

August 10, 2012

To: KIRC Commissioners
Thru: Michael K. Nāho‘opi‘i, Executive Director
From: Dean Tokishi, Ocean Resources Specialist III
Subject: Seeking authorization for a onetime exemption to current Administrative Access Policy 8-10 (Stranding Policy), to allow for dead marine mammals to be removed from the Reserve if stranding(s) occurs during and up to four weeks the 2012 RIMPAC military exercises.

RECOMMENDED MOTION:

To authorize a onetime exemption to current Administrative Access Policy 8-10 (Stranding Policy), to allow dead marine mammals to be removed from the Reserve if stranding(s) occur during and up to four weeks after the current 2012 RIMPAC military naval exercises. The date for RIMPAC 2012 is July 1 to August 7, 2012. This exemption is requested to extend to September 5, 2012.

BACKGROUND & SUMMARY:

RIMPAC, the **Rim of the Pacific Exercise**, the world's largest international maritime warfare exercise, will be held in Hawaiian waters from July 2, 2012 to August 7, 2012.

A recent study has shown that whales experience decompression sickness (bends), a disease that forces nitrogen into gas bubbles in the tissues and is caused by rapid and prolonged surfacing. Although whales were originally thought to be immune to this disease, military sonar has been implicated in behavioral changes that can lead to decompression sickness. It has been suggested that active military sonar is detrimental to the health and livelihood of some marine mammals, although the precise mechanisms are not well understood. Various tests can be performed to determine if a marine mammal has been impacted by acoustic trauma caused by military sonar or other acoustic impacts (such as underwater blasting). CT and MRI scanning may occur on deceased animals along with examining gas bubbles within the tissues of these animals. The remains of the stranded marine mammals (including *iwi* and *niho*) would need to be transported to O‘ahu where a CT or MRI can be conducted due to the inability to conduct on site CT or MRI scanning in the Reserve. The bones and teeth are not to be subjected to any testing. All remains (including *iwi* and *niho*) of stranded marine mammals removed from the Reserve under this condition shall be returned in a mutually agreed upon time frame to the KIRC after necessary analyses are conducted.

DISCUSSION:

On June 27th KIRC staff along with D.A.G. Rowena Somerville met with NOAA staff from the Pacific Island Regional Office (PIRO) to begin discussions about possibly amending the current stranding policy. Three major areas of concern were brought up by PIRO staff that may trigger a request to have marine mammals removed from the Reserve for CT or MRI scanning:

1. A live or dead marine mammal stranding occurs during, or up to four weeks after a maritime military exercise that involves sonar or underwater blasting in Hawaii waters.
2. A live or dead marine mammal stranding occurs in which there is compelling evidence (such as propeller marks, gunshot wounds, witness testimony, etc.) that direct human intervention was a likely factor contributing to the stranding.
3. A mass stranding or unusual mortality event (UME) is declared by NOAA National Marine Fisheries Service (NMFS)

It is possible that the topics #2, #3 and euthanasia will be brought before the Commission in the future. At this time the current request is for a one time exemption (RIM PAC 2012) that relates to topic #1.

RECOMMENDATION:

To authorize a one time exemption to current Administrative Access Policy 8-10 (Stranding Policy), to allow dead marine mammals to be removed from the Reserve if stranding(s) occur during up to four weeks after the 2012 RIMPAC military exercise. This would be for the purpose of determining the cause of death specifically air embolisms due to rapid ascent triggered by the use of active military sonar.

In the future, it is recommended that NOAA provide the KIRC with six months advanced notice prior to making a request for an exemption to the Commission's access policy. The KIRC can then consider the request at a public meeting.