

NORTHWESTERN HAWAIIAN ISLANDS CORAL REEF ECOSYSTEM RESERVE
RESERVE ADVISORY COUNCIL

Non-Government (Voting)

William Aila, Jr (Chair)
State of Hawai'i

Linda Paul (Vice Chair)
Conservation

Rick Gaffney (Secretary)
Recreational Fishing

Pelika Andrade
Native Hawaiian

Judith Cucco
Citizen-at-Large

Gail Grabowsky
Education

Tammy Harp
Native Hawaiian

Cindy Hunter
Research

Solomon Kaho'ohalahala
Native Hawaiian Elder

Jean Kenyon
Research

Richard Lee
Ocean-Related Tourism

Don Schug
Research

Carol Wilcox
Conservation

Jessica Wooley
Conservation

Vacant
Commercial Fishing

Government (Non-Voting)

Athline Clark
Papahānaumokuākea MNM

Janice Fukawa
U.S. Department of Defense

Josh Jankot
HIHW National Marine Sanctuary

Hoku Ka'aekuahiwi-Pousima
NOAA Fisheries PIRO

Eric Roberts
U.S. Coast Guard

Kitty Simonds
WESPAC

Kate Toniolo
U.S. Fish and Wildlife Service

Vacant
Marine Mammal Commission

Vacant
National Science Foundation

Vacant
US Department of State

Meeting October 11, 2018

9:00 a.m. – 4:30 p.m.

Inouye Regional Center, Ford Island

1845 Wasp Blvd., Bldg. 175

Honolulu, HI 96818

Conference Room 1564

Meeting Minutes

ATTENDEES:

RAC Voting Members Present: William Aila Jr. (State of Hawai'i, Chair); Linda Paul (Conservation, Vice-Chair); Rick Gaffney (Recreational Fishing, Secretary); Tammy Harp (Native Hawaiian); Jean Kenyon (Research); Solomon Kaho'ohalahala (Native Hawaiian Elder); Gail Grabowsky (Education); Richard Lee (Ocean-Related Tourism); Cindy Hunter (Research); Judith Cucco (Citizen-at-Large); Bob Leinau (Conservation, acting primary for Wilcox); Nakoa Goo (Native Hawaiian, acting primary for Andrade); and Jessica Wooley (Conservation, by phone).

RAC Voting Members Absent: Phil Fernandez (Commercial Fishing, acting primary) and Don Schug (Research).

RAC Non-Voting Members Present: Shad Kane (Native Hawaiian Elder Alternate); Athline Clark (Office of National Marine Sanctuaries [ONMS] / Papahānaumokuākea Marine National Monument [PMNM]); Josh Jankot (ONMS/Hawaiian Islands Humpback Whale National Marine Sanctuary [HIHWNMS]); Richard Hall (National Marine Fisheries Service [NMFS]/Pacific Islands Region Office [PIRO]); Dan Polhemus (U.S. Fish and Wildlife Service [FWS] Ecological Services) Kate Toniolo (FWS Refuges); Janice Fukawa (Department of Defense, US Navy); and Josh DeMello (Western Pacific Regional Fishery Management Council [WPFMC], by phone).

RAC Non-Voting Members Absent: Eric Roberts (U.S. Coast Guard [USCG]).

ONMS Staff: Pua Borges, Terril Efird, Nicole Evans, David Graham, Jon Martinez, Naomi McIntosh, Alyssa Miller, Kalani Quiocho, and Justin Rivera.

Other Agency Staff: Malia Chow, Ann Garrett and Kim Maison (NMFS/PIRO); Sara Thompson and Cindy Among-Serrao (ONMS/HIHWNMS); Brandon Jim On, Duane Smith and Terry Boone (NOAA Office of Law Enforcement [OLE]); Brad Wong (Office of Hawaiian Affairs [OHA]); Maria Carnevale (State of Hawai'i, Department of Land and Natural Resources [DLNR] Division of Aquatic Resources [DAR]); Mike Marxen (FWS Refuges); Tiare Holm (National Marine

Sanctuary Foundation [NMSF]); and Matt Saunter (State of Hawai'i, DLNR Division of Forestry and Wildlife [DOFAW], by phone).

Members of the Public: None.

I. CALL TO ORDER (Aila Jr.)

Chair William Aila Jr. called the meeting to order. Introductions followed. Rick Gaffney will serve another one-year term as Council Secretary. Geoffrey Walker, Commercial Fishing representative, has resigned from the Council. Phil Fernandez, Commercial Fishing alternate, will serve as primary until recruitment is complete.

II. REVIEW OF AGENDA AND APPROVAL OF MINUTES (Aila Jr.)

There were no changes to the published agenda. The council approved the meeting minutes from the July 19, 2018 meeting.

III. BRIEF REVIEW & SUMMARY PREVIOUS ISSUES, ACTION ITEMS AND STATUS

1. New Member Selection and Fall 2018 Recruitment (completed): The Council welcomed new members Judith Cucco (Citizen-at-Large primary), Jean Kenyon (Research primary), and Robert Leinau (Conservation alternate). Jennifer Barrett (Citizen-at-Large alternate) was not in attendance.

Fall 2018 recruitment will include the following seats: Conservation alternate (Cucco's old seat), Research alternate (Kenyon's old seat), Commercial Fishing primary (Walker's old seat), and Native Hawaiian primary (seat turnover, Harp). Councilmembers are encouraged to notify community members of recruitment.

2. RAC/SAC Action: Letter to ONMS Director John Armor regarding Executive Orders 13792 and 13795 (Aila Jr.): No change in status. The topic is not on the November WesPac Meeting agenda. The Council is reminded that at the December 2017 RAC/SAC meeting, a bulletlist of topics for a letter regarding the EOs was drafted and approved by the Council.

3. ONMS Action: Sanctuary designation and monument management plan (Clark): No update.

4. State of Hawai'i action: Keep RAC informed on *30x30 Initiative* throughout process. No update.

5. ONMS Action: Keep RAC informed of NFWF funding and activities. No update.

IV. MONUMENT CO-TRUSTEE/MANAGEMENT AGENCY UPDATE/HIGHLIGHTS

1. State of Hawai'i DLNR update (Carnevale): Ms. Carnevale provided a written report to the RAC on updates from the State of Hawai'i DLNR-DAR. The State of Hawai'i DLNR-DAR report is available on the PMNM/RAC website.

2. State of Hawai'i DOFAW update (Saunter): Mr. Saunter provided a written report to the RAC on updates from the State of Hawai'i DLNR-DOFAW. The State of Hawai'i DLNR-DOFAW report is available on the PMNM/RAC website.

3. NOAA-ONMS update (Clark): Ms. Clark presented a PowerPoint of ONMS highlights from the past few months. The PowerPoint version of the ONMS presentation and the full written report are available on the PMNM/RAC website.

4. NOAA-NMFS update (Hall): Pacific Islands Fisheries Science Center update: Hurricane Walaka affected the Northwestern Hawaiian Islands in late September/early October. NOAA ship Hi‘ialakai departed for French Frigate Shoals to retrieve field staff because of the hurricane. Seven field staff were evacuated, three bird biologists and four monk seal scientists.

The marine debris program is in the middle of a three-legged trip for survey and removal of debris in the Monument. UAS surveys will take place at Pearl and Hermes. There will be extensive shoreline surveys at Midway Atoll. Satellite tags will be placed on derelict fishing gear to track the gear. An ArcGIS Story Map is available online to follow the surveys and removal: <http://noaa.maps.arcgis.com/apps/MapTour/index.html?appid=852aeea527834cfbbc53248850065b4a>

Two monk seal pups were relocated from Laysan Island to Ke Kai Ola Marine Mammal Center in Kona. Both pups are underweight females.

NMFS Action: The RAC requests an update/report of any changes to the Magnuson–Stevens Fishery Conservation and Management Act.

NMFS Action: The RAC requests a report on marine debris: has NMFS noticed a change in the type of debris collected?

Pacific Islands Regional Office update: In August, there was an update to the Billfish Conservation Act. In Hawaii, billfish can be caught by US fishing vessels. Billfish caught in Hawaii cannot be shipped to the mainland but can be sold in Hawaii.

The U.S. Fish and Wildlife Service (FWS) and National Oceanic and Atmospheric Administration (NOAA) are seeking volunteers to serve as members of a Community Group (CG) for the Pacific Remote Islands Marine National Monument (PRIMNM) in concert with the Udall Foundation. The purpose of the PRIMNM CG will be to give input to the agencies on the management, proper care, and effective stewardship of the Monument from diverse stakeholder perspectives, and to provide a forum for discussion of issues of concern and possible solutions for inclusion in a comprehensive PRIMNM Management Plan.

On September 20, NOAA Fisheries announced a 90-day finding on a petition to list the cauliflower coral (*Pocillopora meandrina*) as an endangered or threatened species under the Endangered Species Act (ESA). Further discussion on this matter took place later in the meeting.

5. FWS Refuges update (Toniolo): Recent FWS staff departures: Barry Stieglitz, Susan White (Monument Supervisor), and Matt Brown (PMNM Superintendent). Kate Toniolo is acting PMNM Superintendent. The Midway Seabird Restoration Project continues to progress. FWS is collaborating with contractors to respond to public comments. FWS is continuing forward with compliance. The project should begin on Midway Atoll in Summer 2019.

FWS is participating in the aforementioned marine debris cruise. Along with assisting on the cruise, FWS will be conducting rapid biological assessments. This cruise gives FWS an opportunity to assess damage of East Island at French Frigate Shoals from Hurricane Walaka.

On a recent visit to Nihoa, FWS observed an increase in the presence of *Cenchrus echinatus*, commonly known as sandbur. The burs are attaching themselves to birds. FWS is consulting with experts on options to control the situation.

The National Marine Educators Association conference will be in Honolulu in July 2020. FWS and NOAA staff are helping with coordination.

FWS Action: The RAC requests an update on funding and ability to maintain Henderson Airfield on Midway Atoll.

6. FWS Ecological Services report (Polhemus): Mr. Polhemus provided a summary on climate indicators from the PMNM Climate Change Working Group. The year has shown some abatement from the recent trend of record hot years. The ocean surrounding Hawaii is not carrying the same amount of heat as in 2017. Hurricane Walaka passed through the Monument, it tracked close to Johnston Atoll, then through the French Frigate Shoals sector on October 3, 2018. The presentation is available on the PMNM/RAC website.

7. OHA Update (Wong): Nihoa trip was curtailed due to Hurricane Olivia. OHA is currently working with FWS on BMPs for Nihoa, including *Cenchrus* control. OHA is leading a Native Hawaiian collaboration with Midway residents (inreach, protocols for management, etc). Mo'olelo research continuing, including practitioner travel and research e.g. oysters. Native Hawaiian Cultural Working Group meeting to be held on O'ahu by end of year. OHA is editing video series on PMNM (project is a partnership with ONMS). Work on the Native Hawaiian Plan was on hold during field season, and will now re-commence.

8. Update on enforcement activities NOAA OLE (Jim On): No update. There will be reports later in the meeting on NOAA-NMFS vessel monitoring system and on legal aspects of OLE and Coast Guard enforcement.

9. Update on enforcement activities USCG (Jim On for Roberts): No update.

V. Selection of 2019 RAC Meeting Dates:

- Thursday, February 7, 2019
- Thursday, May 2, 2019
- Thursday, October 10, 2019

VI. PUBLIC COMMENT

No public comment.

VII. PRESENTATION AND UPDATES

1. Capabilities for Vessel Monitoring Systems (VMS) (NOAA-OLE/Boone): Mr. Boone presented several maps of vessel monitoring in the Monument. He also presented statistics for number of vessels and type of vessels. The vessels are visible once they are within 100 nautical miles of the EEZ using AIS technology. Mr. Boone presented technology showing real-time status of vessel locations within the past few months as an example of what to monitor. The information gathered is used by NOAA-OLE when there is a vessel infraction.

2. NMFS Penalties (NOAA-OLE General Counsel/Smith): Mr. Smith is in the Office of General Counsel and a prosecutor for NOAA-OLE. Mr. Smith explained the process OLE takes when an unpermitted or suspicious fishing vessel enters the Monument. General Counsel collaborates with NOAA OLE using VMS and information from the Observer Logs. Mr. Smith facilitated a discussion with the Council and addressed any questions. More information can be found on the NOAA Office of General Counsel website at: <https://www.gc.noaa.gov/enforce-office.html>

3. Previously Compiled Information on the Use of Unmanned Aircraft Systems in the Monument (Rivera/ NOAA-ONMS): Mr. Rivera presented on the UAS previously used in the Monument. To date, there have been nine permitted activities (first project in 2014) and 75 individuals accessed the Monument for UAS support. UAS has resulted in more than 25 hours of recorded total flight time, 30-plus flight missions, zero bird strikes, and limited monk seal response (looking at approach distance of 100 feet but no fleeing). The full presentation is available on the PMNM/RAC website.

4. SURTAS Project (Martinez/NOAA-ONMS): The Office of National Marine Sanctuaries is conducting a study on ocean soundscapes across several sanctuary sites. PMNM and HIHWNMS are both included in this study. The study uses passive acoustic sensors on a hydrophone. The goal of the study is to find common metrics to characterize what defines a soundscape on cetaceans. Passive sensors will be deployed throughout the Hawaiian archipelago to assess the soundscape.

VIII. DISCUSSION (Maison/NOAA-NMFS-PIRO): Ms. Maison presented on the 90-Day Finding on Petition to List *Pocillopora meandrina* under the Endangered Species Act. The listing petition response process is used to determine if the request deems a full status review. The review is used to determine if the species characteristics meet the criteria of threatened or endangered under the ESA. Criteria for listing species includes: habitat destruction, overutilization, disease/predation, adequacy of regulatory mechanisms, and other natural factors. The review encompasses the entire geographic range of the species. The Council decided not to take action on this item. Councilmembers were encouraged to submit public comment as individuals. The public comment period is open until November 19, 2018. The full presentation is available on the RAC website.

IX. RAC WORK PLANS

The Council discussed and completed the Council Administration and Operations work plan. The Research Subcommittee and Education and Outreach Working Group met to flesh-out their 3-year work plans. The groups identified potential partners, priority items, and any new topics. The two groups reported briefly on progress at the end of the session. The Work Plan draft is posted on the PMNM/RAC website.

X. PUBLIC COMMENT

No comments.

XI. ADJOURNMENT

The meeting adjourned at 4:30 p.m.

DRAFT