

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

November 19, 2012

Allen Tom  
Regional Director, Pacific Is. Region  
Office of National Marine Sanctuaries  
National Oceanic and Atmospheric Administration  
726 South Kihei Road  
Kihei, Hawai'i 96753

Aloha Mr. Tom,

On July 14, 2010, in the Federal Register Vol. 75, No. 134, the Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC) issued a Notice of Intent to initiate review of the management plan and regulations of the Hawaiian Islands Humpback Whale National Marine Sanctuary (sanctuary) and to prepare an Environmental Impact Statement (EIS).

Through the Compact Agreement for the Coordinated Management of the sanctuary, signed in 1998 by Under Secretary for Oceans and Atmosphere D. James Baker and State of Hawaii Governor Benjamin J. Cayetano, the State of Hawaii and NOAA agreed to manage the sanctuary as equal partners.

Since that time, NOAA and the Department of Land and Natural Resources (DLNR) signed and periodically updated a contract and then a Memorandum of Agreement that further establishes the processes and procedures for coordinated management of the sanctuary.

Given the aforementioned partnership, we are writing to request that the State of Hawaii's Department of Land and Natural Resources be added as a Joint Lead Agency to the proposed Environmental Impact Statement. In addition, we look forward to partnering with you to meet the requirements of the Hawaii Environmental Policy Act (HEPA), Chapter 343.

Please do not hesitate to contact me with any questions. You may also contact Elia Herman, State Co-Manager of the Sanctuary at the DLNR, at [elia.y.herman@hawaii.gov](mailto:elia.y.herman@hawaii.gov) or 808-587-0601

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Aila, Jr.", written in a cursive style.

**William J. Aila, Jr.**  
Chairperson

cc: Daniel J. Basta  
Malia Chow  
Elia Y. K. Herman