Management Plan and the idea was raised for Marnie Meyer to give a presentation on the Plan to the council.

Mr. Walters provided the council with an update on aquaculture proposals around the state. Hawaii Oceanic Technology, Inc. submitted a Conservation District Use Permit (CDUP) application to DLNR Office of Conservation and Coastal Lands (OCCL) on June 14, 2007, for an open ocean fish farm to grow out ahi about 3 miles offshore of Malae Point, North Kohala, Hawaii Island. The project would deploy 12 cages 180 feet deep. DLNR OCCL found the application incomplete in several areas and could not accept the application as submitted. OCCL also noted that due to the scope and magnitude of the project the applicant should prepare an EIS.

Representatives from Maui Fresh Fish, LLC, met with the co-manager on August 7, 2007, to discuss their plans to establish an open ocean fish farm in Maui County waters to grow out opakapaka. The company is currently developing a hatchery on Maui, and is in the process of site selection for the cages. The co-manager summarized the concerns particular to humpback whale impacts and provided two map products depicting whale densities, bathymetry, substrate types, and sanctuary boundaries in the Maui County area. The company's representatives indicated that they would want to meet again with sanctuary representatives as soon as their site selection list had been narrowed down. They also indicated a desire to meet with the council.

State sanctuary staff members have been busy with monk seal response over the last two months. Adam Pack asked how much of Justin's time is devoted to monk seal response. Mr Walters responded that Justin devotes a lot of time to monk seals, over half since the whales have left.

Adam asked how the sanctuary's resources are being allocated because it is an important consideration for the possible addition of these resources.

Bill Friedl advised that someone should spend more time at the Kona office during whale season—maybe volunteers or another staff member are needed on the Big Island to do education and outreach. Sara Peck commented on the great work that Justin is doing but also said that he is stretched way too thin and could use some help.

Kaua`i County:

No report was submitted.

Hawai'i County:

Sara Peck, Hawai'i County Representative, submitted a written report (see attachment 4).

Honolulu County:

No report was submitted.

Maui County:

Cheryl Sterling, submitted a written report (see attachment 5).

Conservation Committee:

Lou Herman, Conservation Committee Chair, did not submit a written report; however, he stated that he would like to see the conservation issue of boundary expansion addressed and asked as the population of whales expands, should the boundaries of the sanctuary expand? The boundaries are 10 years old. Naomi McIntosh responded that this topic will be reviewed during the management plan review process.

Education Committee:

No report was submitted.

Research Committee:

Marc Lammers, Research Committee Chair, did not submit a written report; however he updated the council about his time in Spain. Spain also has a ferry issue and the companies appear to be ignoring the problem or they are refusing to engage in dealing with any of the issues. In the Azores, interest in open ocean aquaculture is growing and companies are looking to Cates International and Kona Blue as examples. What we do in Hawaii is setting an example for other areas of the world.

Aquaculture Working Group:

Mike Stanton, Aquaculture Working Group Chair, submitted a written report (see attachment 6).

Mike Stanton provided a report on Kona Blue's proposed expansion. Teri Leicher asked about obtaining the full report. Both Mary and Mike have copies that can be provided to the council. Lou Herman asked what mitigation measures are being taken to monitor interactions with monk seals around the aquaculture pens. Dale Sarver responded the company has gone back to using an internal cage within a big grow out cage. The outside cages are taut and there is no way for sharks to get in. There have been no seals sighted for a year now.

Unfinished Business**Additional Resources Report and Letter to Governor**

A copy of the Additional Resources Report was passed out to the council. Mary Grady explained that comments received from council members, staff, and species experts were incorporated into the report.

Adam Pack asked about whether there was a need to cover all cetaceans. Ms. Grady explained the report covers species that have a nearshore distribution and an

offshore distribution in order to provide a broad status of these species within Hawaiian waters. Further specification will take place during public scoping.

Chris Yates asked if the public scoping is like the NEPA process. Ed Lindelof responded that if additional resources are being considered for inclusion that NEPA will be followed. Ed Lindelof explained that the report is a statement of fact rather than recommendations. Jeff Walters clarified that he asked for statement of fact. Dave Hoffman asked about the letters of support in the appendix and if there should be one from the council. Naomi McIntosh stated the council will be voting on approving a letter of support that will be send directly to the Governor. The sanctuary will draft another letter to the Governor on aksing the Governor for her acceptance with moving forward. The sanctuary is keeping the process to consider additional resources broad for now until we get her approval, then we will move forward with specific findings.

Approval of New Business Section of Minutes from Meeting #48

Dale Sarver questioned if statement under the first paragraph of New Business was stated at the meeting. The sentence was, “Under the current situation, because of the lack of information the council will continue to recommend aquaculture development be sited outside of sanctuary waters”. Dale Sarver revised and rewrote the section under new business and asked if the council would be willing to consider revising the minutes. No motion was made. Mark Lammers did not recall what was said during the meeting. Lou Herman said we should either modify the minutes or strike the sentence. Adam Pack disagreed, saying that the sentence was part of the discussion. Jeff Walters said the statement may have been attributed to him and not the entire council. Naomi McIntosh said basically the SAC needs to decide if the statement should be in the minutes or out. A similar talking point was provided to the council at previous meeting. Dale Sarver requested seeing the written statement. Bill Friedl said the SAC has been consistent in recommending aquaculture siting outside the boundaries of the sanctuary. Mr. Friedl is at a loss as how to proceed—the minutes were drafted and now there is a discussion over recorded minutes with no council recollection. If the council disagrees on the recollection of what was said during the meeting, the minutes need to be striked or qualified.

Mark Lammers suggested a friendly amendment be made, not attributing the statement to anyone. The Research Committee was asked to draft priorities. The general sense was that there was a need for research, and availability for research funding. Mike Stanton is concerned that if the minutes are not formerly approved, this statement will not be documented for the record. Bill Friedl said the council should strike the sentence because of lack of information. The council will have the statement on record due to the discussion at this meeting.

Eric Kingma moved that the sentence, “Under the current situation, because of the lack of information the council will continue to recommend aquaculture development be sited outside of sanctuary waters” be stricken from the record. Motion was favored; 1 vote in opposition.

A comment was made to have first and last names to be listed throughout the entire minutes.

New Business

SAC Selection Committee

A SAC Selection Committee is needed to oversee applications for open positions. Council members need to reclude themselves from seats they're applying for. There are usually 3-5 members on the Committee and duties involve reviewing applications. Mike Stanton, Lou Herman, Leicher, Jim Coon, and Dale Sarver volunteered to be on the Committee.

Meeting Schedule

The council discussed the meeting schedule for 2008. This year the retreat was held on January 17th and 18th. The issue with having meetings during this time is there is no budget yet. The sanctuary program is normally on a continuing resolution imposed by Congress. The Council agreed on January 10, 2008. Tentative dates were set for April 17th or April 18th, 2008 and for June 12th or 19th, 2008. Adam Pack suggested there should be a meeting this fall prior to whale season. A tentative date was also scheduled for Thursday, November 15, 2007 in case there is funding. It was suggested that tying the steps of the MPR and SAC related meetings may be good idea. Naomi said the council should revisit this at the next meeting.

Adam Pack requested that the Conservation Committee provides the most current estimate of the humpback whale population. Lou Herman said that some people say the population has recovered; however in order to determine recovery, we need to know what original numbers are through inferences and strapulations on what was killed. We are now finding that many more were killed than what was reported to the International Whaling Commission. The North Pacific humpback whale was protected in 1966, but Russians continued to hunt well up to the 1970s. Bill Friedl asked if Lou can prepare a synopsis of this in a Conservation Committee report to incorporate the statistics. Mr. Friedl also requested the council be provided with titles of research permits in sanctuary waters to determine the scope of work that is occurring. Jeff Walters can provide this information.

Preparation and Planning For Next Meeting

Lou Herman suggested a presentation on other additional species, such as sea turtles, to educate the council on potential additional resources. Mr. Herman thought the monk seal presentation was helpful.

Public Forum

There were no public comments at this time.

Unfinished Business Resumed

Council members requested a discussion on the letter to the Governor to be resumed. Mary used the format from the council's letter to Dan Basta and placed the letter on the overhead and made revisions according to council's suggestions (see attachment 7). Jim Coon motioned to accept the letter to the Governor with new edits; Eric Kingma seconded; the motion passed unanimously.

Announcements

There were no announcements at this time.

Adjournment

Mr. Friedl adjourned the meeting at 3:00 p.m.

Sanctuary Advisory Council
2007 Action Item Report

ACTION: The Executive Committee will make the recommended edits to the letter to the Governor. (4/18/07)

Status: The Executive Committee recommended edits to the letter (5/7/07). The revised letter was discussed at the June SAC meeting and further suggestions were made. The Executive Committee reviewed these comments on 7/19/07 and suggested changes to address these comments. The letter will be distributed to the Council (7/19/07)—COMPLETE

ACTION: The Executive Committee will review the recommendations on the Additional Resources Report. (4/18/07)

Status: The Executive Committee reviewed these comments on 7/19/07 and suggested changes to address these comments (7/19/07)—COMPLETE

ACTION: The council asked for sanctuary staff to draft talking points for management plan review and aquaculture. (4/18/07)

Status: Sanctuary staff drafted talking points, which are being reviewed by Sarah Marquis, Media Coordinator.—PENDING

ACTION: The Aquaculture Working Group and Research Committee will further evaluate research priorities on aquaculture. (1/17/07)—ONGOING

ACTION: The Executive Committee will evaluate the composition of the council. (1/17/07)

Status: The Executive Committee held a meeting on 7/19/07 and decided that the composition of the council will be evaluated during the management plan review process.—ONGOING

ACTION: Terry encouraged the Aquaculture Working Group and other Committees to evaluate the proposed expansion of Kona Blue and provide recommendations to management. (1/17/07)

Status: Mike Stanton held a follow up call with Neil Sims on 7/23/07 and Neil reported their expansion plan has been downsized. Instead of 12 new net pens they have decided to add only 4 new net pens to their existing approved site location. They are proposing to add the 4 new ones to the east (inshore) of their existing pens, for which they are awaiting the engineers production of precise drawings with distances and measurements. Neil surmises that the eastward expansion will go about 200 ft further inshore. He has provided a synopsis of the EA for the SAC and is very appreciative of our interest in his expansion and our continuing contact directly with him.—ONGOING

ACTION: The Research Committee will hold a meeting on constituent recommendations regarding the Superferry. (9/6/06)

Status: The Research Committee held a meeting with FarSounder on 11/27/06 to obtain information on forward-looking sonar.—COMPLETE

Attachment 2

Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council Manager's Report August 29, 2007

Education and Outreach

Increasing Ocean Awareness

The sanctuary is working in partnership with the Hanauma Bay Nature Preserve and the Hanauma Bay Education Program. In June, the Sanctuary helped to sponsor and coordinate three summer events at the preserve. E Malama I Ke Kai – Caring for the Ocean was held on June 23rd, 2007. On July 28th, an event to promote protection for Hawaii's Coral Reefs was held, "Hawaii's Reefs: No Place Like Home", a family event featured hands on activities from over (10) different organizations. In addition, Hanauma Bay will be celebrating 40 years as a marine life conservation district and the Sanctuary provided assistance for the planning of a reception that will be held in September in recognition for those who have been involved in the protection of the bay.

On June 9th and 10th, the sanctuary hosted an outreach booth at the Maui Ocean Center's World Ocean Day event. Families played the humpback whale fluke matching game and received temporary tattoos. They also made whale, turtle and monk seal hats and marine life necklaces.

Alastair Hebard, Emily Carlson and Jerry Stowell from the Maui office participated in the Pacific America Foundation workshop on environmental education on "Aloha `Aina", care of the land. One of the afternoon field sessions was held at the Maui Education Center, and Alastair led the group in a limu and plankton activity.

Emily Carlson and Alastair Hebard along with volunteer Flo Bahr hosted an outreach booth at the Pineapple Festival on the island of Lana`i. Over 200 people visited the booth for the day and evening event. Hebard and Bahr were interviewed by Akaku TV, a local public access station.

Patty Miller and Nancy Daschbach are working with Hoaloha`aina, an environmental NGO, and Tri-Isle Resource Conservation and Development Council, Inc. to plan production of interpretive signs and pamphlets through a Preserve America Initiative Grant the sanctuary was awarded. Signs are planned to interpret the Maui site's history, the adjacent sand dune and ancient Hawaiian land management concepts.

On June 30, the 10th Annual Kauai Family Ocean Fair was held at the Kilauea Point National Wildlife Refuge, overlooking the Hawaiian Islands Humpback Whale National Marine Sanctuary. The fair, which promotes hands-on learning about oceans, is a joint project of the sanctuary, refuge and the Kilauea Point Natural History Association. One of the major themes of this year's fair was celebrating NOAA's 200th with many NOAA programs having activity booths. Kauai-based NOAA programs of the sanctuary, the National Weather Service's Lihue Office and the Hawaiian Monk Seal Conservation Hui were joined by the following Honolulu-based NOAA programs: Papahānaumokuākea Marine National Monument, Central Pacific Hurricane Center, National Marine Fisheries Service, Pacific Services Center, and National Geodetic Survey. A wealth of NOAA educational materials developed for NOAA's 200th and other materials developed locally by NOAA programs were generously contributed to the event which attracted 115 educators (a 100% increase over last year) from Kauai and elsewhere. In support of the fair's second major theme of exploring underwater robotics, there was an exhibit by the Waimea High School underwater robotics club. In addition two workshops were conducted for educators and students on designing, constructing and testing autonomous underwater vehicles using Lego Mindstorm education kits. The workshops were conducted by the University of

Hawaii at Manoa Student Teacher Outreach Mentorship Program with assistance from the sanctuary and the Dr. Walter Haas Memorial Fund at the National Marine Sanctuary Foundation. The fair, which targets the general public and local residents, was deemed a success by exhibitors, volunteers (50 sanctuary and refuge volunteers assisted), co-sponsors, and spontaneous feedback received from educators and other fairgoers. The fair is coordinated by the sanctuary's Kauai Programs Coordinator, Jean Souza.

On July 2nd, the Maui office hosted a REEF fish I.D. training led by Liz Foote of Project S.E.A. Link and Donna Brown from Maui Community College. 15 people attended, including many sanctuary volunteers. The training provided participants an opportunity to learn how to better identify reef fish in Maui.

Sierra Club members including adults and children visited the Maui site over two days and learned about the adjacent fishpond and the limu living there. Alastair Hebard led education activities for the group.

Naomi McIntosh attended the NOAA Pacific Regional Outreach Group meeting on August 13th. Items discussed included: Collaboration on NOAA's Pacific Region 200th anniversary events and outreach events: 25th Annual Hawaiian Slack Key Guitar Festival, August 19; Get the Drift and Bag it, September 15; Hawaii Fishing and Seafood Festival, October 7; the Mauna Loa Observatory events in November).

On August 19, the Sanctuary coordinated NOAA's Pacific Region's participation in the 25th Annual Hawaiian Slack Key Guitar Festival. The festival attracted over 5000 visitors and residents. NOAA's Pacific Region featured information about NOAA's 200th Anniversary, NOAA's services in the Pacific, educational materials to let people know what they can do to help protect Hawaii's ocean resources and interactive activities for kids.

Enhancing Student Learning Opportunities about Hawai'i's Oceans

The Maui education team hosted 18 students from an Atlanta high school covering nearshore ecology through exploration of plankton, marine algae and the Ko'ie'ie fishpond.

A group of 15 students from Maui Community Colleges coral reef class visited the Maui site and were tasked with getting three remote control B-Wet boats operational for exploring the fishpond and then contrasted what they saw with the technology by getting in the water to explore the same area.

In partnership with the Digital Bus, the Maui Sanctuary office hosted the Boys and Girls Club and three groups of over (60) students from Kamaina Kids over three days. Students participated in hands on activities including tidepool explorations with the sanctuary.

Alastair Hebard and Jerry Stowell assisted Hawaii Wild Life fund with a group of 15 high school students from Road Less Traveled. The students were taught about the native Hawaiian fishpond adjacent to the site.

Thirty middle school students from Maui Waena participated in a *limu* (seaweed) class with Alastair Hebard. Students learned to identify *limu*, about the various types of fishponds. They ended the activity by passing rocks and building their own *umu*, or Hawaiian fish trap.

Jean Souza participated and provided selected NOAA materials for a K-12 teachers workshop on Marine Geology of Kauai: Bringing National Science Foundation Marine Science and Hawaiian Volcanology to Kauai Complex Schools, sponsored by the University of Hawaii at Manoa, School of Ocean and Earth Science and Technology with a grant from the National Science Foundation. Twenty teachers from 11 public and private schools around Kauai have started to develop and test twenty inquiry activities and will participate remotely (by facilitating students' submittal of questions and

interactions with the crew through web site and e-mail) in a National Science Foundation research expedition aboard the R/V *Kilo Moana* as it uses submarine robots for deep water geological exploration of the offshore flanks of Kauai in September. NOAA materials provided to date included: the Oceans for Life educational DVDs, Discover Your World with NOAA activity books, NOAA 200 posters of the sea bed, NOAA 200 website list/Mark Trail comic with 3-D lenses, and the “Woolly Magma” felted earth kits. The 5-month workshop will also include the conduct of labs for students and parents at geology-focused Science Nights at Waimea Canyon Middle School, Chieftess Kamakahahei Middle School, and Kapaa Middle School this fall. Public school teachers can qualify for 3 professional development credits by meeting specified criteria. The workshop is being conducted and coordinated by public school teacher Linda Sciaroni, who is also a sanctuary volunteer.

Alastair Hebard spent two mornings at the Kihei Charter School working with three classes studying plankton. 60 students participated in the activity.

Promoting Ocean Stewardship

The Maui office's sand dune restoration project got a boost this week from a dozen youngsters who planted several hundred native plants to help stabilize the sand dunes. The project is being done in cooperation with the Fishpond Association, led by Kimokeo Kapahulehua who has also been leading the sand dune restoration efforts. To date, irrigation pipes have been laid on the dune area--which is adjacent to the new Kihei Multipurpose Building--and the new plants will fill in areas that have been eroding and blowing sand onto the road and the Kihei sanctuary property. The restoration project results from agreements with Maui County, which allowed us to relocate part of the sand dune so that we could build the new building. Currently the sand dune area is dominated by invasive kiawe trees which will eventually be replaced by all native vegetation.

Sanctuary Volunteers

Sanctuary Volunteer picnic on Oahu

Our Sanctuary volunteers are the most dedicated, hard working, and enthusiastic people in the program. To express our appreciation, the sanctuary held a special summer picnic for volunteers that serve as site leaders during the Sanctuary Ocean Count project on Oahu. Volunteers gathered at Kailua Beach Park to celebrate the successes of the 2007 Sanctuary Ocean Count project and to share their favorite photos of whales and other marine protected species. Many of the volunteers in attendance have volunteered for the sanctuary for over ten years. Others were new to the Sanctuary Ocean Count project this season and appreciation events such as the picnic have connected them with other volunteers and staff in order to encourage their continued participation in sanctuary projects.

Capitol Hills Ocean Week

In conjunction with Capitol Hill Ocean Week 2007, the National Marine Sanctuary Foundation (NMSF) held its **Annual Leadership Awards Dinner** on June 5, 2007. HIHWNMS 2007 Volunteer of the Year nominee, Bruce Parsil, a volunteer since 2002 attended the ceremony with his wife Christy. The Parsil's have supported the Kauai Sanctuary office by serving as site leaders during the 2006 Brown Bag with Whales, a lunchtime shore-based whale watch. Bruce Parsil has been the site leader for the Sanctuary Ocean Count four consecutive years. He has also supported the Kauai Family Ocean Fair has assisted with monk seal pupping events on Kauai.

Science and Rescue

Building Response Network and Research Capacity

Ed Lyman, Marine Mammal Response Manager, is finishing a 3-month detail working in Juneau, Alaska with NOAA Fisheries. While in Alaska, Ed is working on hosting workshops and trainings related to large whale disentanglement. He is also working on a variety of other efforts related to entanglement in marine debris and has provided assistance with entanglement responses in the Alaska

region during his stay. Ed assisted with a ship strike on a 15-year old male humpback whale. The response team confirmed that the animal was struck and then attempted to relocate the animal the next day. The animal was found dead and a necropsy was performed. This is the second year that Ed is working in Alaska as part of this partnership.

David Mattila is working in Massachusetts with the Center for Coastal Studies on some collaborative efforts. He will be meeting with the rescue director and team to discuss new advancements in tools or techniques for large whale disentanglement. He is also working on collaborative studies and papers and is training interns from Hawaii and the Dominican Republic in biopsy techniques.

Update on SPLASH

David Mattilla gave a special briefing on Capitol Hill on SPLASH (Structures of Population, Levels of Abundance and Status of Humpbacks). The proposal to hold an International Marine Mammal Protected Area conference and the disentanglement program were also discussed. In addition, Naomi McIntosh and David Mattila, held several meetings with NOAA partners: NOAA Fisheries International, NOAA Fisheries Protected Resources, National Marine Mammal Health and Stranding Response Program, NOS International, and NOAA's Marine Protected Areas Center. All were very pleased with the success of SPLASH and very interested in supporting the proposed International Conference.

Increasing International Collaboration

The HIHWNMS hosted the first meeting of a steering committee which was convened to discuss, plan and outline a proposal for the *First International Conference on Marine Mammal Protected Areas*. There are currently over 358 MPAs around the world that were designated for and/or include significant marine mammal habitat. These MPAs share many of the same threats and challenges and the group agreed that a conference that focused on networking managers, scientists and educators, would advance the effectiveness of all marine mammal MPAs, as well as identify potential pathways for the formation of formal Networks of MPAs with shared populations and interests. Participants came from several are NOAA NMSP and Fisheries agencies, as well as from: Argentina, Oceania and the United Kingdom. The Steering Committee also includes members from Australia, Brazil, Italy, Mexico, New Zealand and Norway.

Enhancing Sanctuary Management

Reducing threats to Sanctuary resources

Hawaiian Islands Humpback Whale National Marine Sanctuary management and NOAA Fisheries Pacific Islands Regional Office staff had the opportunity to tour the new Hawaii Superferry Alakai. This new interisland high speed ferry will travel between Honolulu, Maui and Kauai with service starting around the end of August. A second ferry is currently being built that will add service to Hawaii Island next year. Due to the growing number of humpback whales and calves from November through April in Hawaiian waters, NOAA is very concerned about the potential of vessel whale interactions occurring. Given the density of whales in our waters, any large, fast-moving vessel that does not have proven technology to detect and avoid whales is a concern to NOAA. The Sanctuary is encouraged by the Hawaii Superferry's interest to employ measures to avoid sanctuary waters and higher density areas of humpback whales as much as possible as well as using spotters. However, NOAA believes that additional measures may be necessary to help to reduce possible whale collisions.

Communications Training

Sanctuary staff gathered on the island of Oahu for a staff Communications training which was led by Sarah Marquis, West Coast and Pacific Region Media Coordinator, and David Hall, NOAA Public Affairs. Ed Lindelof also participated to help answer questions related to the management plan review. The training introduced the staff to the new Department of Commerce Communications Policy and began to prepare the staff for the upcoming management plan review. Also in attendance at

the training were Carey Morishige from the NOAA Marine Debris Program, Wende Goo from NOAA Fisheries and Delores Clark from NOAA Public Affairs. Sanctuary staff also took part in several conference calls with Sarah to prepare for upcoming media opportunities for the 2008 whale season. Projects that were discussed included research, rescue, Humpback Whale Awareness Month, Sanctuary Ocean Count, and a variety of potential education initiatives.

Budget Planning

Sanctuary leadership staff held a conference call to continue planning for the FY08 annual operating plan. The staff finalized details for the activities they will be submitting for FY08. The Sanctuary Program's budget planning for FY08 for each operating unit is based on the President's budget request for the NMSP. Allocations to the sites are based on 100% of FY07 funding levels.

Emergency Preparedness

On June 4th and 5th The Maui site conducted CPR and first aid training with 6 staff members.

Hawaii NMSP staff on all four islands responded to two impending emergencies: Hurricane Flossie and a tsunami advisory as an aftermath of the Peru earthquake. Fortunately the hurricane veered off and downgraded to a tropical storm, and a tsunami wasn't generated, but it was an excellent opportunity for staff to practice for the real thing.

Partnership Development

Naomi McIntosh and Christine Brammer met with Beth Lum, a representative from Creative Fund Raising Associates, Inc. to explore possible methods to increase fund raising opportunities for the Hawaiian Islands Humpback Whale National Marine Sanctuary education and research efforts.

The staff held a conference call with volunteer members of the Sanctuary Advisory Council interested in helping explore fundraising opportunities. The group is working to develop a strategy for fundraising and brainstorming a few projects to focus on this year.

New Whale Baby Brammer

On August 13, Christine Brammer, Oahu Programs Coordinator and her husband Kevin welcomed a healthy 7 lbs and 6 oz baby girl, MacKenzie Malia Brammer. Mom, Baby and Dad are doing great. Congratulations to the Brammers! Chris reports that baby Mackenzie will be ready for Ocean Count duty during the next whale season.

August 28, 2007

MEMORANDUM

To: Sanctuary Advisory Council, Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS)

From: Jeff Walters, Sanctuary Co-Manager, Hawaii Department of Land and Natural Resources (DLNR), Division of Aquatic Resources (DAR)

Subject: HIHWNMS state office update for the period of June 12, 2007 through August 28, 2007 (Prepared for the August 29, 2007, Council meeting).

New DLNR Chairperson

The state sanctuary office welcomes Laura H. Thielen as the new DLNR Chairperson. For the past two years, she served as the director of the state Office of Planning (OP) and prior to that served two years on the state Board of Education. She has also worked as an attorney with a specialization in environmental and land use law. Among other activities at OP, Laura oversaw the revision of the state's Ocean Resources Management Plan, which includes priorities for the sanctuary and marine mammal conservation. The sanctuary co-manager has already had some discussions with Laura about the sanctuary and looks forward to additional briefings and guidance from the Chair's Office. Officially, Laura is the "Interim Chairperson," until the State Senate formally confirms her in early 2008.

Ocean Etiquette Campaign – Promoting safe and lawful boating during whale season

Jerry Norris, the Council's OHA representative, has kindly arranged for OHA's weekly television show, *Hooulu Lahui Aloha*, to feature sanctuary staff discussing safe and legal vessel operation during whale season. Ed Lyman, sanctuary rescue and response coordinator, will provide a version of his boater workshop presentation during the show. The show will tape on October 12 and air on November 1 and November 8m 2007. We also hope to edit the tape and produce a DVD for general distribution. *Hooulu Lahui Aloha* is a series of one-hour roundtable discussion shows, produced by OHA staff at Olelo community television. *Hooulu Lahui Aloha* airs on Oahu on NATV Channel 53 every Thursday night at 7 p.m., and is also broadcast on several community-access channels on the neighbor islands and U.S. continent.

Scheduling is underway for this season's boater workshops, somewhat "new and improved" versions on the workshops held last season. Ed Lyman, will again provide a very informative and participatory presentation about vessel-whale collision avoidance during the workshops, and other partners, e.g., NOAA Office of Law Enforcement, will be invited to give presentations. We expect most of the workshops will be held in November and we will soon notify the Council of the dates, etc., as they are finalized.

Open Ocean Aquaculture Projects

We learned of two new proposed fish cage projects during the period of this report. Both would be located in the sanctuary as currently planned by the proponents.

1. Hawaii Oceanic Technology, Inc. submitted a CDUP application to DLNR OCCL on June 14, 2007, for an open ocean fish farm to grow out ahi about 3 miles offshore of Malae Point, North Kohala, Hawaii Island. The project would deploy 12 cages 180 feet deep. DLNR OCCL found the application incomplete in several areas and could not accept the application as submitted. OCCL also noted that due to the scope and magnitude of the project the applicant should prepare an EIS.

2. Representatives from Maui Fresh Fish, LLC, met with the co-manager on August 7, 2007, to discuss their plans to establish an open ocean fish farm in Maui County waters to grow out opakapaka. The company is currently developing a hatchery on Maui, and is in the process of site selection for the cages. The co-manager summarized the concerns particular to humpback whale impacts and provided two map products depicting whale densities, bathymetry, substrate types, and sanctuary boundaries in the Maui County area. The company's representatives indicated that they would want to meet again with sanctuary representatives as soon as their site selection list had been narrowed down. They also indicated a desire to meet with the Council.

Monk Seal Conservation – (conducted with funding and oversight from NMFS PIRO PRD)

Kauai Seal Conservation (Kauai monk seal coordinator, Mimi Olry, provided the following bullets)

Kauai monk seal responses

- Scheduled volunteers to systematically search for K13 along the north and east shores for 3 days. Seal found with a few new wounds, but observed free of hook and line.
- First day of search, a dead seal reported, volunteer first responder found dead turtle, which Don Heacock retrieved later
- On the second day of searching for K13, volunteers find a newborn pup hours old with placenta still attached. I arrived to meet volunteers and found volunteer John Burger and his wife had set up a campsite 80 feet from the mom/pup pair.
- Helped to move the Burger's camp to a position where they can watch the seals and help to keep public from coming down to beach and disturbing the pair.
- New pup (PO2) born at N. Larsen's to first time mother seal, which rejects her pup in spite of several attempts over 4 days to reunite them as per PIRO, Dr. Braun and Bill Gilmartin.
- Third pup born to RK06 at Miloli'i on the 4th, reported by Mitch Craig and Capt. Tara Loeta
- After removal of PO2, conference call and evaluation of the new female pup, decision was made to euthanize her.
- Necropsy done with Wendy McIlroy DVM to review with her protocols and specimen collection.
- Tagged PO1 with Tracy Wurth and trained volunteer Wendy McIlroy, DVM (BOO/BO1). Volunteers Anne Skabo and Brenda Zaun observed, and afterwards, we assisted Brenda (USFWS) with banding fledging Laysan Albatross chicks
- Dehook subadult male I19 at Poipu Beach Park at 18:00, 45 min after he hauled out. He reappeared the next morning at Poipu, but on the island.
- O28, juvenile female from N. Larsen's made her way around the island, and presently resides at Poipu Beach Park with I19.
- Charles Littnan, Jason Baker, Chad, and Bob Braun came for two days to deploy instrumentation on two seals, preferably the two subadult males (I19 and Temp 347) that have been hauling out and swimming among snorkelers at Poipu Beach Park
- Two new adult females were sighted (Temp.348, Temp 351), one regularly at Poipu (Temp 349)
- Temp 347 at Poipu Beach Park, May 25th often when he comes into the keiki pool "barks" at people, and only hauls out when there are no people around.
- Respond to several calls via NOAA that are about entangled seal at Maha'ulepu, to find K30, the large female seal with entanglement scars.
- Manage multiple seals with volunteer assistance and lifeguards at Poipu Beach Park for several days.

Kauai monk seal communications

- Discussed with PIRO and PIFSC problem of I19 repeatedly hauling out at Poipu Beach Park and swimming with other seals near people.
- Attended full day of small boat training conducted for DLNR certification
- Make CD and put together outlines and handouts for Jean Souza and some of the volunteers that work with her at the Sanctuary.
- Call several places to arrange location for second pup event training.
- Report of events surrounding rejected pup and conference call to decide what to do with the PO2.
- Dehooking report for I19
- Form A and necropsy reports for PO2
- Six month review of work for SAC report
- Attend Bike Path Committee meetings every other week to advise for monk seal conservation and marine habitat protection
- Met and trained new associate, Jennifer Todice several times to respond to haul outs, do education outreach, manage volunteers, and lead training sessions.
- Meet with Wade Ishikawa and Healani Sanchez to set up office space in DAR/DLNR State Rooms
- Communicated several times with Doug Haigh, County Building Dept regarding signs and removal of pavilion roof in the construction of the east coast bike path
- Attended NOAA Public Issues and Conflict Management Training in Honolulu July 11-13
- Worked with Tracy at PIFSC to update sighting reports from Kaua'i
- Meet with Bill Gilmartin to discuss Associates, future plans for associates, website development, volunteer development and to meet Jennifer Todice
- Discuss with artist/biologist Patrick Ching development of monk seal designs/logo work for monk seal conservation, producing t-shirts and cards to sell for supporting monk seal conservation via Hawaii Wildlife Fund.

Kauai monk seal volunteer updates

- Select Volunteers to assist with crowd control and public outreach while team from PIFSC is on Kauai to deploy to tags. Arrange meeting for volunteers to learn about instrumentation and HMS research from PIFSC researchers.
- Pup training for new recruits to prepare for pupping event on a popular beach
- Put together team of volunteers to assist with dehooking of I19 at Poipu Beach. that will eventually function as "dehooking response team"
- Recruit volunteers to assist with SOS's Clean Oceans Conference and prepare displays for booth and activities on the beach to train about SPZ's lasting all day and evening
- Met with volunteer Royden Kabazawa to train him to assist me with displacing Temp 347 at Poipu as per David Schofield's instructions. Displacement did not occur as seal did not return for over a month, and continues to be wary.
- Prepare supplies and display booths for SOS Conference and Ocean Fair, with volunteers assisting
- Prepare with Jennifer power point presentation to combine Training modules I and II for next recruitment and training of East Side volunteers.
- Give Anne Skabo a going away/mahalo party for all her contributions to the HMS Conservation Hui and education programs
- Update Haul-out Responder's call list

Kauai monk seal education and outreach

- Display booth and education outreach at SOS's Clean Ocean's Conference at Princeville, with morning beach activities to train people monk seal haulout responses and putting up SPZ's, June 9.
- Display booth and children's education activities at NOAA 200th Anniversary Celebration for Ocean Fair at Kilauea Lighthouse Wildlife Refuge, June 30
- East Side Volunteer Meeting and training session with Senator Inouye expected, but local fire keeps attendance low, and Senator doesn't come July 8

- Train and work with High School intern, Courtney Hann from San Diego. She assisted with several outreach and training events as well as haul-out responses July 4-18
- Plan and make activities for Summer Fun Program again this year, with 45 students attend Kapa'a July 13.

Hawaii Island Seal Conservation

Hawaii Island seal response

Sanctuary Hawaii Island coordinator, Justin Viezbicke, has been fully occupied managing two monk seal situations over the reporting period.

The female, juvenile with tag number 042 has been a management challenge since she was born at Papaiko Beach near Hilo last summer. Viezbicke has tracked her around the island for weeks as she repeatedly has been attracted to areas with large concentrations of swimmers and divers, and has been observed swimming with, "mounting," and "blocking" swimmers. She has also been reported closely following spear fishermen, some of whom have reportedly given her fish. On three different occasions over the past year, NMFS has decided to capture and relocate her to remote areas, and Viezbicke has provided key support during all three efforts. It is hoped that "the third time is the charm" and 042 will not return to her bad habits. Continued interaction with humans will reduce her chances of survival and will cause serious human safety issues as she grows into an adult.

The other pressing seal management issue on the Big Island under Viezbicke's coordination has been a seal pup born in a remote location that will remain undisclosed at present. The mother seal (042's mother) gave birth to the seal in early August on a remote beach near a river mouth. There is concern that the pup will contract a river-borne disease, such as leptospirosis or toxoplasmosis, and Viezbicke will need to continue to make the difficult journey into the area to check on the pup on a regular basis. The area is frequented by trekkers and pig hunters, and there is also some concern that the seal mother and pup will be disturbed by humans and/or hunting dogs. Viezbicke has also posted signs in the area and is coordinating with other Big Island DLNR staff regarding education and enforcement.

Hawaii Island seal education and outreach

All of Viezbicke's education and outreach activities over the reporting period have been devoted to educating ocean and beach users about appropriate behaviors around seals, with particular emphasis on avoiding continued interactions with 042, the "conditioned" juvenile female discussed above. Numerous hours were spent in Mahu Kona where 042 was interacting with swimmers and divers, and Viezbicke frequently intervened, educated, and assisted ocean users to avoid unsafe interactions with 042. Viezbicke also gave a presentation at the public library in North Kohala near Hawi to explain the issues with 042.

Oahu Seal Conservation

ESA Section 10 Incidental Take Permit and ESA Section 6 Grant

The co-manager, and David Nichols, sanctuary conservation specialist, have continued the administrative process to create and fill two new DLNR staff positions to begin revision and submission of the state's application to NMFS for an incidental take permit (ITP) for the take of sea turtles and Hawaiian monk seals incidental to fishing activities managed under state authority. The co-manager and Nichols have also continued administration of a new grant from NMFS under Section 6 of the ESA to support monk seal conservation on Kauai and provide initial funding for the ITP efforts. A grant proposal for the second year of funding is also being prepared by the co-manager and Nichols.

Another Seal Drowns in Lay Gill Net

On May 27, 2007, a monk seal was discovered entangled. Although the animal did not have tags it was identified by its markings as an adult male that was regularly sighted in the Kaena Point area. The approximately 450 lb male was first sighted on October 2006, and then was not seen again until recently. DLNR DOCARE Officers responded to a report of a dead Hawaiian monk seal entangled in an unattended lay gillnet in the waters off Kaena

Point. Responding officers located the remains but were challenged by the presence of another monk seal that refused to leave the side of the dead seal, causing concern for the safety of the officers. After the officers successfully brought the dead animal ashore, the second monk seal hauled out alongside the dead seal and remained there barking loudly at people as they approached. A third seal was sighted in the water but did not come on the beach. The seal was transported to a facility where Dr. Robert Braun, NOAA Fisheries contract veterinarian, conducted a necropsy on Monday morning. Dr Braun reported, "Although the results are still preliminary, the findings are consistent with a drowning." The seal appeared to be in excellent condition. The body was tightly wrapped in a net with no other significant findings. (Excerpted from NMFS PIRO response network newsletter.)

Hawaii Superferry

As of August 28, 2007, HSF had ceased operations pending a court decision on Maui and other apparently unresolved matters. The state sanctuary office will continue to work in close collaboration with our federal partners at NOAA NOS and NOAA NMFS in efforts to minimize possible adverse impacts to humpback whales should HSF operate during humpback whale season. We will also make every effort to continue productive discussions with HSF regarding humpback whale conservation.

Other Activities, Meetings, Etc.

June 14 – All sanctuary staff attended communications and media training at Hawaii Kai office provided by Sarah Marquis.

June 21-22 - Co-manager, Walters, attended WESPAC meeting as alternative representative for DLNR.

July 2-3 – Walters attended meeting of steering committee for international marine mammal protected area conference.

July 6 – Walters and Nichols assisted with sea trial of new 24 ft. USFWS vessel.

July 11 – Walters joined Naomi McIntosh in attending special anniversary reception held by Paradise Cruises aboard the *Star of Honolulu*.

July 11 – Walters joined SAC conference call re fund raising.

July 18 – Walters attended Hawaii Coral Reef Initiative management committee meeting.

July 19 – Walters joined SAC executive committee conference call

July 19 – Walters and Viezbicke joined sanctuary leadership team conf call.

July 20 – Walters joined McIntosh and NMFS staff re sanctuary management plan review process.

July 23 – Walters, Viezbicke and Olry attended Hawaiian monk seal response network coordinators meeting at NMFS PIRO.

July 24 - Walters, Viezbicke, Nichols, and Olry attended the annual Hawaiian monk seal response network conference held by NMFS PIRO.

July 26 – Walters and Nichols joined sanctuary and NMFS staff on special agency tour of Hawaii Superferry.

July 30 – Walters attended Hawaii Watchable Wildlife program steering committee meeting.

Aug 2 – Walters joined McIntosh, Wong and NMFS staff in meeting with Navy staff and contractors re Hawaii Range Complex DEIS.

Aug 15 – Walters and Viezbicke joined sanctuary leadership team conf call.

Aug 22 – Walters accompanied DLNR Chair Laura Thielen to the NOAA signing ceremony for the new Hawaiian monk seal recovery plan at Waikiki Aquarium.

cc: Laura Thielen, Interim DLNR Chairperson
Dan Polhemus, DLNR-DAR Administrator
Allen Tom, NMSP Pacific Islands Regional Coordinator
Naomi McIntosh, HIHWNMS Sanctuary Superintendent

Hawaii Island County Report
August 29, 2007
Sara Peck, Representative

Accomplishments:

1. Two ReefTalks held in West Hawaii, Aug. "Oasis in the Desert Sea" by Dr. Robin Baird; June "Sea Level Rise and Coastal Zone Management" by Zoe Norcross-Nuu. Events were well attended.

2. One Talk Story and Three Waikoloa Town Meetings were held to further educate area residents about the developments slated for construction in and around Waikoloa. Concepts under scrutiny are roadways, intersections, need for community facilities.

2. Three Kawaihae Local Resource Council Meetings were held highlighting these issues of concern: Kawaihae Harbor repairs and relocation of recreational boats to the South Small Boat Harbor which is not yet prepared to accept boats. Additionally, highway intersection congestion at two locations further complicates traffic progression to and from the Kawaihae area.

3. ReefTeacher trainings for the Kahalu'u Project in collaboration with the Kohala Center. Continues to underscore the fact that on cruise ship days, as many as 400-600 people are counted on the beach and in the water during one hour at Kahalu'u Bay

Events Attended: All of the above listed under Accomplishments.

> Three West Hawaii Fishery Council (WHFC) meetings and Advisory Board Meetings for the Kona Soil and Water District, Reef Fund, Chamber of Commerce Environmental Committee and the Kaupulehu Marine Advisory .

Hot Topics:

The Superferry: continues to be a topic of concern. Island residents have expressed at various community meetings their dismay that state agencies (Dept. of Agriculture, DLNR) have not set in place restrictions to protect the island's' natural resources (opihi, maile, and reef fish in particular). It was noted that the Superferry folks are in favor of restrictions to preserve natural resources and not carry alien species between islands. Hawaii County Community Development Planning continues in Puna, North and South Kohala and North and South Kona. The first ever effort for a county to take District and community level input on specific needs AND turn those needs statements into rules under the General Plan Amendments.

Attachment 5

Hawaiian Islands Humpback Whale National Marine Sanctuary Maui County Report to the Sanctuary Advisory Council

August 29, 2007

Events Attended:

June 23 – Participated in the Sanctuary’s volunteer day to assist with the rebuilding of the Ko`ie`ie Fishpond wall. This project has experienced some delays due to damage to a restored portion of the wall by high surf and the need to recruit more volunteers to assist with the ongoing effort. Helping out provided an opportunity to learn more of the cultural history of the fishpond as well as to network with Sanctuary staff and volunteers.

Other Activities:

May 4 – A follow up meeting was held with Director Nancy Daschbach to discuss the preliminary proposal submitted by the NMSF seeking support of the new education facility for A/V needs and a lecture series to be hosted there. The final proposal requesting \$25K was received in late July and is being reviewed by the County and HTA..

July 11 – Joined in the Fundraising Committee conference call to discuss ideas for developing new sources of Sanctuary support. Recommendation has been made that the following programs identified by NMS staff as priorities submit a proposal to the HTA’s Natural Resources RFP since they appear to meet the funding criteria. Whale Month \$3K + Coordination of seasonal education programs \$15K + Volunteers \$5K could be combined into a single request pertaining to ‘Whale Season Education & Awareness’ and also incorporate some funds for event promotions. Another separate proposal might also seek funds for Whale Rescue and Response which needs \$25K.

Attachment 6

**Hawaiian Islands Humpback Whale National Marine Sanctuary
Aquaculture Working Group Report to the Sanctuary Advisory Council**

August 29, 2007

The Aquaculture Working Group would appreciate a response from Randy Cates and Neil Sims regarding the letter that was sent by Dale Sarver requesting comments on improving relations between industry and the Sanctuary.

Neil Sims provided a truncated synopsis of the Draft Supplemental Environmental Assessment for the SAC to review. The Executive Summary is provided below. Please contact Mary Grady for a printed copy of the full report.

**DRAFT
SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT
FOR
AN EXPANDED FARM LEASE AREA FOR AN
OFFSHORE OPEN OCEAN FISH FARM PROJECT
OFF UNUALOHA POINT, KONA, HAWAII**

SYNOPSIS ONLY – TRUNCATED FOR HIHWNMS - SAC

PREPARED FOR:

Land Division,
Department of Land and Natural Resources

PREPARED BY:

Kona Blue Water Farms, LLC
P.O. Box 4239, Kailua-Kona, HI 96745

Dated August 8th, 2007

EXECUTIVE SUMMARY

Kona Blue Water Farms, LLC, is hereby applying for an expansion to their existing ocean lease over a portion of the offshore waters adjacent to the Natural Energy Laboratory of Hawaii Authority and the Keahole-Kona International Airport under Chapter 190 D, Hawaii Revised Statutes (HRS), as amended. The purpose is to allow expansion of their open ocean fish farm. The existing 90 acre lease area accommodates a total of eight submersible Sea Station net pens. The company hopes to increase this, through this expansion, to a total of twelve (12) net pens in this area. This Draft Amended Environmental Assessment (EA) assesses the present environment and current human activities in the existing fish farm area. It reviews alternative actions, and recommends the project proceed because of the relatively minor impacts that have been demonstrated by the project so far, and the economic and

environmental benefits to be gained from increased production of sustainably-grown, high-value seafood.

This Draft Amended EA assesses the potential impacts of the fish farm expansion, and describes means for monitoring, reducing or mitigating these impacts. There have been minimal impacts from the existing fish farm operation. Given the depth of water, the bare sand substrate beneath the farm, the high rate of water exchange through the area, and the distance to any nearby reef areas, the proposed expanded farm area will result in similarly minimal impacts on water quality and benthic ecosystems.

Kona Blue is requesting an increased lease over an area of 38.2 acres, to make a total lease area for the operation of 128 acres (around 782 meters x 664 meters). This represents an increase in the lease area of 233 meters (769 feet) in the easterly direction (towards the shoreline). Most of this easterly expansion is simply to accommodate two mooring lines. The new expanded net pen grid will sit precisely on the existing lease boundary. There is no proposed increase in lease area in the westerly, northerly or the southerly direction. All of the fish pens will be submersible Sea Stations or Aquapods, and will normally be positioned below the water surface. Once completed, the net pens and the two grids will only occupy an area of around 13 acres, at the center of the lease. The remainder of the lease will be occupied only by taut mooring lines and anchors.

There will be almost no additional impact on public activities in the area resulting from the expansion of this lease to allow the farm expansion. The depth of water is well beyond the limits of normal recreational diving. Almost all present diving and reef-fishing activities are confined to the reef shelf, around half a mile inshore from the net pens at the center of the lease area. Most present offshore fishing activity is centered along the 100 fathom drop-off, along the southwestern edge of the shelf, almost 3 nautical miles to the south and west of the proposed net pens.

There is no significant bottom relief in the area, and most of the substrate is medium to coarse sand. Public access to the expanded lease area will be no different than that to the existing lease. The public will be permitted to traverse and fish by trolling, handlining or drop-netting throughout the lease area. However, for safety, worker efficiency and liability reasons, anchoring, SCUBA diving, snorkeling or swimming by the public will be precluded in the lease area. For worker safety, public boat traffic in the area around the cages is requested to be "Slow – No Wake".

We will continue to culture only native Hawaiian fish species on the fish farm. The primary species for culture will be Kona Kampachi™ (also known as kahala, or *Seriola rivoliana*). Kona Blue may also culture amberjack (the other kahala species, *S. dumerili*), mahimahi (*Coryphaena hippurus*), and possibly the native Hawaiian giant grouper (*Epinephelus lanceolatus*).

Attachment 7



Hawaiian Islands Humpback Whale National Marine Sanctuary

The Honorable Governor Linda Lingle
State of Hawai'i
Honolulu, Hawai'i 96813

September 12, 2007

Dear Governor Lingle,

The Advisory Council (council) of the Hawaiian Islands Humpback Whale National Marine Sanctuary is pleased to endorse and acknowledge the sanctuary programs and accomplishments over the last five years. Based on the sanctuary's successful efforts in protecting humpback whales and their habitat; their outstanding outreach and education programs; innovative research, rescue, and response initiatives; and the effective working relationships established with the many federal, state and private partners throughout Hawai'i, the council, for the first time, recommends that efforts be made to strengthen the sanctuary's status in Hawaiian State waters.

The sanctuary has made significant accomplishments during the last five years including:

- Conservation:
 - Population increase of humpback whales from approximately 5,000 in 1993 to up to 10,000 in 2007
 - Successful intervention and release of 8 entangled humpback whales and conducted over 26 responses to whales reported injured
 - Helped rescue dozens of injured and entangled Hawaiian monk seals
 - Organized a national 3-day workshop to address ship strikes on humpback whales
 - Developed new whale avoidance signs and brochures that warn recreational boaters to take measures to avoid collisions with humpback whales
 - Promoted and helped fund pump-out facilities for the commercial fleet to improve water quality in the whales' habitat
 - National and International Relevance—Provides protection for important breeding area when whaling interest appears to be growing in some areas of the Pacific Ocean
- Education:
 - Development of statewide marine science curriculum for grades K-12 in partnership with the Hawai'i Department of Education (DOE)
 - Opening of Maui Learning Center in 2008 to provide a state of the art facility and natural laboratory to increase opportunities for "in the field" student learning
 - Development of education cruises to pilot an at sea classroom
 - Education efforts to empower thousands of Hawai'i students and residents to make and lead change efforts to care for the environment that will include: dune restoration, fishpond restoration, and monitoring of endangered and threatened species

NON-GOVERNMENT

Dale Sarver
Business and Commerce

David Hoffman
Citizen-At-Large

Terry O' Halloran
Commercial Shipping

Louis M. Herman, Ph.D.
Conservation

Jeanne Russell
Education

Robert Bruck
Fishing

Sara Peck
Hawai'i County

William A. Friedl
Honolulu County

Don Thornburg
Kaua'i County

Cheryl Sterling
Maui County

Kimoeko Kapahulehua
Native Hawaiian

Teri Leicher
Ocean Recreation

Marc Lammers, Ph.D.
Research

Michael Stanton
Tourism

James E. Coon
Whale Watching

GOVERNMENT

Athline M. Clark
DLNR - DAR

Elizabeth Corbin
DBEDT Ocean Resources

Vacant
DOH

Eric Kingma
WESPAC

Cindy Barger
US ACOE

Jerry B. Norris
OHA

Marnie Meyer
DBEDT - OP

Dean Watase
DOT - Harbors

LCDR Mark Young
US Coast Guard

NON-VOTING
Bill Kiene
Fagatele Bay NMS

Rebecca Hommon
US Navy

Tom Friel
NMFS - Law Enforcement

Chris Yates
NMFS - PIRO

Aulani Wilhelm
NWHI Reserve

- Research:
 - Co-coordination of SPLASH (Structure of Populations, Levels of Abundance, and Status of Humpbacks), the largest international cooperative study of any whale species that includes Japan, Mexico, Russia, Canada, and the United States
 - Support of numerous research projects to study threats to humpback whales on their wintering grounds, residency characteristics of humpbacks, historical trends in vessel collisions with humpback whales, and communication in humpback whales

Finally, the council would like to recognize the dedicated sanctuary program staff. These individuals share a commitment to protecting and preserving humpback whales and their habitat, and increasing our knowledge and understanding of these amazing and endangered animals.

We recommend that you support the sanctuary by endorsing the following:

- Amend NOAA and the State's Agreements to explicitly state that you support having a humpback whale sanctuary in state waters as a long term mechanism for humpback whale conservation in Hawai'i
- Support the management plan review and the public process for evaluating the existing sanctuary and its programs to protect the humpback whale and its habitat, as well as emerging issues and additional resources
- Provide State support to augment the sanctuary's funding for conservation, research, and education

Sincerely,



William A. Friedl
Chair
Hawaiian Islands Humpback Whale
National Marine Sanctuary Advisory Council

cc: HIHW SAC