

MARINE MAMMAL COMMISSION
4340 East-West Highway, Room 700
Bethesda, MD 20814-4447

15 July 2008

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Dear Dr. White:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the draft management plan for the Papahānaumokuākea Marine National Monument and offers the following comments and recommendations. The purpose of the draft management plan is to identify proposed policies and activities that the Fish and Wildlife Service, National Oceanic and Atmospheric Administration, and Hawaii Department of Land and Natural Resources would pursue jointly as co-trustees to manage the Papahānaumokuākea Marine National Monument.

RECOMMENDATIONS

The Marine Mammal Commission commends the authors for preparing an exceptionally good draft plan. The authors have had to integrate a complex array of challenges to protect natural and cultural resources; differing legal, jurisdictional, and programmatic mandates within co-trustee management agencies; and previous draft and interim planning documents. The resulting plan is coherent, insightful, and well-thought-out and lays a solid foundation for what could become one of the world's best examples of large-scale ecosystem-based management. To improve the plan, the Marine Mammal Commission recommends that the co-trustees—

1. adopt the draft plan subject to modifications addressed in the following specific comments, particularly including the following points:
 - a. highlight the most urgent recovery needs for Hawaiian monk seals in the Northwestern Hawaiian Islands (NWHI) (i.e., developing monk seal care and intervention methods to increase juvenile seal survival, minimizing shark predation at French Frigate Shoals, and preventing entanglement in marine debris)
 - b. add the following two new activities to Endangered and Threatened Species Action Plan strategy TES-1 for recovering Hawaiian monk seals: (1) improve and apply monk seal care capabilities and interventions for increasing juvenile seal survival and (2) reduce shark predation on monk seal pups
 - c. add the following new activity to Endangered and Threatened Species Action Plan strategy TES-2 for conservation of cetaceans: initiate passive acoustic monitoring system to detect calls of endangered whales, other marine mammals, and fishes, and to establish an ambient underwater sound budget for natural and anthropogenic sound sources
 - d. expand the mission statement to note explicitly the primary importance of restoring damaged or depleted Monument resources

- e. add a new “guiding principle” that calls on managers to perpetuate and, where possible, restore significant natural and cultural resources over the long term while ensuring that impacts and risks inherent in research and management activities are no more than short-term or minor and clearly outweigh potential adverse effects
 - f. reorganize the list of six priority management categories and the action plans and activities under those categories to better reflect Monument priorities, with revised sections entitled “conserving and restoring wildlife and wildlife habitat” listed first and “conserving and restoring cultural and historic resources” listed second
2. appoint a representative of the Marine Mammal Commission to the Monument Interagency Coordinating Committee
 3. establish a Monument Advisory Council, with a purpose and membership comparable to that of the current Coral Reef Ecosystem Reserve Advisory Council, to provide advice and recommendations to the co-trustees on Monument research and management activities
 4. review and, as appropriate, revise the Memorandum of Agreement for managing the Monument to—
 - a. reflect the new name of the Monument,
 - b. identify provisions and a schedule for periodically updating the Monument management plan,
 - c. modify the Monument mission statement to reflect the aspiration for restoring significant natural and cultural resources as mentioned in 1d above,
 - d. add the recommended guiding principle mentioned in 1e above to the list of guiding principles, and
 - e. incorporate such other changes as may be deemed appropriate and necessary in light of recent progress and developments.

SPECIFIC COMMENTS

Volume I

Pages 12–21, Islands and marine habitats of the Papahānaumokuākea: This section describes major environmental features at the various atolls and banks within the Monument. The description of French Frigate Shoals notes that it currently supports the largest colony of Hawaiian monk seals. The descriptions of Laysan Island, Lisianski Island, Pearl and Hermes Reef, Kure Atoll, and Midway Atoll should note that they also support important breeding colonies of monk seals. Also, the descriptions of Maro Reef and Gardner Pinnacles should note that they are important feeding areas for monk seals.

This section also should note other marine mammal species that are important components of certain marine habitats in the Monument. In this regard, the summaries of reef biota at Midway, Pearl and Hermes Reef, and French Frigate Shoals should note that atoll lagoons provide resting habitat for local populations of spinner dolphins and that pelagic waters provide habitat for several species of whales and dolphins, including overwintering humpback whales.

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Page 38, Line 30: Insert the words “under the Endangered Species Act” after the word endangered.

Page 36, Marine Mammals: The first six paragraphs provide a good summary of key points regarding the status, distribution, and ecology of Hawaiian monk seals within the National Monument. Although the first paragraph notes that the species is endangered and declining, the text does not reflect the magnitude of concern regarding its long-term existence in the NWHI. To better reflect this concern, we suggest adding something like the following after the sentence ending on line 15, page 36:

Monk seal numbers in the NWHI have declined persistently since the first counts of the species in the 1950s. Despite efforts to mitigate known impacts, recent beach counts are less than two-thirds the size of initial counts and are expected to decline further due to poor recruitment of breeding-age seals. The past and projected declines have elevated monk seal recovery to a crisis situation as indicated in the recently revised Hawaiian Monk Seal Recovery Plan (NOAA Fisheries 2007).

Page 41, Endangered and Threatened Species: This section notes that 23 species listed as endangered or threatened under the Endangered Species Act occur within the Monument. The State of Hawaii also designates species as endangered and threatened under state law. It would be helpful to clarify which species are listed under both federal and state authorities and whether there are any species in the NWHI that are listed under state law but not under federal law.

Page 56, lines 5–11: This paragraph discusses the effects of past human activities on wildlife, reefs, and islands in the NWHI. Past human activity is believed to have had a major effect on Hawaiian monk seals and, to reflect this understanding, we suggest that something like the following be added to the end of this paragraph:

Impacts of these activities on Hawaiian monk seals were particularly acute and may explain much of the decline in the monk seal population in the years following World War II (Ragen and Lavigne 1999¹).

The citation for Ragen and Lavigne 1999 should be added to the bibliography at the end of this volume.

Page 62, Line 23: A new subsection should be added between the sections on Climate Change and Weather Changes called something like “Rising Sea Level.” The new subsection should describe how sea level increase has affected, and is likely to continue to affect, various species and the ecosystem in the NWHI. For example, several islets at French Frigate Shoals that were once vegetated and used as breeding habitat by seabirds, monk seals, and other wildlife have been lost or severely reduced in size as a result of rising sea level, and additional losses of limited terrestrial

¹ Ragen, T.J., and D.M. Lavigne. 1999. The Hawaiian monk seal: biology of an endangered species. Pages 224–245 in: J. Twiss and R. Reeves, eds. Conservation and management of marine mammals. Smithsonian Institution Press. Washington, D.C.

habitat in the NWHI are likely. At a minimum, the new text should describe how sea level rise reduce monk seal haul-out habitats (see Baker et al. 2006²). The citation for Baker et al. 2006 also should be added to the bibliography at the end of the volume.

Pages 63–64, Diseases: This section notes that diseases are a significant threat to certain coral species and sea turtles. The section should also note that the introduction of diseases is an important conservation concern for Hawaiian monk seals, seabirds, and perhaps other wildlife species in the Monument.

Page 68, Lines 27–29: The sentence here incorrectly implies that lobster harvests have been prohibited since 1991. This sentence should be revised to read as follows:

The NWHI crustacean (lobster trap) fishery was temporarily closed in 1993 due to uncertainty about the stock's status. In 1994 and 1995 lobster catches resumed at reduced levels under a research program, and between 1996 and 1999 harvests comparable to the research catch were again authorized under a harvest guideline management system. Since 2000 harvest guidelines for the NWHI have remained at zero with no catch.

Also, in the paragraph on bottomfish fishing, the last two sentences should be moved to the beginning of the next paragraph so that all discussion of bottomfish fishing appears in the same paragraph.

Page 69, Line 8: A new sentence should be added noting that collisions with vessels can seriously injure or kill whales and that the humpback whale, which occurs in the NWHI more frequently than previously thought, is likely the species most susceptible to vessel collisions in the Monument (Laist et al. 2001³). A citation for Laist et al. 2001 should be added to the bibliography at the end of this volume.

Page 82, Papahānaumokuākea Interagency Coordination Committee: This section notes that an interagency coordinating committee will be established to assist in implementing Monument management, but that the committee has not yet been appointed. As part its statutory responsibilities under Title II of the Marine Mammal Protection Act, the Marine Mammal Commission has had a longstanding interest and involvement in marine mammal research and management activities in the NWHI. Among other things, it provided the initial recommendations for listing the Hawaiian monk seal as endangered and for designating critical habitat for the species. It also has intermittently funded research on monk seals in the NWHI and has been actively involved in recommending and reviewing major NWHI research and management actions by the

² Baker, J.D., C.L. Littnan, and D.W. Johnson. 2006. Potential effects of sea level rise on terrestrial habitats of endangered and endemic megafauna in the Northwestern Hawaiian Islands. *Endangered Species Research* 2:21–30.

³ Laist, D.W., A.R. Knowlton, J.G. Mead, A.S. Collet, and M. Podesta. 2001. Collisions between ships and whales. *Marine Mammal Science* 17:35–75.

Navy, the National Marine Fisheries Service, the Fish and Wildlife Service, and the Hawaii Division of Land and Natural Resources throughout the past 30 years. In view of our commitment to conserving NWHI resources, the Marine Mammal Commission requests that a Commission representative be included on the Monument Interagency Coordinating Committee.

Page 82, Lines 37 to 40: This section notes that the National Oceanic and Atmospheric Administration listed the NWHI Coral Reef Ecosystem Reserve to be a candidate for sanctuary designation in 2001 and that it established a reserve advisory council to provide advice on the designation. Because the council was mandated by the Executive Order establishing the Reserve and was active before the Reserve was identified as a candidate sanctuary, we suggest deleting the sentence on lines 38 to 40 and adding a new sentence at the end of the preceding paragraph reading something like the following:

The Executive Order also directed that the National Oceanic and Atmospheric Administration establish a reserve advisory council to provide recommendations and advice on research and management activities, including the preparation of a reserve operations plan and the designation of the Reserve as a national marine sanctuary.

Pages 87–93, Section 2.3, Initial Management: This section notes that Executive Orders and accompanying regulations establishing the Monument emphasize the need for ecosystem-based management. The section provides a thoughtful and very helpful description of crucial elements needed to translate this complex and often vaguely defined concept into practice for purposes of managing Monument resources.

Page 89, Line 15: The bullet on this line describing adopted Monument regulations for commercial fishing would be more accurate if it were changed to read “prohibit certain commercial fisheries immediately and phase out all other commercial fishing by 2012.”

Page 96, Table 2.1: This table summarizes the Monument’s vision, mission, guiding principles, and goals. The vision, mission, and guiding principle statements on this table are taken directly from the co-trustees’ 8 December 2006 Memorandum of Agreement for Promoting Coordinated Management of the Northwestern Hawaiian Islands Marine National Monument in Appendix H. These statements provide an exceedingly helpful and thoughtful foundation for managing Monument resources, and the Marine Mammal Commission commends the co-trustees for articulating such a useful and well-developed conceptual framework for Monument decision-making. It would be helpful to note in the text accompanying this table that the statements of vision, mission, and guiding principles are set forth in that Memorandum of Agreement.

Notwithstanding the overall strengths of this framework, we believe that two modifications should be made to the statements on this table. First, the mission statement should be expanded to refer explicitly to the need for and importance of restoring resources that have been degraded or damaged by past human activity. Although the Monument has a relatively intact and healthy complement of wildlife resources compared to most other tropical island environments, human

activity has nonetheless introduced many alien species and contaminants, significantly depleted fish and wildlife populations, and brought many other changes that have damaged, degraded, or diminished components of the area's natural heritage. Extensive effort is needed to undo those impacts. Therefore, although protecting and perpetuating Monument resources is an essential part of the Monument's mission, in our view an equally important aspect of its mission should be to undo the negative effects of past human activity to the extent possible and consistent with the maintenance of significant cultural features and values. Such remediation is not reflected in the Monument's current mission statement. Therefore, the Marine Mammal Commission recommends that the mission statement be expanded to read as follows:

Carry out seamless integrated management to restore and achieve strong, long-term protection and perpetuation of NWHI ecosystems, Native Hawaiian traditional and customary cultural and religious practices, and heritage resources for current and future generations. (new language underlined)

Second, the guiding principles in this table should reflect the mission statement's aspiration to restore and protect Monument resources over the long term. As noted on page 95, the guiding principles are intended to provide direction for making informed management decisions about human activities consistent with the vision and mission statements. Restoration activities will require that managers carefully consider and balance short-term or minor impacts and risks against prospects for restoring and perpetuating natural and cultural resources for future generations. Such will be the case for endangered and threatened species in particular (e.g., Hawaiian monk seals, certain birds, and endemic plants). Short-term impacts and risks also are inherent in work to remove alien and invasive species; clean up contaminants, marine debris, and other forms of pollution; and remove, relocate, refurbish, restore or utilize cultural or historical resources. The need to consider and accept short-term or minor impacts in pursuit of long-term management objectives articulated in the Monument's vision and mission statements is not reflected in the guiding principles in this table. Therefore, the Marine Mammal Commission recommends that the list of guiding principles for managing Monument resources be expanded by adding something like the following:

perpetuates and, where possible, restores significant natural and cultural resources over the long term while ensuring that impacts and risks inherent in research and management activities are no more than short-term or minor and clearly outweigh potential adverse effects.

Pages 97–99, Six Priority Plan Groupings: This section notes that the plan contains 22 action plans organized under six priority management needs. The current order of these six needs does not clearly reflect the priorities expressed in the vision and mission statements. For example, the need listed first is entitled “understanding and interpreting the NWHI,” whereas the Monument's mission is preserving wildlife and cultural resources. To emphasize the prime importance of protecting wildlife and cultural resources, actions to conserve wildlife and wildlife habitat should be mentioned first. A category for conserving and restoring cultural and historic resources should be given comparable priority. Such activities are now scattered within the understanding and interpreting

category. In addition, research and monitoring studies that could have been included under the understanding and interpreting category are listed under conserving wildlife and habitat. To relate research activities with management needs, the approach used in the conservation of wildlife category seems preferable. In that section, research activities are linked to specific wildlife conservation issues rather than grouping most of them separately under an understanding and interpreting category. In any event, to better convey management priorities, the Marine Mammal Commission recommends that consideration be given to reorganizing the presentation of priority management needs and activities so they better reflect Monument priorities, with the section on wildlife conservation listed first and a new category on conservation of cultural and historic resources listed second. For reasons noted earlier, we also suggest that the category for wildlife be renamed something like “conserving and restoring wildlife and wildlife habitat.”

Page 99, line 25: This line states that interagency coordination is needed to “maintain *existing* resource protection measures. . . .” (emphasis added). However, this plan and the Executive Orders establishing the Monument call for a significant increase in protection through measures that, in part, would be implemented based on this plan. Although greater coordination among agencies likely will result in cost savings to help address new initiatives, cost estimates and action plans identified in subsequent sections of the draft plan indicate that many, if not most, agency partners will be called upon to increase staff and funding support for actions outlined in the draft plan. We therefore suggest that the words “maintain existing resource protection” be changed to read something like “expand resource protection measures as called for by the Monument’s designation, increase support for related research and management work.”

Page 102–104, Table 3.1: This table provides cost estimates totaling \$355 million to implement action plans identified in the draft management plan over the 15-year planning horizon. It would be helpful if the accompanying text provided an explanation of how these estimates were derived.

Page 107, Section 3.1.1, Marine Conservation Science Action Plan: This action plan, which is the first of five action plans designed to improve understanding and interpretation of NWHI resources, discusses actions to investigate, monitor, and integrate information on natural resources within the Monument. As presently written, the title does not clearly convey the activities covered under this section. In addition, the title of this action plan also differs from other action plan titles in this section in that all other titles identify particular classes of resources (e.g. Native Hawaiian cultural, historic, and maritime heritage resources). A more appropriate title that would better complement other action plan titles in this section might be something like “Natural Resources Monitoring and Assessment Action Plan.” Also, although the “current status and background” section of this action plan identifies a number of past major investigations of natural resources, it does not, but should, mention long-term research initiatives by the National Marine Fisheries Service on Hawaiian monk seals and by the Fish and Wildlife Service on seabirds. This section appears to highlight appropriate strategies and activities; however, it should be noted that this plan needs to prioritize listed activities and to undergo periodic updating.

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Page 129, Section 3.1.3, Historic Resources Action Plan: To better distinguish this action plan on land-based structures and artifacts from submerged historical resources (e.g., sunken whaling ships, other significant wrecks, and historical artifacts) addressed under the “Maritime Heritage Action Plan,” a more appropriate title for this action plan would probably be something like “Land-based History and Heritage Action Plan.”

Page 143, Section 3.2, Conserving Wildlife and Habitats: As noted above, we believe a better title for this section would be “Conserving and Restoring Wildlife and Habitats.”

Pages 145–158, Section 3.2.1, Threatened and Endangered Species Action Plan: Because some activities identified under this action plan address species that are neither threatened nor endangered under the ESA (e.g., spinner dolphins and certain other non-listed cetaceans), the title of this section is somewhat misleading. In addition, there are other important species or species groups (e.g., depleted lobster and oyster populations, certain top predators such as sharks and giant trevally, and certain endemic insects and plants) that are neither endangered nor threatened but which would be appropriate subjects for focused research and management. The only other section on wildlife, however, is for migratory birds. Activities to address some of the other species (e.g., restoring black-lipped pearl oysters under Activity HMC-1.1) are scattered under other sections of the draft plan, particularly the section on ecosystems. Therefore, we suggest that a new action plan be added entitled something like “Non-Endangered Wildlife Action Plan.” This action plan could identify strategies and activities focused on individual species, such as spinner dolphins, oysters, lobsters, and certain plants, that do not fit in the endangered species and migratory bird action plans.

Page 145, Hawaiian Monk Seals: This paragraph notes in part that Hawaiian monk seals are declining and that a recently revised Hawaiian Monk Seal Recovery Plan identifies actions that the Monument Management Board and others can take to help reverse the ongoing decline. This explicit and prominent recognition of the importance of monk seal recovery for Monument management planning is important and appreciated.

Page 145, Cetaceans: This section notes that 6 endangered whales and 18 non-ESA listed cetaceans occur in the Monument and that recovery plans for several of the endangered whale species have been adopted or drafted. Elsewhere, the draft management plan notes that local spinner dolphin populations exist at French Frigate Shoals and the Monument’s westernmost atolls. Because those populations may well occur entirely or principally within the Monument’s boundaries, Monument managers should be particularly mindful of their conservation needs, and it would be helpful to note this in the plan. If a separate action plan is developed for wildlife species that are neither listed species under the ESA nor migratory birds, the discussion of spinner dolphins and other non-ESA listed cetaceans should be moved to that section.

Page 147, Need for Action: This section notes that coordinated action is required to protect “these 23 endangered and threatened species.” To clarify which 23 species these are, it would be helpful to reference the list of species in Table 1.4 on page 41.

Page 148, lines 1–23, Strategy TES-1, Support activities that advance recovery of the Hawaiian monk seal for the life of the plan: The second paragraph of this section lists eight activities described in the recently revised Hawaiian Monk Seal Recovery Plan as being of particular relevance to seals within the Monument. A reference to the recovery plan should be provided. In general, this section is helpful; however, it does not list all the activities identified in the plan that are particularly important with regard to monk seal management within the Monument. To be complete, the list should be expanded to include the following: (a) reducing male aggression toward pups, juveniles, and adult females, (b) responding to biotoxin impacts, and (3) reducing impacts of contaminants. In addition, to highlight the highest-priority monk seal recovery needs in the Monument, we suggest that something like the following be added to the end of this paragraph.

With regard to the NWHI, the Hawaiian Monk Seal Recovery Team, the Marine Mammal Commission, and the National Marine Fisheries Service believe that the actions requiring attention most urgently are (1) developing a captive-care program to improve juvenile survival, (2) reducing shark predation on pups and juveniles at French Frigate Shoals, and (3) preventing entanglement in marine debris.

Pages 148–149, Activities TES 1.1–1.5: This portion of the plan identifies five activities to advance monk seal recovery within the Monument. These activities are helpful and will clearly further Hawaiian monk seal recovery goals; however, only one activity (TES-1.1, removal of marine debris) squarely addresses the highest-priority needs mentioned in the previous comment. To help address the most urgent needs, the Marine Mammal Commission recommends that the list of activities in support of monk seal recovery be expanded to include two additional activities: (1) improve and apply methods for increasing juvenile monk seals survival rates in the NWHI, and (2) reduce risks of shark predation on monk seal pups.

Narrative under the first of these additional activities could note that juvenile mortality has increased significantly in the NWHI since the 1980s and early 1990s; various captive-care projects, including translocations, have been tried with varying levels of success to increase juvenile survival; new captive-care methods are being investigated and developed to improve survivorship rates; and Monument staff and assets will be used as appropriate and feasible to assist captive-care work involving the capture, transport, care, and release of juvenile monk seals in the NWHI. Narrative under the second activity could note that predation on monk seal pups by Galapagos sharks at French Frigate Shoals increased sharply in the late 1990s, claiming perhaps 50 percent of all pups born at the atoll; the National Marine Fisheries Service concluded that predation was a behavior learned by a few individual sharks and initiated efforts in 2000 to remove individual sharks believed to be exhibiting that behavior; the number of monk seal pups and juveniles killed by sharks has since declined but remains above historic levels; and Monument staff will work with the Service to ensure that plans for mitigating shark predation are consistent with Monument management policies and objectives and, as possible, support or assist research to evaluate shark behavior and shark predation risks and improve the effectiveness of related mitigation efforts.

Page 149–150, TES-2: Determine the Status of Cetacean Populations and Verify and Manage Potential Threats: Currently little is known about cetacean populations, particularly large whales, occurring in and around the Monument's pelagic waters. A cost-effective, low-impact way to gather data on these species and populations, as well as certain fishes, is through passive acoustic monitoring (PAM). The Pacific Islands Fisheries Science Center is in the process of developing a PAM system for the Pacific Islands region. Among other things, recordings of whale calls could help determine whether blue whales using Monument waters belong to the eastern or western North Pacific populations; document the seasonal occurrence of odontocetes, including hard-to-study beaked whales; assess underwater sound from anthropogenic (ships, sonar) and natural (seismic) sources; and establish a baseline 'acoustic budget' for the region for comparison with other areas and for longitudinal studies. Establishing PAM stations within the Monument would be an important contribution to the Center's developing program and would help Monument managers assess and manage cetacean populations. The Marine Mammal Commission therefore recommends that the strategy for assessing and managing cetacean populations be expanded to identify an activity to initiate a passive acoustic monitoring system to detect and analyze calls of endangered whales, other marine mammals, and fishes and to establish an ambient underwater sound budget for natural and anthropogenic sound sources.

Page 149, Activity 2.2, Conduct Spinner Dolphin Mark and Recapture Photo-identification Surveys: The narrative for this activity states that spinner dolphin surveys at Midway and Kure Atolls and Pearl and Hermes Reef will be continued. Spinner dolphins also occur at French Frigate Shoals. We suggest adding a sentence noting that surveys also will be undertaken to develop baseline information for assessing the status of the population at that atoll.

Pages 165–177, Section 3.2.3, Habitat Management and Conservation Action Plan: This section identifies activities for restoring habitats significantly altered or damaged by past human activity. Stocks of lobsters, which were important components of reef biota and a potentially important prey for Hawaiian monk seals, have been seriously depleted for reasons that include intensive commercial fishing from the late 1970s to 1999. Available information suggests spiny lobster stocks have not recovered, and slipper lobsters have expanded into areas previously dominated by spiny lobsters. As we understand it, hatchery techniques have been developed for raising American lobsters through their pelagic phases to the age at which they settle on the seafloor. These techniques might be modified and used to help restore depleted spiny and slipper lobster populations at banks within the Monument that are seriously depleted compared to historic levels. Alternatively, it might be possible to translocate three-year-old lobsters to boost reproductive potential. We suggest that this section be expanded to include possible hatchery or translocation techniques to restore depleted lobster stocks within the Monument. Such efforts might be pursued in conjunction with efforts to monitor monk seal prey selection to determine if improvements in lobster stocks lead to improved juvenile monk seal survival.

Page 181–187, Section 3.3.1, Marine Debris Action Plan: This section identifies strategies and activities to document and mitigate impacts of marine debris, including entanglement, injury, and mortality of monk seals. The activities identified in this section constitute important steps for

assessing and mitigating these impacts, and the Marine Mammal Commission strongly endorses their inclusion in this plan.

Activity MD-1.5, Work with fishery management councils to address marine debris prevention with U.S. fishing fleets: This section notes that the Monument Management Board will work with the Western Pacific and North Pacific Fishery Management Councils to initiate an “accountability requirement for all vessels that utilize the type of gear that contribute to the marine debris problem.” Large fragments of net debris—particularly trawl nets—appear to pose the principal threat for Hawaiian monk seals, and actions under this activity to minimize the loss of these nets would be particularly important. The Marine Mammal Commission strongly supports the activity described in this section. In working with fishery councils, we suggest that consideration be given to either requiring net deposits or establishing a fund that could be used to reimburse fishermen who return to disposal or recycling centers their old or ready-to-retire trawl nets of the types found in the NWHI. Prevalence of certain types of trawl net recovered during NWHI debris clean-up efforts might serve as a measure of the effectiveness of such an approach.

Page 186, Line 1: Insert the words “marine debris” in the title of this activity between the words “standardize” and “monitoring.”

Page 208, Line 28: This line notes that vessel operators will be advised of the need to report any hazardous interactions between aircraft or vessels and protected species or other wildlife. The reporting of such interactions should be mandatory for any permit to enter the Monument. Given its importance, this might merit listing as a separate activity in this section.

Page 211–216, Section 3.3.4, Emergency Response and Natural Resources Damage Assessment Action Plan: This section identifies activities to respond to and remove hazards from shipwrecks, oil spills, and similar emergencies. The activities could help protect Hawaiian monk seals and other natural resources, and the Marine Mammal Commission strongly endorses their inclusion in this plan.

Page 217, Line 17: Insert the words “and after” between the words “military activity during” and “World War II.”

Page 219–230, Section 3.4.1, Permitting Action Plan: This section identifies strategies and activities for implementing a permit system to manage human activities in the Monument. Among other things, it identifies various types of permits, permit review criteria, and general permit terms and conditions. The permit process integrates permit systems that were previously administered independently by the federal and state agencies now serving as co-trustees for the Monument. The measures identified in this section are appropriate and important for managing human activities in the Monument, and the Marine Mammal Commission strongly endorses their inclusion in the plan.

Page 256–257, Strategy CBO-1, Coordinate Monument outreach and engage Monument constituencies: Strategy CBO-1 describes actions that will be taken to communicate information on

Monument resources and management activities to the public and to build public support for the Monument. As currently drafted, the activities do not include a clear, effective mechanism for soliciting and integrating constituent advice into Monument research and management actions. This was recognized as an important need in the Executive Orders designating the Northwestern Hawaiian Island Coral Reef Ecosystem Reserve, which established a Reserve Advisory Council to provide advice and recommendations on the designation and management of any sanctuary established to protect NWHI resources.

Although designation of the Papahānaumokuākea Marine National Monument superseded the need for sanctuary designation, it directed that Monument management be based on plans for designating a sanctuary, which would include ongoing involvement of the Reserve Advisory Council. In our view, the council has been a source of constructive advice, relaying constituent views to resource managers, and both the spirit and intent of Monument designation require that a comparable Monument Advisory Council be included as part of the Monument management system. Accordingly, the Marine Mammal Commission recommends that the strategy in the draft management plan be expanded to include a Monument Advisory Council whose purpose and membership is comparable to that of the current Coral Reef Ecosystem Reserve Advisory Council (i.e., to provide advice and recommendations to the co-trustees on Monument research and management). Although this Council should replace the current Reserve Advisory Council, we believe at least some members of the current council should be among initial appointees to the Monument Council to facilitate a smooth transition.

Page 264, Line 2: Insert the word “information” between the words “resources” and “exchange” in the title of this activity.

Page 298, Activity CFO-6.2: It also would be appropriate to note that the two new vessels at Midway supported under this activity would be available for transporting seals or otherwise assisting in monk seal recovery work.

Page 301, Activity CFO-9.2, Complete planning for and construct a captive-care monk seal facility on Sand Island: The Marine Mammal Commission appreciates and strongly endorses inclusion of such a facility in the proposed plan. The end of the first line of the narrative should be changed to read “...has been identified as a critical need for recovery of this species.”

Page 301, Activity CFO-9.3, Provide logistical, infrastructure, and transportation support for threatened and endangered species recovery actions: The Marine Mammal Commission appreciates and strongly supports such assistance for the monk seal and other endangered species recovery programs active within the Monument. With regard to monk seals, we assume the reference to juvenile survival in the first sentence of the narrative in this section (line 13) refers to improving juvenile monk seal survival. To clarify this, we suggest that the beginning of this sentence be changed to read “Advanced recovery efforts, particularly efforts to address juvenile survival of monk seals, will require...”

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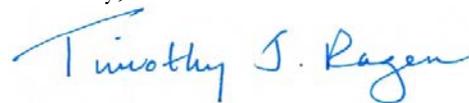
Pages 321–350, References: A citation for the revised Hawaiian Monk Seal Recovery Plan should be added to the bibliography.

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Appendix H, Monument Memorandum of Agreement: The provisions in this agreement, signed by the co-trustees on 8 December 2006, provide the foundation for cooperative activities to implement Monument management. Sections VA and B of the agreement call for an annual review of its provisions to determine whether they should be modified and, if so, to adopt amendments in writing with concurrence of all co-trustees. With the adoption of a final Monument Management Plan, we believe it would be appropriate to reexamine and incorporate changes in the Memorandum of Agreement to reflect recent developments and new thoughts regarding the direction of Monument management activities. Most obviously, the name of the agreement should be changed to reflect the new name of the Monument. In addition, with completion of a Monument management plan, section IV A.3.a, which directs that a Monument management plan be developed, should be deleted and replaced with guidance on periodically reviewing and updating, and perhaps implementing, the management plan. As mentioned earlier, we also suggest adding a new guiding principle in section II. E. 3 that directs managers to recognize and carefully weigh management activities that may cause short-term, minor impacts to sanctuary resources against prospects for restoring and perpetuating resources or conditions that have been degraded or eliminated by past human activity. The Marine Mammal Commission therefore recommends that, in conjunction with steps to adopt a final management plan, co-trustees for the Monument review and, as appropriate, revise the Memorandum of Agreement on managing the Monument to (1) reflect the new name of the Monument, (2) identify provisions for reviewing and revising the Monument Management Plan, (3) add a new guiding principle recognizing the need to restore and perpetuate significant natural and cultural resources while ensuring that expected impacts and risks to Monument resources inherent in related management activities are no more than short-term or minor, and (4) incorporate other changes as may be deemed necessary and appropriate in light of recent progress and developments.

As noted above, the Marine Mammal Commission commends the authors for preparing an exceptionally good draft management plan. We hope these comments are helpful. If you or your staff has questions on any of these comments and recommendations, please call.

Sincerely,



Timothy J. Ragen, Ph.D.
Executive Director

Cc: Ms. Athline Clark
Ms. T. Aulani Wilhelm