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Re: HIHWNMS Management Plan Review

To Malia and all MPR staff,

[\(This document is updated version of paper copy I sent, please use this one—Mahalo\)](#)

There are many serious threats to Humpback whales and their habitat. All of these threats need to be addressed by the sanctuary and the state.

Vessel strikes: There is a lot of research proving the serious problem of whales being hit by boats. Everything I state here is taken from published science journals: There has been a nearly 500% increase in reported whale vessel strikes in Hawaiian waters since reports were tabulated in 1975.

Boat speed is clearly a factor in the incidence of collisions, with about 80% of all strikes occurring with vessels traveling between 10-30 knots. Collisions resulting in severe injury or death are typically caused by boats traveling at 14 knots or higher. Tour boats have the highest strike incidence (38%) followed by recreational boats, with 12%. 50% of all strikes occur suddenly, with no warning, making it impossible for vessels to take evasive action to avoid collision. Strikes with motorized vehicles are ten times higher than those with sailboats, and 57% of all strikes involve calves or juveniles.

Speed regulations should be put in place with adequate monitoring and enforcement provision. The research suggests an introduction of a speed limitation of 13 knots for any high-risk area and existing Special Areas of Conservation, respectively. The research suggests an introduction of a mandatory reporting scheme for collisions.

Not all strikes are immediately fatal; many cause fatal internal injuries, infection etc. that result in premature death caused by the strike.

Cetaceans can also be harassed or displaced from an area valuable to the individual or population by boat speed.

Around a third of humpback whales found dead along the US Atlantic coast between 1985-1992 had injuries caused by ships. It is important to note that many of these animals did not show external signs of trauma and ship strike injuries were only detected through comprehensive necropsies. Since not all reported dead humpbacks are necropsied, these data represent a minimal estimate of the impacts from vessel strikes to this species.

Tidal patterns and other geographical factors make it likely that most fatally-struck carcasses are never retrieved. For instance, they probably never get seen because of limited offshore effort. A large number of them likely sink

A witness has to report a definite or probable collision with a cetacean or sight a carcass. The problem is that, if a cetacean collides with a very large vessel of tanker size, or similar, the impact might not be felt as it would in a smaller vessel. Similarly, if collisions occur at night, then witnesses may not be present or may not be able to see clearly what has happened. There is also a concern in the US of liability - which results in some vessels not reporting

Wiley et al. (1994) have demonstrated that if the humpback whales they studied had not had a necropsy performed on them it would not have been discovered that the whales died from internal injuries caused by ship strikes.

Under-recording contributes to the problem. Strikes may be under-reported for a variety of reasons, including a lack of awareness of the issue and a lack of knowledge of how and where to report actual, or apparent, collisions.

Numerous incidences of collisions between whales and whale-watching vessels during watching time are documented.

(Bibliography for above statements was given to Dr. Malia Chow, and Dave Nichols at Kauai Scoping meeting in May)

In addition to Humpback whales, all marine mammals in Hawaiian waters are at risk of being hit by vessels as well as turtles. In a May 19, 2009 Garden Island article Don Heacock, aquatic biologist with the state Department of Land and Natural Resources Division of Aquatic Resources, said he has two words for ocean boaters in areas known to be frequented by sea turtles: “speed kills.” Speeding boats and their razor-sharp propellers are responsible for four or five “vessel-related turtle deaths this year” in Kaua‘i waters, said Heacock. And those are only the ones that are reported or discovered on one Island.

I request the sanctuary establish federal and state laws to protect whales from vessel strikes. Include a speed limit of 13 knots during whale season and strict enforcement and penalties for any vessel breaking the speed limit or hitting whales.

Chemicals & pollution create pathogen friendly environments in Hawaii’s waters and cause algae blooms, which smother the reefs and are toxic to marine mammals. The ocean has become a toxic soup. There are increasing numbers of whales dying from fatal ingestion of garbage. Plastic bags, plastic of various kinds, discarded fishing nets, etc. have been found in their stomachs. **I request the Sanctuary to fund water quality monitoring and strict laws to stop sewage dumping, pesticide and chemical runoff.**

Acoustic disturbance including; sonar, shipping, underwater explosives, boat engine noise, commercial air guns & seismic surveys have all been documented to cause behavioral impacts, strandings, alters communication, causes deafness and death in whales. The sanctuary has done nothing to protect whales from sonar or acoustic disturbance. **I request the Sanctuary to limit all sonar activity during whale season and to comply with NOAA noise policies to prevent or mitigate acoustic impacts to whales.**

Ocean acidification represents a threat to biological diversity that is, likely, as severe as global warming. Reefs are dying from pollution &

over nutrification. Fish are disappearing from pollution and over fishing. It is proven that Marine Protected Conservation Areas are very effective in re-establishing healthy reefs and fish populations. There are no Marine Conservation Areas on Kauai. **I request the Sanctuary to make laws to protect reef habitat and to establish “No Take” Marine Conservation Areas on Kauai.**

I request the Sanctuary to make strong laws to have all fishing nets identifiable and hold fishers’ liable for derelict nets, and a reward for boaters who collect stray nets.

I request the sanctuary to expand the boundaries, especially on Kauai. More resources should be spent on enforcement of existing laws (Marine Mammal Protection Act and Endangered Species Act).

Because most fish, including sharks, are in serious decline, and because fisheries have a huge incidental by-catch;

I request the Sanctuary to take a strong stand to regulate commercial factory fisheries. In particular, protection for False Killer whales, and any other marine species affected by fisheries impact.

I request the Sanctuary to ban, or effectively regulate aquarium fish extraction statewide. Including holding aquarium trade collectors accountable for mortality, humane treatment and tax clearance. Fees and fines reflect the considerable expense of tracking reef extraction and its effect on reef health.

I request the sanctuary to protect all shark species.

I request the sanctuary to be proactive and take a stand against climate change.

Science documents that the oceans are serious state of decline:

“Human activities are cumulatively driving the health of the world’s

oceans down a rapid spiral, and only prompt and wholesale changes will slow or perhaps ultimately reverse the catastrophic problems they are facing.” Such is the prognosis of Jeremy Jackson, a professor of oceanography at Scripps Institution of Oceanography at UC San Diego, in a bold new assessment of the oceans and their ecological health. “All of the different kinds of data and methods of analysis point in the same direction of drastic and increasingly rapid degradation of marine ecosystems,” Jackson writes in the paper. To stop the degradation of the oceans, Jackson identifies overexploitation, pollution and climate change as the three main “drivers” that must be addressed. **I request the Sanctuary to be MUCH more vocal and proactive about the serious threats to whales and all ocean life. Educate the public on the realities of the serious threats to entire marine ecosystem.**

Additional comments; I was in attendance at the Fisherman’s meeting on Kauai Oct. 5, 2010 at Kauai Community College (along with at least 15 other people who were there in SUPPORT of more sanctuary rules, despite the statement made by panel that everyone there was against sanctuary rules). For the record, and as you will hopefully witness via video recording of the meeting, most of what was said was lies, with the obvious intent of being alarmist and divisive. In addition to speaking mistruths and fabrications, they handed out a ballot to all in attendance with more lies and false information. So the people who attended this meeting and sent in the ballot and signed their petition were lied to and given totally false information about the state of species, “no access”, the way the sanctuary conducted scoping meetings, who was at the meetings, etc. Pretty clear they want to divide and conquer.

As America's only island state, Hawaii is uniquely vulnerable to the consequences of ocean degradation and biological loss of species. Given that Hawaii is an isolated state with stewardship responsibility over the largest marine areas in the nation the HIHWNMS should be a leader in protection of this marine ecosystem. In addition to the health and survival of protected and endangered species, Hawaii’s food supply, recreational activities, and economy are all dependent upon a safe and healthy ocean. Please be stewards to malama

Hawaii's precious ocean habitat. Based on how things have gone in the past couple of weeks here on Kauai, it is clear you need to be educating local politicians on the science of how seriously degraded the oceans are.

Thank you very much for your time and consideration on this extremely important matter.

Best Regards,

Nina Monasevitch
Cetacean Celebration