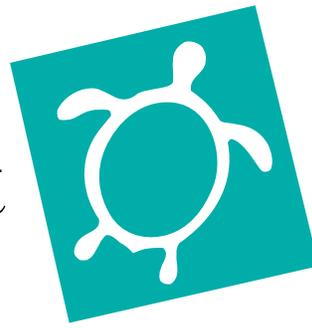


# Environment



# Hawai'i

*a monthly newsletter*

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## *A Sea Change*

If you're not alarmed by the fact that the Hawai'i longline fleet is catching more lancetfish than ahi, you're just not paying attention. And yet the Western Pacific Fishery Management Council presses ever onward, seeking to develop bigeye fisheries in areas of the Pacific Ocean that are under even greater fishing pressure than the waters around Hawai'i.

And if you're not worried about climate change, you're in good company. As we report in this issue, state agencies don't seem to be bothered by the prospect of rising seas – bothered enough, at least, to do anything more than plan to develop a plan to address it. Our report this month, which looks at Department of Transportation projects, is the first in what will be an occasional series examining the state's vulnerability to rising sea levels and storm surges.

Finally, if you find all of this discouraging, take heart by considering the progress being made to restore some of Hawai'i's most threatened dry forest ecosystems. It's an uphill and uncertain struggle, to be sure, but you have to give a shout-out to the dedicated folks on the front lines.

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## Change in Catch of Hawai'i Longline Fleet: More Than One-Third of Haul Is Discarded

Bigeye tuna, false killer whales, green turtles, and an expanded marine sanctuary in American Samoa.

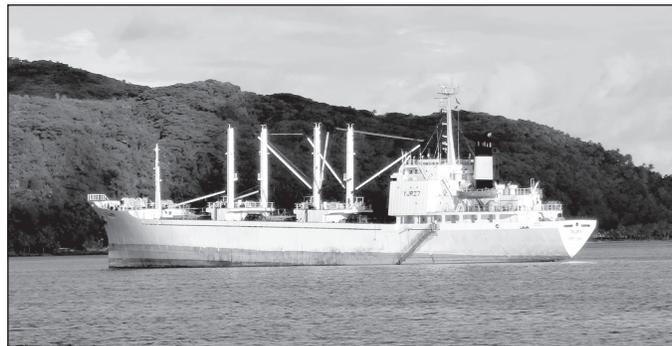
Those topics were among the more controversial ones discussed at the meeting of the Western Pacific Fishery Management Council, held last month in American Samoa. But while the topics may be vigorously argued outside the council's meeting rooms, inside

the Governor Rex Lee auditorium in the village of Utulei the voice of dissent was rarely heard. The one notable exception was the subject of fishing rules proposed for the National Marine Sanctuary of American Samoa; council executive director Kitty Simonds made little effort to hide her contempt for anyone who supported the sanctuary. Otherwise, the meeting was as tightly scripted as a

convention of the Chinese Communist Party.

Nonetheless, the reports and discussions at the three-day-long meeting shed light on recent changes in the fisheries under Wespac's jurisdiction – changes that bode ill for the health of the fish populations that are the mainstay of Hawai'i's

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A reefer vessel in Pago Pago harbor waits to unload its cargo of tuna.

## DOT Assesses Climate Change Impacts For Honolulu Harbor, Airport Projects

The state Department of Transportation has had fair warning that its most critical transportation facilities on O'ahu are highly vulnerable to climate change. And while potential climate change impacts don't have to be evaluated in environmental assessments or impact statements (at least, not yet), the state Department of Transportation is beginning to acknowledge them in its reviews of projects in areas around the Honolulu Harbor and Honolulu International Airport. In at least one case, it has proposed mitigation.

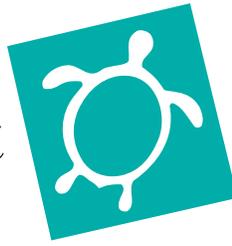
More than a year ago, the O'ahu Metropolitan Planning Organization (OMPO), which advises recipients of Federal Highways

Administration grants, issued a climate change risk assessment of the island's most critical transportation facilities. It looked specifically at areas around Honolulu Harbor, the Honolulu International Airport, bridges to Waikiki, Kalaeloa-Barber's Point, and Farrington Highway on the Wai'anae Coast.

The report, prepared by SSFM International, grew out of a two-day workshop in early 2011 that brought climate change scientists together with government transportation planners and engineers to assess the impacts climate change is likely to have on

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# Environment Hawai'i



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## NEW AND NOTEWORTHY

**A Tighter FIT:** Two years after launching a feed-in-tariff program, which guarantees renewable energy producers grid interconnection and fixed rates and terms for their power, the Hawaiian Electric Companies want to tweak a few things. In a March 4 reexamination report of Tiers 1 and 2 of the program, which cover small to medium-sized projects, HECO and its affiliated companies asked the state Public Utilities Commission to approve changes to the program. In addition to allowing the utilities to buy electricity at different rates depending on the island, and to offer contracts for varying terms (10, 15, or 20 years, as opposed to the current term of 20 years), the electric companies proposed to do the following:

- Limit the program to photovoltaic (PV) projects only. Currently, the program accepts applications for in-line hydro, onshore wind,

concentrated solar power (CSP), and PV. But since its launch, all but three of the applications for the FIT program have been for PV. Only one non-PV project — for CSP — has been installed. As of January, some 63 PV projects had been connected under the FIT program and 267 more were in line.

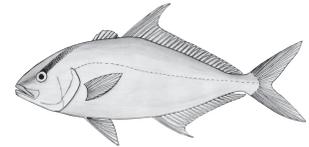
- Open the project up to competitive bidding so ratepayers don't overpay for FIT capacity. Under HECO's modified program, eligible developers would be able to bid into a program increment and the lowest offers would be accepted up to the capacity for that increment. This bidding process would "allow the company to purchase PV energy at the most competitive market rate available, regardless of whether it is utility or commercial scale," the review states. Each program increment would have a ceiling price based on either an average price for all contracts awarded through any small renewable generation bidding process or the last power purchase agreement for a solar PV project approved by the PUC.

- Limit Tier 1 projects to 10 kilowatts or less. Currently, projects up to 20 kW may apply under Tier 1. HECO notes that most of its small PV projects — in both the FIT program and its net metering program — generate 10 kW or less. The companies added that they would consider increasing the project sizes for Tier 2 (currently limited to 500 kW) to 1 megawatt for O'ahu projects, on the condition that Tier 3 (which allows projects as large as 5 MW) be modified and/or possibly phased out.

These proposed changes and more are expected to be included in a formal request from the HECO companies for modification.

**Kona Kampachi:** A plan to grow kampachi (*Seriola rivoliana*, or kahala) in cages off the Kona coast continues to inch closer to realization. In November, Kampachi Farms, LLC, submitted an application to the National Marine Fisheries Service to conduct what NMFS regional administrator Mike Tosatto called its "gamma test" of a redesigned grow-out pod.

The service "will likely publish a draft environmental assessment for public comment before making a final finding on the environmental impacts and whether to issue the permit or



not," Tosatto said at last month's meeting of the Western Pacific Fishery Management Council meeting in Pago Pago, American Samoa.

If the permit is issued, Kampachi Farms will tether its submersible net pen, called a CuPod, to a vessel "adapted to serve as a feed barge and communications station, which would in turn be affixed to a single-point mooring," the company states in a project summary given to NMFS.

Council member McGrew Rice, who fishes in the area, said "where they want to put it is fine to me as a fishermen... I don't see this bothering anybody. It's far offshore, in a good current area and will enhance fishing for a lot of people."

The company proposes to moor the array about six miles directly west of Keauhou Bay, some seven nautical miles south-southwest of Kailua-Kona. The pod will contain about 2,000 hatchery-reared fish, the application states.

NMFS' approval of an earlier, "beta" test conducted by Kampachi Farms' predecessor, Kona Blue Water Farms, was challenged in federal court by Food & Water Watch, Inc., and KAHEA. The court granted NMFS' request for summary judgment last April. Even though that permit has expired, the plaintiffs have pursued their case with an appeal to the 9th U.S. Circuit Court of Appeals. No date has been set for oral argument.

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### Quote of the Month

*"Everything we've lost, and  
everything we will lose,  
is because of human activity."*

— *Stanford scientist  
Peter Vitousek*

## Symposium Looks at History of, Threats to, And Hopes for Hawai'i's Remnant Dry Forests

Peter Vitousek didn't mince words: "Everything we've lost, and everything we will lose, is because of human activity. We're responsible for that change."

Vitousek, a professor of biological sciences at Stanford University, made the comments as the opening speaker at the seventh annual Nahelehele Dryland Forest Symposium, held March 1 at the King Kamehameha Hotel in Kona. Addressing the crowd of scientists, resource managers, volunteers, and others concerned with protecting these rare ecosystems, Vitousek linked the decline of dry forests in Hawai'i to their loss globally and sought to inspire those in attendance with "something of a revival meeting to remind us of the importance of what we're doing."

"These forests are widespread," he noted. The conditions that occur in Hawai'i that led to the growth of dry forests occur elsewhere in the world, he said, adding that their very definition "implies several features that make them vulnerable:

"Their soils are typically more fertile than soils of rainforests. That makes sense, because soil fertility is governed in part by how much water passes through soil, leaching nutrients out....

"Also, the long dry season means fire can be used in forest clearing. It's a lot easier to clear a forest if you can use fire, even though

some forests are quite resistant to fire if they're intact.

"Long dry seasons help cultivators control weeds and pests, so they're better suited to intensive agriculture....

"Disturbance and seasonal variation support more biological invasions. Speaking globally, ... a really widespread invader is tropical grasses."

As a result, Vitousek said, "what you see if you look at deforestation globally is arcs of deforestation that are taking place around the great rainforests – not the centers of rainforests but their drier margins, which are more suitable than rainforests for clearing, easier to clear, easier to keep clear, and more suited to various kinds of human land use... What's left are rocky sites too hard to farm once you've cleared them ... and very small protected areas."

Vitousek pioneered the study of rain-fed agricultural systems in North Hawai'i, particularly on the leeward slopes of Kohala mountain where the miles-long walls, the remains of thousands of agricultural fields, still show up clearly in aerial photographs. "These areas were farmed very intensively by Hawaiians," he noted, especially areas receiving from 30 to 70 inches of rain annually.

"It was mesic to dry forest when the

Hawaiians began cultivating it," he said. The soil in these areas is "extraordinarily rich compared to either wetter or drier areas, and it got so rich because the forests that grew there before clearing were extremely deep rooted... They persist through the dry season by having deep roots, and in the process of pumping up deep water they pump up nutrients. What makes this area so rich is tens of thousands of years of them pulling nutrients from the soil and depositing them on the surface."

Through carbon dating of charcoal deposits found in a trench excavated by Vitousek's alma mater, Hawai'i Preparatory Academy in Waimea, it was possible to obtain an idea of just how recently the dry forests in the area were cleared.

"The maximum age for this charcoal was 450 years," Vitousek said. "This was a dry forest cleared for agriculture in this area of high soil fertility, created by the dry forest itself. It wasn't something killed by rats. It is something that only 450 years ago or less, when agriculture was being intensified in the place, was cleared by Hawaiians."

Setting the dry forests of Hawai'i island apart from those on other islands was the young age of the land itself. "These dry forests that created the sweet spot of soil fertility that Hawaiians found when they cleared and cultivated them ... were rich enough for intensive agriculture and low enough in elevation so Hawaiian crops could grow," he said. "We also have beautiful dry forests on Kaua'i, in the Wai'anae

range, and in areas that get 50 inches of rain or less a year. They have deep soils, but the fertility is much less than elsewhere. They're tremendously infertile. That's because they have been sitting there for thousands of years, they've had nutrients pumped out by the dry forests for millions of years. So those areas are not really suitable for intensive agriculture, as are the newer soils of Kohala."

"The dry forests we have now, the dry forests we're working with here, are beautiful and spectacular," Vitousek said. "But they're not the universe of dry forests that were here before. They're remnants. There are parts of that universe we just don't see anymore. And that's all the more reason to keep the ones we have, to do the work we're doing."

"The efforts going on here at Ka'upulehu or Maha'ulepu or



A wiliwili giant in the Waikoloa dry forest.

Kanaio or Auwahi, where all of you are working to keep these dry forests alive or to restore them, are on the leading edge of a global challenge. . . . It's still the anthropocene era, but the anthropocene can be an era of stewardship as well as an era of loss. . . . What we do, how we work to sustain these forests is something the world can use as well."

### *A Tortoise Monastery on Kaua'i*

Vitousek spoke of the anthropocene era, one in which the human species has emerged as a significant force capable of reshaping the face of the Earth.

But on a small patch of land along Kaua'i's southern coast, tortoises have become the agents of change.

David Burney, a paleoenvironmentalist with the National Tropical Botanical Garden, has rescued abandoned giant tortoises from across Hawai'i and put them to work clearing weeds from an area where he and others are attempting to restore a dry coastal ecosystem.

Much of Burney's work has been below ground, in Makauwahi cave, the largest limestone cave in Hawai'i and possibly the richest fossil site in the entire Hawaiian chain. "We realized early on, working with Helen James and Storrs Olsen . . . that the feeding guilds that are missing are the predators, the terrestrial herbivores, the terrestrial omnivores. They're almost entirely absent from native habitats today," he said. "That started us thinking, particularly about herbivores."

One of the largest of these birds, he continued, was the turtle-jawed moa nalo. "It truly had a tortoise-like beak . . . and would have been the biggest thing around on land. They probably had no natural enemies as adults because they were so much bigger. . . . So we started thinking about that."

Then, on a visit to the island of Rodrigues, in the Indian Ocean, Burney observed a restoration effort that avoided what he called the "weed treadmill" that so often discourages restoration efforts in Hawai'i – where no sooner are weeds pulled than another one takes its place. As soon as an area is planted in Rodrigues, however, "they fence the area, put in giant tortoises, and walk away. The tortoises do the weeding and fertilizing, and germinate seeds by eating fruits."

Burney noticed also the presence of several native Hawaiian plants, which, he said, "had become mildly invasive."

That got Burney and his colleagues thinking about the "toothless islands" of the West Indies, Melanesia, and Hawai'i. "Our plants are not defended against animals with teeth and advanced stomachs," he said. "But they do have defenses against creatures with beaks,

toothless creatures."

Tortoises, it turns out, "have no interest in native plants," Burney said. "They have something about them that they don't like, in terms of defense compounds, growth habits, et cetera."

"One year and eleven giant tortoises later," he continued, "we cast our lot with the Humane Society and the Turtle Conservancy. We discovered there are hundreds of giant tortoises right here in Hawai'i already. They got here through the process of looking cute in pet stores."

The animals are unlikely to become invasive pests, Burney said. "They can't breed here. The temperature of the soil is too low for them, and if any of the eggs managed to hatch, they'd all be males anyway. We're running a tortoise monastery."

The worst that tortoises can do to native plants is to crush them. "If you plant natives, let them get up to some size" before unleashing the tortoises on them, he said.

Only one weed seems resistant to tortoises – the thorny *Mimosa pudica*, also known as the sleeping plant for its habit of curling up its leaves in response to touch. The tortoises aren't put off by the thorns, Burney said, and are happy to munch on it when it is already dead. Rather, they seem to be spooked by the sudden movement of the living plant.

When Burney's talk was finished, one member of the audience raised the question that seemed to be on everyone's mind: "How many tortoises per acre are needed to keep the weeds down?" Burney was asked. It depends on the size of the tortoises, he replied, noting that they continued to grow throughout their lives. But, if you have medium-sized tortoises, about six of them per acre should keep the weeds at bay, he answered.

### *Threatening Thrips*

A new-to-Hawai'i species of thrips is preying on the native naio, or false sandalwood (*Myoporum sandwicense*), with a mortality rate that is up to 90 percent in some areas.

That was the grim report from Cynthia King, an entomologist with the Department of Land and Natural Resources' Division of Forestry and Wildlife.

The thrips was first observed in the winter of 2008 by landscapers on the Big Island, she said, and was officially reported by the Hawai'i Department of Agriculture in 2009. In May of that same year, the DOA stopped the inter-island movement of naio, but by then it was already widely spread across the Big Island.

The species was first detected in 2005 in

California, where it continues to devastate *Myoporum* trees. "At the time it was discovered in California and Hawai'i, we didn't know where they were from," King said. "We suspected the Australia-New Zealand region, since that's where *Myoporum* diversity is highest."

Eventually, researchers tracked the thrips to Tasmania. "So, from Tasmania it went to California, and from California to here," King said, almost certainly in a shipment of landscape material.

The thrips affects the growing terminals of the tree, King noted, and infestation rates are increasing across all sites where the thrips is found. And as the infestation rates increase, "so, too, are dieback rates" on the rise, she added.

King listed some of the potential impacts if the thrips is not controlled. One of the biggest impacts, already being seen in dry forest restoration efforts on the Big Island, is the exclusion of naio from replanting schemes. "Naio has been a great go-to plant as far as outplanting and restoration efforts are concerned," King said, "but I know on the Big Island, folks are already adapting their strategies."

Other possible impacts cited by King include:

- Alteration of already threatened habitats (coastal strands and dry forests especially);
- Loss of fauna that is dependent on naio (pollinators, herbivores, seed predators, and borers); and
- Loss of forest and habitat structure (for example, naio is co-dominant with 'ohi'a in critical habitat for the endangered palila).

For landscape-scale control, finding a biocontrol agent is the only feasible option, King noted. But so far there has been no international effort to look for natural enemies.

Hawai'i does have one endemic species of a tiny parasitoid wasp that preys on native species of thrips, King said. It is being studied to see if it might prey on the *Myoporum* thrips as well.

In the meantime, "our focus is on early detection of the thrips in the outer islands, pursuing funds for additional biocontrol research, and consider seedbanking efforts, similar to those for wiliwili" when it was under attack by the wiliwili gall wasp.

### *And a Success Story*

Speaking of the wiliwili gall wasp, Leyla Kaufman, with the Department of Plant and Environmental Protection Sciences at the University of Hawai'i at Manoa, gave

an update on what has occurred since release of a biocontrol agent for the pest.

Back in 2005, the gall wasp spread through the islands like wildfire, leaving devastated trees in its wake. Thanks to a Herculean search by the Department of Agriculture's exploratory entomologist, Mohsen Ramadan, a parasitoid wasp was found in eastern Africa and eventually approved for release in Hawai'i in 2008. Since then, it has been controlling wiliwili infestations.

But the infestations have not been eliminated altogether, Kaufman reported. Teams of researchers from the DOH, the DLNR, and the University of Hawai'i surveyed sites across the islands both before and after the release to obtain a good idea of how effective the parasitoid wasp, *Eurytoma erythrinae*, has been in suppressing the gall wasp. Before the release, high infestation rates were found on young shoots of wiliwili trees. By 2012, rates of infestation were generally low. Still, she added, "more than 40 percent of inflorescences are heavily infested. So, while there's been a marketed improvement in infestation of new shoots, there's still high infestation in the flowers."

Among the areas that remain hardest hit by the gall wasp is the Waikoloa dry forest on the Big Island.

Trees may still produce seeds even when infested at a high level, Kaufman said, although researchers did find a "significant correlation between germination rates and infestation rates; clean seed pods have a higher germination rate."

Not every tree survives an infestation. "Last year we conducted a census of wiliwili populations," Kaufman said. "We found that of 518 trees, 30 to 40 percent died due to gall wasp infestation. Smaller trees were more vulnerable than larger ones."

All in all, she concluded, "Eurytoma established itself fast and has done a good job keeping infestation rates in leaves controlled, but the infestation in inflorescences is still high." One of the most ominous observations, she noted: "No recruitment was observed at most sites. At almost all sites, we haven't seen any new keiki."

But she stopped short of laying blame at the foot of the gall wasp.

"This is mainly due to competition with invasive weeds," she said.

In an effort to target infestation in flowers, the DOA is working on another biocontrol agent, she said.

— *Patricia Tummons*

### **DOT from page 1**

key transportation assets.

What they found was that a storm surge from a Category 4 hurricane poses a major threat to nearly all of the areas evaluated, and that the number of hurricanes hitting O'ahu is expected to increase 15 to 30 percent by 2050 and 30 to 60 percent by 2100.

A sea level rise of one to three feet alone doesn't pose a high threat to many of the areas, except when combined with storm surge, they found. But just how much of a threat storm surges at higher sea levels pose is not yet known. New research by University of Hawai'i professor Kwok Fai Cheung aimed at quantifying that is expected to be completed some time this year.

How the DOT is weaving the latest climate change data and reports into its planning efforts is hard to say. Kylie Wager of the university's Center for Island Climate Adaptation and Policy (ICAP) says she's unaware of the extent to which the DOT has used the center's "tool kit," unveiled in December 2011, to help

■ *"It's pretty much been a series of one-offs."*

— *Chip Fletcher*

government agencies deal with sea level rise and coastal land use. When it comes to DOT projects located in the Conservation District, discussion of climate change impacts between the DOT and the state Department of Land and Natural Resources is just beginning, says DLNR director William Aila, adding that it's been his Office of Conservation and Coastal Lands that's been driving the discussion. DOT officials did not respond to our requests for comment by press time.

Based on statements in the handful of environmental impact statement and environmental assessments done for harbor and airport projects that have been released since the OMPO report was issued, the DOT's efforts so far to address climate change impacts have been cursory, for the most part.

It's "pretty much been a series of one-offs," says professor Chip Fletcher of the University of Hawai'i's School of Ocean and Earth Science and Technology.

But it may not be for long. OMPO's Randolph Sykes told *Environment Hawai'i* that the DOT has just completed its first round of O'ahu listening sessions for a Statewide Long-Range Land Transportation Plan, the first plan of its kind. The plan is expected to be completed in a few years and will guide the DOT's decisions through 2035. Among other things, it will look at sea level rise impacts on transportation infrastructure, Sykes says.

Furthermore, Gov. Neil Abercrombie signed legislation last year that directs state and county agencies to consider climate change impacts in their plans and projects.

According to Jesse Souki, director of the state Office of Planning, rulemaking to implement Act 286 of 2012 — which adds climate change adaptation as one of the state's "major areas of concern which merit priority attention" — is not required nor have any rules been proposed by his office. However, in a draft report released in mid-February, Souki's office and the University of Hawai'i's William Richardson School of Law suggest several possible changes to county shoreline setback laws, federal floodplain regulations, and state laws governing environmental reviews and land use boundary amendments to help agencies implement the act. (The report, "Options for Implementing the Hawai'i State Planning Act Climate Change Adaptation Priority Guidelines," states that its recommendations do not represent the OP's official position, but are merely a starting point for discussion.)

The DOT has, on its own, incorporated a

sea level rise analysis in a recent master plan for harbors on Hawai'i island. Whether the DOT chooses to conduct any other in-depth analyses of climate change impacts for its projects in the meantime remains to be seen.

*Environment Hawai'i* reviewed several recent environmental documents that were prepared in association with planned improvements in the Honolulu harbor and airport area, with an eye to the discussion of anticipated impacts of sea level rise and increased storm surges. Here is what we found:

### **Kapalama Container Terminal (Draft EIS released December 2012)**

As part of Abercrombie's "New Day" initiative to modernize commercial harbors and increase capacity for overseas containers, the DOT-Harbors Division is proposing to build a new 94-acre terminal on the former Kapalama Military Reservation at the west end of Honolulu Harbor. The \$250 million terminal should not only make surface and inter-island distribution more efficient, it will also decrease dependence on the Sand Island bridge that connects O'ahu to the existing overseas cargo terminals, all currently located on Sand Island, the draft EIS states.

"The proposed action is needed to accommodate the anticipated demand of overseas cargo volumes associated with projected growth of the state of Hawai'i through 2039.

If no new capacity is developed, major reductions in service time and increases in operational cost are expected by 2015 at the Sand Island terminals. By or before 2020, cargo efficiency would be constrained with significant impacts on Hawai'i's economy," it continues.

Although sorely needed, the proposed new terminal may be highly vulnerable to sea level rise and storm surge, the OMPO risk assessment found. The DEIS acknowledges the OMPO's assessment of the site's vulnerability, as well as its conclusion that areas surrounding the site -- parts of Sand Island, Sand Island Access Road, and the area between Snug Harbor (Piers 44 and 45) and Pier 31 -- might also be flooded due to a three-foot rise in sea level by the year 2100.

The DEIS also acknowledges several risks, identified by the state's Ocean Resource Management Plan working group, that are relevant to the terminal's construction, including submersion of harbor infrastructure due to sea level rise and flooding, increased potential for the spread of diseases and other public safety issues due to flooding conditions, delayed shipments, higher shipping costs, and loss of operational time due to flooding conditions at cargo terminals.

But the DOT stopped short of identifying any mitigation measures. The DEIS notes that the DOT's Harbors Division is trying to "develop adaptation strategies to address the long-term impacts of climate change," including collaborating with other agencies and incorporating climate change adaptation into harbor master plans and designs.

With regard to possible flooding of the terminal site, the DEIS states in a footnote that the terminal itself is expected to be built at about eight feet above the current sea level — the same elevation as the existing Sand Island cargo terminals — "which is above the 3-foot sea level rise predicted for the year 2100." The DEIS was silent on the project's greatest threat, storm surge.

### University of Hawai'i Marine Center Relocation to Piers 34 and 35, Final Environmental Assessment (January 2013)

One of the tenants to be displaced by the new Kapalama Container Terminal is the University of Hawai'i Marine Center, which sits on 16 acres at Piers 44 and 45, otherwise known as Snug Harbor. The Marine Center plans to move east to a six-acre site at Piers 34 and 35.

The project's final EIS, prepared by Scott Glenn of Cardno TEC, Inc., notes that the new site is located outside the 100- and 500-year floodplains and that Sand Island usu-

Asset	Period	Sea Level Rise		Storm Surge	
		Vulnerability	Impact	Vulnerability	Impact
Honolulu Harbor	2050	Low	Low	High	High
	2100	Moderate	Moderate	High	High
<b>Honolulu International Airport</b>					
<i>TheBus</i> (811 Middle Street)	2050	Low	Low	Moderate	Moderate
	2100	Low-Moderate	Low-Moderate	High	High
<i>Oahu Baseyard</i> (727 Kakoi Street)	2050	Low-Moderate	Low	High	High
	2100	High	High	High	High
<i>Honolulu International Airport and Access</i>	2050	Low	Low	High	High
	2100	Low	Low	High	High
<b>Kalaeloa Barbers Point</b>	2050	Low	Low	High	High
	2100	Low-Moderate	Low-Moderate	High	High
<b>Three Waikiki Bridges</b>					
<i>Ala Moana Boulevard</i>	2050	Low	Low	High	High
	2100	High	High	High	High
<i>Kalakaua Avenue</i>	2050	Moderate	Moderate-High	Moderate	High
	2100	High	High	High	High
<i>McCully Street</i>	2050	Low-Moderate	Low	Moderate	Moderate
	2100	High	High	High	High
<b>Farrington Highway on Waianae Coast</b>	2050	Moderate-High	High	High	High
	2100	High	High	High	High

CHART: OAHU METROPOLITAN PLANNING ORGANIZATION

ally blocks high waves from reaching the inner harbor, where Piers 34 and 35 are located. What's more, the site is about 6 to 8 feet above mean sea level, making it unlikely that the wharf line would be affected by a three-foot rise in sea level, the EIS states.

What's more, it states, sea level is expected to rise by less than a foot by 2038, which is when the university's lease for the property expires.

Even so, an open drainage canal on the site is likely to flood and inundate surrounding storage areas in Piers 34 and 35, it continues. To address this, DOT Harbors proposes to cover the drainage canal with a box culvert.

With regard to the cumulative impact of a higher sea level, a high tide, a summer swell, and heavy rains, the EA states that renovations "would be designed to meet building and hazard mitigation requirements sufficient to mitigate such an impact."

"Of more concern is the surrounding feeder infrastructure outside the project boundaries and the jurisdiction of DOT Harbors. Heavy rains, high tide, and a high water table may cause periodic flooding of the area north of the subject property, including Nimitz Highway," the EA states.

### Honolulu Harbor Piers 12 & 15 Improvements DEIS (January 2013)

The draft EIS for berthing and mooring improvements to Honolulu Harbor's Piers 12 and 15 restates the OMPO's conclusion that Honolulu Harbor is highly vulnerable to storm surges, but, like the Kapalama Terminal EIS, it identifies no mitigation. It simply states that the proposed action "will not have an impact on climate change vulnerability, although the OMPO study noted that portions of Nimitz Highway may be vulnerable to storm surge flooding and ponding. Over the years, there is likely to be further consideration, discussion and planning for the impacts of climate change on Honolulu Harbor."

The proposed improvements will accommodate two oil spill response boats.

### Airport Modernization Program, HNL FEA (February 2013)

The DOT Airports Division proposes several improvements at the Honolulu International Airport. Under its Airport Modernization Program, the DOT will:

- Construct a mauka concourse;
- Demolish an existing terminal;
- Widen taxi lanes;
- Cover Manuwai Canal;
- Relocate cargo/maintenance facilities and construct employee parking;

- Construct a replacement cargo facility;
- Construct a replacement commuter terminal;
- Construct a replacement aircraft parking apron; and
- Construct a consolidated rental car facility.

The draft EA for the projects address climate change only with regard to emissions from the facility. In his comments on the DEA, Honolulu Department of Planning and Permitting acting director Jiro Sumada recommended that the final EA should discuss the possible impact of climate change on the airport, including an assessment of the risk of more extreme weather events and sea level rise through the life of the facilities, as well as a “discussion of how the likely impacts will be accommodated and mitigated in the design and operation of the new facilities that incorporate resilience in the event that extreme events take place.”

The DOT responded, “Although proposed, the state of Hawai'i has not yet passed legislation or promulgated rules and/or guidance requiring a specific evaluation of the effects of climate change (e.g., extreme weather events, sea level rise) as a significance criteria for environmental assessments.”

In any case, the DOT noted, all project components would be constructed in existing development areas of the airport, “located more than 0.5 miles from the shoreline, located outside the tsunami evacuation zone, and located where the ground surface elevations are equal to or greater than 10 feet above mean sea level.”



## O'ahu Highways Plan

After its climate change workshop, but before it issued its transportation infrastructure risk assessment report, the OMPO approved a list of federally funded transportation projects through the next 20 or so years.

In its short discussion of climate change, the O'ahu Regional Transportation Plan 2035 states that long-term planning is needed to identify and minimize the risk to transportation facilities near coastal areas, including the island's coastal roadways — Farrington, Kalaniana'ole, and Kamehameha highways — and Nimitz Highway. However, the plan includes no specific projects to mitigate the potential impacts of sea level rise, increased storm surges, flooding, etc. It simply notes that \$50 million will be spent on shoreline protection and about \$670 million will be spent on “system preservation.” The plan also includes \$209 million to widen and realign Farrington Highway.

— **Teresa Dawson**

### *Wespac from page 1*

most economically important fishing sector: the deep-set longline fleet.



## Structural Ecosystem Changes

The Hawai'i longline vessels that chase bigeye tuna are seeing their catches consist more and more of fish for which there is no market, with fewer of the large tunas that they target.

Sam Pooley, director of the National Marine Fisheries Service Pacific Islands Fisheries Science Center, gave the council the grim news in his report on work done by scientists at his facility. In this instance, the work, by Jeff Polovina and Phoebe Woodworth-Jefcoats, found that in the 16 years from 1996 to 2011, the proportion of fish greater than 15 kilograms (about 33 pounds) in the catch fell from just over 70 percent in 1996 to barely 45 percent in 2011.

Meanwhile, the proportion of the catch that consisted of noncommercial species that are discarded climbed steeply, to where in 2011 it made up 36 percent of the haul. (In 2009, that percentage soared to 45 percent.)

In his written report to the council, Pooley stated, “As the largest fish (including target species such as bigeye tuna) are exploited by the fishery their declining population exerts less predation pressure on smaller fish, thus allowing the population of smaller (often less commercially valuable) fish to grow.”

“Taken as a whole, the observed and modeled trends indicate that size-based predation plays a key role in structuring the subtropical Pacific ecosystem,” he wrote.

The composition of the catch is changing, in addition to the size of the fish, he continued. “The catch of noncommercial species such as lancetfish and snake mackerel increased from 30 to 40 percent of the total catch,” Polovina and Woodworth-Jefcoats found. In fact, the catch of lancetfish — a virtually inedible species — “has surpassed bigeye tuna catch and this noncommercial species is now the most abundantly caught fish in the Hawai'i-based deep-set longline fishery.”

Mike Goto, a council member from Hawai'i representing the interests of longliners, noted that the fleet was also taking higher numbers of small skipjack tuna. Goto, who works at United Fishing Agency, the fish auction house in Honolulu, told the council, “The Hawai'i longline fishery saw an unprecedented amount of skipjack over the last six months. We've never seen this before. ... We

still don't understand why that happened, because it's never happened before.”

The council's senior scientist, Paul Dalzell, said he found Goto's observation “interesting.” The troll fishery in Hawai'i, which generally targets skipjack, has had a “fairly flat” catch over the last thirty years. “So to see this [increase] in a fishery not targeting skipjack is I think quite significant.”

Goto also stated that short-billed spearfish “is becoming an important catch in Hawai'i. There's record-high [catch] for that species.”

According to annual reports of longline catches maintained by NMFS, 35,205 skipjack were caught by the fleet in 2012, against 25,791 caught in 2011. The catch-per-unit-effort for skipjack rose from 0.61 fish per thousand hooks set to 0.78 per thousand hooks.

The number of short-billed spearfish caught in 2012 was 11,423, down from the 2011 catch of 15,723. The CPUEs for both years were 0.39 and 0.37, respectively.

### *Bigeye Decline*

Paul Dalzell reported on the actions — or lack of them — at the most recent meeting of the Western and Central Pacific Fisheries Commission, the international organization that is charged with conserving tunas and other valuable fish stocks in the region.

A conservation measure for bigeye adopted in 2008 had not resulted in the curbs, on the order of 30 percent, to bigeye fishing that the commission's scientists determined were necessary to restore stocks to healthy levels. “Since then,” Dalzell said, “every year, the commission basically kicked the can down the road, tweaked the measure a little bit.”

At the 2012 meeting, held in Manila last December, the commission members imposed a 10 percent cut on the catch of Chinese longliners. The Chinese haul had increased more than tenfold over the last decade, Dalzell noted, and the actual volume of its catch “is hard to pin down.”

The commission did agree to convene a working group in August to develop a multiyear management measure, satisfying all parties. “Good luck to that,” Dalzell said.

The quota assigned to the Hawai'i longline fleet remains at 3,763 metric tons of bigeye a year. In the continuing appropriations act for 2012 (signed into law on November 18, 2011), the quota was effectively lifted for 2011 and 2012. The law allowed for most of the longline vessels home-ported in Hawai'i to attribute part of their catch to American Samoa, the Commonwealth of the Northern Marianas, or Guam if there was an agreement between the territory and the fleet. As *Environment Hawai'i* reported in January 2012, the Hawai'i Longline Association entered into just such

## Simonds and Allies Criticize Rules, Expansion of American Samoa Sanctuary

The most heated discussions during the three-day meeting of the Western Pacific Fishery Management Council last month concerned the reach of the National Marine Sanctuary of American Samoa.

For years, council executive director Kitty Simonds has made no secret of her views that national marine sanctuaries or monuments encroach on the council's authority to manage fishing in federal waters. Her first chance to expound on the subject at the Pago Pago meeting came following comments made by Alex Jennings, a member of the family that owns Swains Island, a tiny atoll about 200 miles north of American Samoa's main island of Tutuila.

Jennings had listened to a presentation of the various council-funded improvements that had been installed on Tutuila and the islands of Aunu'u, Ta'u and Ofu. These included boat ramps, ice machines, and shelters, all paid for out of the Sustainable Fisheries Fund. The fund, administered by Simonds, receives revenue from fines collected by the Coast Guard from foreign vessels illegally fishing in U.S. waters and from payments made to it by the Hawai'i Longline Association in return for a portion of the territory's bigeye tuna quota.

Jennings mentioned that he had requested

the council's assistance in helping to develop fishing capacity at Swains Island several years ago, but that nothing had come of it. "How much has this council ever done for Swains?" he asked, after pointing out that a large fraction of the American Samoa exclusive economic zone (EEZ) is a result of being able to include waters around the island, which is actually a part of the Tokelau archipelago.

"Our resources are fish and coconuts, when they were worth something—from the 1800s up to the 1970s," Jennings said. "Now we have only fish, and we can't even capitalize on that. I ask the council if there's any way we can get some assistance for Swains Island."

Without help from Wespac, Jennings sought out the sanctuary program, "and they have dedicated more resources to Swains Island and brought more exposure and created more opportunities for development than I've ever had with the 200 mile EEZ.... Please, let's be creative. Why don't you work with Swains, ask what it is we can do for Swains. How we can develop fisheries on Swains Island."

Simonds' response was unsympathetic. "Alex, it's a wonderful thing for you to do to become a part of the sanctuary process," she said. "I would be curious to know how they're helping you with development."

She said that Jennings' request for assistance was for purchase of a boat, "but the council just doesn't pay \$500,000 for a boat. There needed to be partnerships, and a plan for Swains Island. A lot of structural things have to be done for Swains if you want to make it where you can fish."

Later in the day, Simonds took exception to comments by Lelei Peau, the deputy director of the Department of Commerce of American Samoa. In a presentation to the council, Peau had insisted that non-commercial fishing was allowed in one of the sanctuary areas off the island of Aunu'u. Before the meeting adjourned, Simonds brought up the subject again: "I have a *Federal Register* notice in front of me," she said, addressing Peau. After reading from it, she challenged Peau, "The notice is pretty clear there's no fishing for bottomfish around Aunu'u."

Peau replied that trolling and longline fishing were allowed.

"And Aunu'u just happens to be the place where bottomfishing is very, very good," Simonds went on to say. "And it's something we wrote about to the governor several times last December."

That was by no means the last word on the subject. The following day, Jennings returned and again addressed the council. He had gone through his email correspondence with Simonds and reported that she had responded favorably to his initial request for assistance, stating that "there are ways we can do this—not only for what I requested for the boat, but

an agreement with American Samoa, in return for payment of \$250,000 into the Sustainable Fisheries Fund for the territory.

That lifting of the quota limit expired on December 31, 2012. According to Mike Tosatto, administrator of NMFS' Pacific Islands Regional Office in Honolulu, language passed by the Senate would allow the same arrangement to continue through 2013.



### Global Assessment of Honu

A year ago, the Association of Hawaiian Civic Clubs, on the motion of the Maunaloa club (Kitty Simonds, president), petitioned NMFS to find that the Hawaiian green sea turtle was a distinct population segment of the species and that it no longer warranted protection as a threatened species under the federal Endangered Species Act.

In his report on the status of several endan-

gered species petitions to NMFS, Tosatto stated that the agency could not make a decision on the Hawai'i population without considering it "globally, consider the status of all populations." Only after that is done will the agency propose its finding.

Simonds questioned Tosatto on NMFS' review of the petition: "I just want to make sure I heard. You said that you folks have to conduct a global status review before DPS can be designated. I want to know why."

Tosatto clarified that the decision to review the status of the species globally was not a statutory requirement, "but it's clearly what NMFS chose."

"Why?" Simonds asked.

"It's a national status review," Tosatto responded, "not a regional status review. So when the petition came, although it was a petition to name a Hawai'i distinct population segment, nationally, NMFS determined it would not be regional but national... probably because it has been quite some time

since the greens were last reviewed. As you know, for years and years they were saying they would do this review. It took a petition to kick them in the pants."

Simonds continued to press Tosatto on the matter and Tosatto attempted to explain the agency's actions. Bringing her questions to a close, Simonds said, "I'm not satisfied, but I accept your explanation for now."

Chiming in on the subject was Ed Ebisui, another Hawai'i council member who fishes out of Hale'iwa, on O'ahu's north shore. "Seems to me that we're talking about balance," he said. "Now, I've never ever seen as many green turtles as we have now. They're so plentiful that last year, I took a canoe and went into the river, to a place where I've fished and crabbed... And the place was overrun with turtles. I couldn't believe it... They've grazed—something has grazed our reefs clear of algae, the seaweed that the reef fish need to reproduce. So everything's out of whack. The turtles are so hungry they've now devastated

also to clear the harbor.” But “immediately after that, from December 2011, we came into the sanctuary public hearings and I can tell you right now – my emails were flooded, not only from council members, but the executive office itself, with statements against the sanctuary. I believe that Swains Island is being discriminated against now because of the decision to include Swains Island in this part of the sanctuary.”

Jennings was cut off after three minutes, being told that time for public comment on non-agenda items had passed.

However, later that same day, the council voted to amend its agenda to allow testimony on non-agenda items from five individuals (including one former council member and one advisor to the council) that had been hastily summoned to testify on the subject of the sanctuary.

Paul Stevenson, governor of the Eastern District of American Samoa (and council

member from 1992 to 1998), stated that he was concerned that sanctuary rules would mean a “loss of potential income to this territory, for local fishermen, [of] \$1.2 million a year. That’s a lot to take away.” He challenged the decision-making process, suggesting that “there’s a lack of scientific and adequate data or studies.... I think there was too much haste to create this good deed for the rest of the world. We are forgotten in the process.”

Others testifying against the fishing restrictions in the sanctuary included Henry Sesepasara, a former council advisor on matters related to American Samoa – and himself a member of the sanctuary advisory board. According to Sesepasara, the advisory board voted against the expansion of the sanctuary, but was overruled by the territorial governor.

Following the testimony, American Samoa council member William Sword asked Paul Dalzell to give a presentation on fish data in the sanctuary. Although none of this was on the public agenda, Dalzell was able to oblige quickly, with “just a short thing to show the status of bottomfish and coral reef fish in American Samoa with respect to why you might not want to have a sanctuary.”

The data from 1988 to 2011 show the bottomfish stock in the area “is in very good condition, with fishing mortality well below MSY” (maximum sustainable yield), he said.

The representative of the American Samoa Department of Marine and Wildlife Resources, Dr. Ruth Matagi-Tofiga, who sits

on the council by virtue of her position, had little to say on the subject of the sanctuary during the public meeting. However, a press release distributed by the council quoted her as saying:

“This sanctuary expansion has caused a lot of public outcry, and, as director of DMWR, I will do whatever I can to stop this expansion from going forth by providing the most accurate scientific evidence for our government to make decisions.”

Officially, however, the sanctuary expansion is a *fait accompli*.

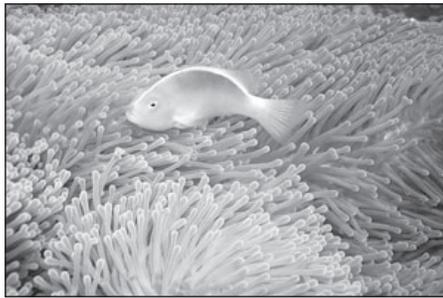
Genevieve Brighthouse, sanctuary superintendent, stated in an email to *Environment Hawai'i* that “less than one percent [of American Samoan sanctuary] waters is a no-take area” under the expanded sanctuary, she said.

Brighthouse also noted that the new rules for fishing in waters around Rose Atoll, now a part of the sanctuary, allow for “customary exchange” fishing, even though commercial fishing is banned.

However, by defining “customary exchange” as the non-market exchange of marine resources ... which may include cost recovery through monetary reimbursements,” the rules effectively bless commercial fishing in the area, some commenters have stated.

(The draft rules for Rose Atoll, as well as for the other remote Pacific Islands monuments, were published in the *Federal Register* in February; comments on them are due April 8.) — *Patricia Tummons*

PHOTO: AMERICAN SAMOA DEPARTMENT OF MARINE AND WILDLIFE RESOURCES



A new species of anemone fish was discovered in Fagatele Bay, part of the National Marine Sanctuary of American Samoa.

all the vegetation in the river.”

Ebisui then linked the abundance of turtles to the abundance of sharks – and a rise in shark attacks on humans. “People wonder why” the attacks are increasing, he said. “Well, you know what? One of the main food items for tiger sharks are turtles. More tiger sharks, more attacks. My question is: wouldn’t the agency embrace delisting something, to be able to show this as a case where the system works? We’ve restored the sea turtles. Everything is good. Why would there be resistance to delisting a species?”

Tosatto replied that the issue wasn’t so much resistance to delisting on the agency’s part so much as “there’s work still to be done.... As an agency, we are looking at what it takes to delist and cry success for the Endangered Species Act. I think the honu presents a good candidate for that. From my perspective now, we need to do the work.”



## False Killer Whales

Since new regulations kicked in on the staking of false killer whales by the deep-set longline fleet, the fishery is facing the threat of being closed out of some 150,000 square miles of ocean if two of the animals are seriously injured.

On January 29, the first serious injury was recorded by an observer. Not until March 4 was the determination made by NMFS that it was an instance of mortality or serious injury – that is, that the gear entanglement or injury was so serious that it threatened the animal’s life. The regulation requires that the determination be expedited, and Tosatto attempted to explain how a finding that was issued five weeks after the interaction occurred was, indeed, “expedited.”

“It seems a long time to be expedited,” he

said, “but I do feel that we went as quickly as we could. One, the ship has to get back in port, we have to debrief the observer, get details to our Science Center, which then has to consult with two other science centers, and then get it back to PIRO [the Pacific Islands Regional Office of NMFS], where the final determination is made. While that seems long, it’s pretty timely in my mind.”

Hawai’i council member McGrew Rice, a charter boat operator from Kona, expressed his skepticism over the extent of injury that would be inflicted by the hooking of a false killer whale. “I’ve had an issue with the insular whales being listed from day one,” he said. “But it’s happened so there’s nothing I can do about it right now.” Still, he went on to say, “I think an important thing that needs to be looked at is the determining of the false killer whales hooked on longlines – what kind of shape they’re in when they’re released. Knowing, as long as I’ve been on the ocean myself, how tough these animals are that have hooks

in them that are damaged and stuff, and how they survive. The important thing that needs to be looked hard at, is not to penalize fishermen if all of a sudden there's a circle hook on one corner of the mouth of a false killer whale."

According to the information provided by the observer who witnessed the false killer whale take on January 29, as the crew reeled in the mainline, "the branch line broke, releasing the whale with an estimated 6-10 meters [20 to 33 feet] of the branch line, all of the leader (~0.3 m), and the hook ... still attached." The length of the trailing line was one of the main factors in determining that the incident should be categorized as a mortality or serious injury. Line can become entangled around the animal's extremities and cut into the flesh, resulting in the devastating loss of a limb.

At its meeting last October, the council's Scientific and Statistical Committee established a subcommittee to look into the status of false killer whales (FKWs) and how NMFS determines the number of animals that the longline fishery can take – a number known as the potential biological removal.

"The primary concern for the council is the continued evaluation that FKWs takes in the Hawai'i deep-set longline fisheries exceeds the potential biological removal," wrote council staffer Asuka Ishizaki in her report on the subcommittee's findings. The take number is high, she wrote, in part because a portion of the takes of animals identified only as "blackfish" – either pilot whales or false killer whales – are counted as false killer whale takes. Also, she wrote, more than 90 percent of the takes of false killer whales end up being categorized as serious injuries. (A take occurs anytime an animal interacts with fishing gear.)

The subcommittee also questioned the distinction between the insular population of false killer whales and the pelagic stock and the recently discovered population of FKWs in the Northwestern Hawaiian Islands. "It is arguable whether the distinction can be considered significant in the context of [the Marine Mammal Protection Act], whose goal is to maintain stocks as functioning elements in the ecosystem, not necessarily as unique inbred genealogies," her report stated. "The subcommittee therefore recommends that a comprehensive analysis of spatial genetic structure of false killer whales be conducted, consulting world-renowned experts on genetics."

One of the points disputed by the subcommittee was the low "recovery factor" applied to the insular FKW population.

The value can range anywhere from 0.1 to 1.0, and for the FKW, it was set at the lowest end. The rationale for this, the subcommittee asserted, "was that the stock had been proposed for listing under the Endangered Species Act by petition from the Natural Resources Defense Council. The fact of that proposal also forced the stock to be designated as 'strategic.' In other words, any organization or individual can petition for a stock to be listed under the Endangered Species Act as endangered, and ipso facto the [recovery factor] is automatically set to 0.1 and the stock designated as 'strategic.' This is decision-making driven by special interest group pressure rather than a science-based conclusion."

In an email to *Environment Hawai'i*, Erin Oleson of NMFS' Pacific Islands Fisheries Science Center disputed the SSC subcommittee's description of how the recovery factor was determined. "The [recovery factor] for the Hawai'i Insular FKW was set to 0.1 after two actions within NMFS: 1) The Hawai'i Insular FKW Status Review was published in 2010, within which the Biological Review Team concluded that the population was declining and at high risk of extinction, and 2) the Hawai'i Insular FKW population was proposed for listing under the ESA. The 2011 Stock Assessment Report for false killer whales indicates that the change in the [recovery factor] followed from these actions. The change to [recovery factor] = 0.1 did not follow from the petition from NRDC to list the population."

The council endorsed the subcommittee's recommendations, even though one of them – to broaden membership in the group that determines whether an injury is serious – "is likely inconsistent with NMFS policy," according to Tosatto. Only personnel from NMFS' science centers are to make those decisions, he said.

Also, the council voted to have staff work with NMFS to "obtain all available photo identifications of false killer whales ... for the purpose of independent analysis of the data." This was not a recommendation of the SSC, but instead appears to have been drawn up by council staff. Speaking in favor of it was Kona council member McGrew Rice, who echoed the suggestion in the motion that private organizations – primarily the Cascadia Research Institute – were not producing scientifically competent reports. "All the ID data has come from private sectors," he stated. "Not a lot comes from our own science center. Like I stated earlier today, the group that most of this photo ID came from spent two two-week

periods in Kona and never saw a false killer whale."

Both Oleson and Robin Baird, who has led many of the Cascadia surveys, pointed out that the institute's work is reported in peer-reviewed journals. "NMFS has not requested access to the full photographic catalog for false killer whales held by Cascadia," Oleson said in her email to *Environment Hawai'i*. "We have asked for analyses or other products as well as information on the catalog in general or about specific individuals or groups within the catalog, all of which have been provided. All analysis products provided by Cascadia are peer-reviewed, both at the Pacific Scientific Review Group and externally, in addition to review within NMFS."

### Shortlines

"In conversations with my constituents in the Hawai'i longline fleet, it's important to bring up the fact that the shortline fishery ... has been steadily growing and is doing very well economically," said council member Mike Goto. The longline fleet was concerned that if a second false killer whale was determined to be seriously injured by the longliners, the shortline fleet, which sets lines less than a mile in length, would be able to continue fishing in the Southern Exclusion Zone.

The two fisheries, he continued, "are all on the same boat for certain things, but for others, it's seen as inequitable. It was relayed to me to try to get this on the radar a bit more... This fleet is growing. Four more [shortline] boats are under construction in Kona right now."

Paul Dalzell addressed the difficulties in trying to regulate the shortline boats. "At any one time when people are fishing, there may be shortlines, there may be guys using pole and line, droppers from reels on the side of the boat. Different gears, different kinds of fishing. It's hard to get a sense of what is the true CPUE. A fairly crude catch-per-trip [metric] has to be used...."

"This is a fishery that has swings and dips. It must be in a peak period now.... Clearly we need to take another look, characterize it now and see if any management measures are needed."

Since 2010, the Hawai'i shortline fishery has been listed as a Category II fishery by NMFS, meaning that it may cause "occasional incidental mortality or serious injury" to animals protected under the Marine Mammal Protection Act. Although this classification allows NMFS to place observers on board, the agency does not have enough funds to do so.

— Patricia Tummons

# Congress Gives \$3 Million to Help Hawai'i Longliners Deal With Quotas

After a ban on congressional earmarks, many thought the practice of members of Congress setting aside special funds for favored projects may have ended.

Not so fast.

Nowadays, expenditures for pet projects not included in the proposed budgets of federal agencies are called "congressionally designated items."

Take the case of one such item proposed for Fiscal Year 2010 by the late Sen. Daniel K. Inouye: \$3 million to "provide stop-gap relief for Hawai'i fishermen" targeting bigeye tuna.

According to a press release issued by the senator's office, "If Hawai'i fishermen are no longer allowed to fish for BET [bigeye tuna], it is feared that they will lose their market to foreign fisheries." (The longline fishery at the time was facing a limit on bigeye tuna catches imposed by the Western and Central Pacific Fisheries Commission.) All the funding "will go directly to temporary relief while policy and enforcement changes are pursued," the press release states.

So how has the money been spent?

To find out, *Environment Hawai'i* filed a Freedom of Information Act request with the National Marine Fisheries Service. Here's what we learned:

## DKI's COS

On March 1, 2011, about a year after the congressional appropriation, Kitty Simonds, executive director of the Western Pacific Fishery Management Council, was pressuring Mike Tosatto, the director of NMFS' Pacific Islands Regional Office, to move quickly in getting the funds to the council. The council receives all its funds in the form of grants from NMFS. To tap into this award, then, the council needed to prepare a grant application acceptable to the agency.

"heads up—I got a call today from dki's cos asking if we sent in the grant stuff," Simonds wrote. "dki" refers to the senator; "cos" his chief of staff. "I need to work on whatever it is that you folks are uncomfortable about. I believe you folks are going to get a call tomorrow."

There is no record of any call, but on March 17, NMFS staffer Scott Bloom forwarded to Wespac's Eric Kingma a copy of a letter from Inouye that described how he intended the funds to be used: "... to provide relief for Hawai'i fishermen whose big eye tuna (BET) quotas are not sufficient to consis-

tently meet market demand, and to provide technical assistance to American Samoa as they develop their own BET fishery."

With NMFS taking an administrative fee of 5 percent — \$150,000 — off the top of the award, Wespac was left to figure out how to spend the remaining \$2.85 million.

By early April 2011, it had come up with a plan. Some elements did not pass muster with NMFS headquarters, but after several revisions, in August 2011, NMFS approved the grant application.

Bottom line:

- Administration costs (including hiring of grant coordinators, purchasing desks, providing internet service, business cards, and parking) will eat up \$440,750 of the grant;
- Travel costs will come to \$241,100;
- Supplies ("including but not limited to card stock, pens, pencils, erasers, staples, glue, liquid paper, and tape" as well as copying of documents) are anticipated to account for expenses of \$30,000;
- Equipment "such as fish finding sonar" will cost \$100,000;
- Contractual services (other than the grant coordinators) are penciled in at \$1,988,250;
- Other costs — "brochures, information sheets, reports, meeting notices, etc." — are expected to amount to \$50,000.

## Relief for Longliners

The "contractual services" are further explained in the application. Of the nearly \$2 million budgeted for this, more than half — \$1,022,250 — is for "relief to Hawai'i longline fishermen from bigeye tuna catch limits."

"This project will involve the development and implementation of a fuel costs assistance program that will provide relief to Hawai'i longline fishermen that fish for tuna in the [Eastern Pacific Ocean]," the application states. In 2010, as the longline fleet approached its bigeye quota in the Western Pacific, Hawai'i longliners had to fish in the more distant waters of the Eastern Pacific. That, apparently was part of the justification for this — although since 2011, there has been effectively no cap on the bigeye catch of the fleet in either the Eastern or Western Pacific.

But the application also states that this project "will provide fuel cost assistance to Hawai'i longline fishermen that land bigeye tuna in Guam, [Commonwealth of the Northern Marianas Islands], or American Samoa."

A consultant is to figure out a formula to allocate the fuel assistance; "the same or additional consultants will be used to implement and administer the program," the application says. (*Environment Hawai'i* has not been able to learn whether a consultant has been hired for this portion of the grant.)

According to the budget laid out in the application, \$48,000 is allocated to pay a consultant to design the project, while \$202,450 will be paid to the "consultant



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A view of the canneries in American Samoa. The area leased by Samoa Tuna Processors is on the right.

organization” to implement the program. “The remaining \$809,800 will be provided as fuel cost relief to Hawai'i fishermen and distributed to qualifying vessels,” the application states. Finally, \$5,000 is allocated for “education and outreach materials.”

#### ***A Dock for Tri Marine***

Tri Marine is one of the world's largest tuna processors, boasting annual revenues on the order of half a trillion dollars. The company has recently taken over the old Chicken of the Sea cannery site in American Samoa, where its subsidiary, Samoa Tuna Processors (STP), is proposing to build a new dock and a facility that it will use to export bigeye tuna to fresh-fish markets in Japan and the U.S. mainland. Up to now, the American Samoa facilities had exported canned tuna only, consisting mostly of albacore and skipjack.

To support this effort, which will allow Hawai'i longliners to offload their catch in the territory, the council will be paying \$200,000. “The STP facility is the first large scale operation in American Samoa that will be conducting fresh fish export for the U.S.

and Asian markets,” the grant application states. “The primary species STP is looking to export is bigeye tuna. ... Through a private/public partnership with the American Samoan Government, STP, and the Council, funds will be used to purchase” construction materials.

In addition, the grant is to pay \$200,000 to contract consultants to design and develop plans for expanded docking space in Saipan. This is needed, the application states, “to attract Hawai'i-based longline vessels to CNMI... Adequate docking space for longline vessels could attract vessels from Hawai'i to base their fishing operations out of CNMI which in turn, may reduce the number of active fishing vessels out of Hawai'i, potentially reducing bigeye tuna landings in Hawai'i and therefore extending the ability of the fleet to fish in the [Western Pacific] for the entire calendar year.”

#### ***Reprogramming?***

According to NMFS' Honolulu office, which administers the grant, a total of \$966,381.16 has been disbursed to the council as of mid-

March. The most recent disbursement was made last November.

The staffer who oversees grant administration said he had been informed that the council “is investigating alternatives to the fuel subsidy program,” but, “until I see an official request for reprogramming, nothing has changed.”

Before any funds can be released in support of the construction of the dock for Samoa Tuna Processors, an environmental assessment or environmental impact statement must be prepared to satisfy requirements of the National Environmental Policy Act. A spokesman for the Army Corps of Engineers in Honolulu said that the agency would be preparing NEPA documentation, but that it had not yet been done.

At the March meeting of the council, Mike Tosatto of NMFS' Pacific Islands Regional Office said that his agency had notified the Corps that the project would not adversely disturb essential fish habitat, one of the factors the Corps must consider in deciding whether to issue a permit for the dock.

— P.T.