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To hihwmanagementplan@noaa.gov

Subject Management Plan Review of Hawaiian Islands Humpback Whale National Marine Sanctuary

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What exactly is the definition of a "sanctuary" without **rules**? It is shocking that The 'Hawaiian Islands Humpback Whale National Marine Sanctuary' has no rules or laws to protect whales in their mating/birthing/nursery waters. There are many issues that are serious, deadly threats for endangered Humpback whales.

Scientific research proves that boat speed is clearly a factor in the incidence of collisions. Scientists have advised that **speed regulations should be put in place**, with adequate monitoring and enforcement. The sanctuary speed limit should be about 13 knots to protect the whales from vessel collisions, with minimal distances from dolphins and whales required while under power. The cost of enforcement could be born by fines, with higher fines for commercial vessels.

Sonar can be tested in other waters than the sanctuary, and should not be allowed anywhere in the vicinity. The sanctuary should be extended to encompass all of the Hawaiian Islands and channels between them. The effects of sonar are well known on species who use sound in their survival and direction of migration, without re-proving by research on the specific endangered species.

The Sanctuary should also fund water quality monitoring and **strict laws to stop sewage dumping, pesticide and chemical runoff**. Chemicals & pollution create pathogen friendly environments in Hawaii's waters and cause algae blooms, which smother the reefs and are toxic to marine mammals. Pesticides, PCDD.s, PCDF's, dioxin- like PCB's, PBDE's have been found in marine mammals. From a June 2010 report; cadmium, aluminum, chromium, lead, silver, mercury and titanium together are at the highest levels ever found in marine mammals. For every one-pound of plankton living in the Pacific Ocean there are 6 pounds of plastic. 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. We need land-based community watches, reporting and criminal follow up to enforce laws.

The enforcement of a marine sanctuary should be coordinated with **eliminating commercial fishing in the sanctuary**, since the reefs and environmental balance need to be maintained. . 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. Why are there are no Marine Conservation Areas on Kauai. **Tourism would be favorably affected by such Marine Conservation.**

Considering the current state of over-fishing, along with commercial fishing limits within the boundaries, all **net fishing should be eliminated**. Net entanglement is a huge threat to all marine mammals so regulation needs to be preventative, not after the damage is done.

Please consider some special "**No Take**" areas on Kauai in and around Poipu, Shipreck Beach to Allerton, in and around Kilaua Point to Kalihiwai. Perhaps use a pilot area to start with and continue research to support its expansion.

Can you please help to get the job done? The marine sanctuary has been recognized for some time, but planning it and drawing lines on a map means nothing, if not implemented. Let's get started. Let's have a structure that uses all available resources including community volunteers, and coordinates with other branches of government.

Thank you for listening,
Lorraine Osterer, concerned resident of Koloa, Kauai