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## Hawaiian News

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### **Update on efforts to protect the Northwestern Hawaiian Islands: Essential habitat of *Na 'Īlio holo ikauaua*, the Hawaiian monk seal (*Monachus schauinslandi*)**

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#### **Mysterious Activity at Hawai'i Department of Land and Natural Resources**

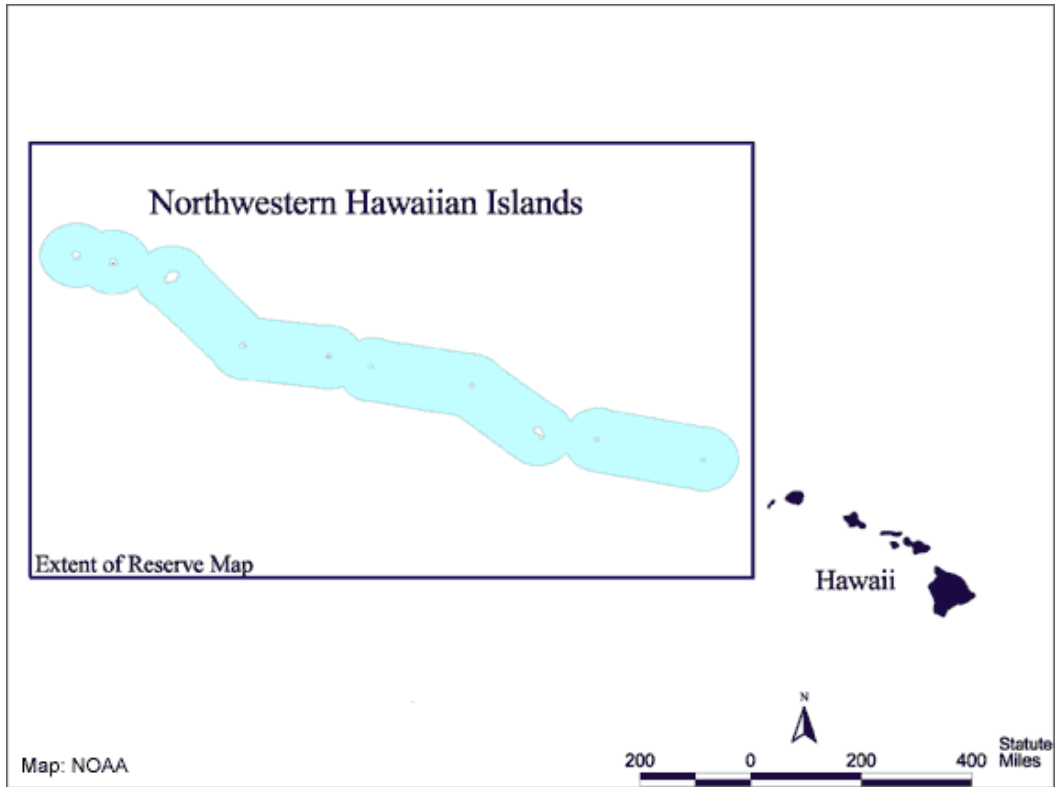
In March 2001, Hawai'i's Department of Land and Natural Resources proposed a "fishery management area" in NWHI state waters [see [Northwestern Hawaiian Islands – Creating a Pu'uhoonua for Future Generations](#), TMG 6 (1): June 2003]. The three-mile state boundaries are inside the protected federal waters of the NWHI Reserve. In overwhelming comment and testimony, the public soundly rejected the state's attempt to create fishing zones in the fragile lagoons and reefs within state waters. The state replaced its fishery plan with a proposed refuge for state waters that was based on public feedback. The draft protective refuge plan was welcomed by activists and approved for public comment by the State's Land Board, the Governor and the State Attorney General.

However, in November 2003, activists familiar with the proposed refuge plan discovered that the version released to the public for comment prior to scheduled public hearings, was **not** the version that had been formally approved. The version released to the public had been drastically altered, weakening protections and undermining DLNR's stated intent to establish a refuge in the state waters adjacent to the Reserve waters. The DLNR's Division of Aquatic Resources finally agreed to retract the mysteriously altered version, cancelled the November hearings and announced new hearings for February 2004.

An independent investigation of the manner by which the refuge plans were quietly and apparently illegally changed is currently underway.

#### **NWHI Coral Reef Ecosystem Reserve being considered for Sanctuary Program**

The Sanctuary designation process is moving at full speed in what appears to be a race for the fastest designation process in the history of the Sanctuary program. (The average sanctuary designation process takes seven years.) KAHEA, Environmental Defense and other partners have remained deeply involved in the federally controlled process to determine if the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve should be incorporated as a national "sanctuary." Our central goal is to ensure that vital protections already in existing law (the NWHI Executive Orders and the National Wildlife Refuge system) are not weakened during this process.



NWHI Coral Reef Ecosystem Reserve ([click here for more detailed map](#))

We are not assured by the nature of this process for the following reasons:

1. The NWHI Reserve Council was denied the right to develop regulations to implement protections outlined in the Executive Order and establish a framework for enforcement actions.
2. The Department of Commerce has refused to implement available surveillance technology that would protect the integrity of this remote and fragile ecosystem.
3. Key representatives on the Reserve Council were removed by the Department of Commerce in August and opportunities for public involvement in the Reserve process have been drastically reduced.
4. NOAA has still not released the Reserve Operations Plan submitted by the NWHI Reserve Council for review last June. NOAA had initially claimed that this comprehensive management document would become the foundation of the proposed NWHI Sanctuary management plan and would guide the development of suggested alternative management scenarios under the NEPA process.
5. NOAA initiated a series of consultations with Wespac, state fishery staff and NMFS scientists to determine the basis for Wespac's fishing regulations. The public was initially cut out of this secretive process, as meetings were by invitation only. However, when members of the public and advocacy organizations persisted and found out when and where the meetings were held, they were allowed to attend as observers.
6. In October, Western Pacific Regional Fishery Management Council released a fatally flawed Draft EIS for bottomfish and seamount groundfish fishery, much of which occurs in the Northwestern Hawaiian Islands. Environmental Defense, Sierra Club, and the Ocean Conservancy expressed concern that even though the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve was established three years ago, the National Marine Fisheries Service has not amended the Bottomfish and Seamount Groundfish Fishery Management Plan (Bottomfish FMP) to comply with the NWHI Executive Orders. In addition, Wespac's bottomfish DEIS presents a "no action" alternative that assumes that the NWHI Executive Orders do not exist.

**Next Steps:**

- The Draft Reserve Operations Plan may be released for public comment in early 2004. DLNR has stated that it will schedule public hearings and comment on the Refuge in February 2004.
- Public comment is crucial to **defend the existing protections in the Northwestern Hawaiian Islands**. Every voice will help protect this world treasure as a true Pu'uhonua (Place of Refuge and Regeneration).

To stay informed of upcoming public comment opportunities, sign up with the Action Alert Network at [www.kahea.org](http://www.kahea.org) or [www.environmentaldefense.org/hawaii](http://www.environmentaldefense.org/hawaii).

You will receive notification of upcoming hearings with important background information and have the opportunity to fax your comments directly to decision-makers.

For more information, please feel free to contact:



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### Further information

**Fried, S.** 2003. [Comments of Environmental Defense concerning the draft EIS for bottomfish and seamount groundfish fisheries in the Western Pacific Region](#), December 1, 2003: 1-5. [PDF 84KB].

**Smith, C.** 2003. [Northwestern Hawaiian Islands – Creating a Pu'uhonua for Future Generations](#), TMG 6 (1): June 2003.

### Hawaiian Press Watch

For better or worse, monk seals have appeared in the Hawaiian press and media on numerous occasions over the last few months – often reflecting ambivalent human attitudes towards a species that is beginning to recolonize the main Hawaiian Islands and is often not too shy about it, either. Human-seal interactions, sometimes just too rough-and-tumble for bathers, prompted the US Department of Land and Natural Resources to issue a news release on 30 October 2003 [[Do Not Feed or Interact with Hawaiian Monk Seals](#), PDF 124KB], “reminding boaters, fishermen, swimmers and others, that it is against state and federal laws to feed or harass endangered Hawaiian monk seals. It is harmful to the animals and dangerous to people.”

For one young monk seal offender, however, it was a case 3 strikes and you're out: designated seal RM-32 was banished to the former US nuclear test site of Johnston Atoll for frolicking rather too roughly – and in some cases, amorously – with bathers.

#### Seal moved to Johnston Atoll Dec 03, 2003

A Hawaiian monk seal that developed a fondness for interacting with humans has been relocated to remote Johnston Atoll, the Coast Guard said Tuesday (West Hawaii Today, HI).

#### Frisky seal sent to Johnston Atoll Dec 03, 2003

A mischievous Hawaiian monk seal was banished to Johnston Atoll yesterday, after weeks of groping beachgoers on Maui and the Big Island. The endangered 300-pound male monk seal known as RM-34 was flown 800 miles away to the Northwestern Hawaiian Islands aboard a Coast Guard C-130 Hercules from Air Station Barbers Point (Honolulu Advertiser, HI).

#### Persistent monk seal relocated to Johnston Atoll Dec 03, 2003

A Hawaiian monk seal was airlifted by the Coast Guard on Monday afternoon to Johnston Atoll, where it is hoped he will frolic with other seals rather than humans (Honolulu Star-Bulletin, HI).

### **Seal moving to Johnston Atoll Nov 24, 2003**

A Big Island–born Hawaiian monk seal has learned the truth of the saying “You snooze. You lose.” (West Hawaii Today, HI).

### **Maui’s mischievous seal captured again Nov 22, 2003**

A playful but dangerous Hawaiian monk seal that eluded capture on Maui’s south coast this week finally ran out of luck yesterday. The seal known as RM-34 rests in a cage on Maui after a shot of Valium (Honolulu Advertiser, HI).



RM-34 on his way into exile.

### **Too big to play nice Nov 22, 2003**

A playful Hawaiian monk seal that evaded capture for three days while he frolicked with swimmers was caught yesterday morning at La Perouse Bay on Maui and is headed for Johnston Atoll. (Honolulu Star-Bulletin, HI).

### **Frisky seal is taking in Maui, swimmers Nov 21, 2003**

A Hawaiian monk seal born on a remote Ka’u beach in 2001 is about to undergo his third relocation in a month after repeated interactions with humans. Wildlife officials say the behavior by the seal known as RM34 – playing with swimmers who are occasionally nipped and groped – is unhealthy for the animal and potentially dangerous for swimmers (Hawaii Tribune-Herald, HI).

### **Rogue monk seal still on loose off Maui coast Nov 21, 2003**

The mammals might look cute but they can bite, experts caution. A 300-pound Hawaiian monk seal that has been relocated twice in the past month because it nipped and groped swimmers eluded capture by wildlife officials yesterday on Maui (Honolulu Star-Bulletin, HI).

### **Monk seal of disapproval returns to Maui beaches Nov 21, 2003**

He’s back – and he’s up to his old tricks. A frisky monk seal that was twice moved from a popular swimming area on the Big Island because of his naughty – and potentially dangerous – behavior has found his way back to civilization, this time on Maui (Honolulu Advertiser, HI).

### **Fishery needs more protective status Nov 19, 2003**

These data required NMFS to classify the fishery as Category I and to begin preparing take reduction plans for the false killer whale and other imperiled marine mammal species in Hawaiian waters. In refusing to designate the Hawai’i longline fishery as a Category I fishery, NMFS has failed to fulfill its kuleana (responsibility) and ignored its mission, resulting in additional needless deaths of false killer whales in Hawaiian waters,” said William Aila of Hui Malama i Kohola (Earth Justice, CA).

### **“Nipping and groping” swimmers Nov 10, 2003**

Hawaii researchers see the monk seal in Kahoolawe waters. An endangered Hawaiian monk seal that was twice removed from Kealahou Bay last month because he was “nipping and groping” swimmers may be settling in with his own kind off Kahoolawe (Honolulu Star-Bulletin, HI).

### **Research dive yields secrets of the deep Nov 07, 2003**

The University of Hawaii ship Ka’imikai-o-Kanaloa returned from a Northwest Hawaiian Islands expedition on Wednesday... A UH vessel with subs finds new coral species and spots a monk seal in the deep ocean (Honolulu Star-Bulletin, HI).

### **Public warned away from 2 seals Oct 31, 2003**

Wildlife officials are warning people to avoid feeding or touching Hawaiian monk seals, after two of the endangered animals were getting too cozy with humans on Kauai and the Big Island. People have recently been feeding an adult male known as K07, or “Lucky,” in Kauai’s Nawiliwili Harbor. The animal swims up to docks and begs for fish, said

Shawn Farry, a biologist who has researched monk seals in the Northwestern Hawaiian Islands for the National Oceanic and Atmospheric Administration's Fisheries Service (Honolulu Star-Bulletin, HI).

**Do Not Feed or Interact with Hawaiian Monk Seals**  
**Oct 30, 2003 [📄 124KB]**

State, Federal Agencies Remind Public: Do Not Feed or Interact with Hawaiian Monk Seals. The Department of Land and Natural Resources and the National Marine Fisheries Service (NOAA Fisheries, U. S. Department of Commerce) are reminding boaters, fishermen, swimmers and others, that it is against state and federal laws to feed or harass endangered Hawaiian monk seals. It is harmful to the animals and dangerous to people (Department of Land and Natural Resources).



Endangered Hawaiian monk seals interacting with swimmers at Poipu Beach, Kauai, April 2003.

**Seal swims back to Big Island bay** Oct 27, 2003

The frisky monk seal of Kealakekua Bay on the Big Island was back at his old stomping grounds this weekend after he swam back from the waters off the southern tip of the island last week. The 2 1/2-year-old Hawaiian monk seal called RM34 was sent to his birthplace off South Point after his antics which included nipping and groping became a danger to himself and swimmers (Honolulu Advertiser, HI).

**Friendly seal moved to isolated waters** Oct 23, 2003

A frisky Hawaiian monk seal was moved from Kealakekua Bay on the Big Island after its playful antics became a danger to swimmers, federal marine fisheries officials said yesterday. Close interaction with people, as displayed in this photo taken Sunday, led to the transfer of a 2 1/2-year-old Hawaiian monk seal from Kealakekua Bay to waters closer to its birthplace (Honolulu Advertiser, HI).

**Returned to his birth area** Oct 23, 2003

A two-year-old Hawaiian monk seal has been returned to his birth area after he was reported to have come into contact with some swimmers in Kealakekua Bay, wildlife officials said Wednesday. The seal was captured and returned to his birth area in a remote location at the southern end of the Big Island to prevent further interaction with swimmers and possible harm, the National Oceanic and Atmospheric Administration's National Marine Fisheries Service said (West Hawaii Today, HI).

**University of Hawaii gets \$8.6 million for science research** 22 Oct 2003

Projects include protected species investigations such as the Hawaiian monk seal program, coastal research on the Northwest Hawaiian islands marine debris program and coral reef mapping and climate research. "The support provided by NOAA has enabled our students and researchers to participate in research investigations and activities that have implications not only for Hawaii's marine and atmospheric environments but for the nation and the entire world as well," said Tom Schroeder, director of the Joint Institute for Marine and Atmospheric Research (Pacific Business News, HI).

**Hawaiian seal project discussions start today** 20 Oct 2003

A series of meetings about a proposed National Oceanic & Atmospheric Administration study of endangered Hawaiian monk seals in the main Hawaiian Islands begins today on Molokai. Robert Braun, a marine mammal specialist, will lead the project to find out more about the monk seal's health, foraging ecology and habitat use (Honolulu Star-Bulletin, HI).

**Isle ocean research to benefit from feds** 19 Oct 2003

Hawaii will receive about \$13.7 million in federal funds for research and management of the islands' fisheries and ocean resources, U.S. Sen. Daniel Inouye's office announced. About \$8.7 million is earmarked for initiatives including further study of the endangered monk seal, coral reef health research and management, and physical oceanography and climate change, Inouye said in a news release.

## **Gear of fishers past is hauled up 1 Oct 2003**

That gill net, like another found nearby two weeks later with three dead harbor seals inside, is just the visible tip of an undersea tangle. These ghost nets, mostly gigantic trawl nets arriving from thousands of miles away, are the most serious threat to the survival of the Hawaiian monk seal, America's most endangered marine mammal (Christian Science Monitor).

## **Other Hawaiian highlights**

**Cover Story:** [Plundering the Pacific: the cats who run the fishhouse](#) – by Paul Koberstein...

### **EndQuote**

#### **Seal fallout**

“The Defense Department’s decision to economize in the control of radioactive rubble left over from nuclear testing on Johnston Atoll is causing legitimate concerns about the long-term environmental risk...

The Air Force conducted a dozen nuclear-test launchings in the 1950s and 1960s at the four-island atoll, less than 800 miles southwest of Honolulu. Two of the missiles exploded over the runway on Johnson Island, the largest of the islands. The government has spent four decades gathering the 60,000 cubic yards of radioactive contaminants that the aborted tests sprayed over Johnston Island. Manmade plutonium, one of the most hazardous elements in the rubble, is estimated to pose a danger for 6,000 to 24,000 years.”

**Source:** [Protection needed from Johnston rubble](#), Honolulu Star-Bulletin, HI, 28 January 2003.

# Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve

