



Pacific Islands RPB Teleconference

November 19, 2013

11-1 pm HST

RPB Members in Attendance:

American Samoa:

CNMI: Fran Castro, Frank Rabauliman

Guam:

Hawaii: Jesse Souki

WPFMC: Arnold Palacios

NOAA: Mike Tosatto

JCS:

OSD: Nicole Griffin

EPA: John McCarroll

DOT: John Hummer

DOI:

USCG:

USDA:

RPB Alternates:

JCS: Rick McGuire

DOI: Dan Polhemus

USCG: Brian Hofferber

Others:

Executive Secretary: Sarah Pautzke

WPFMC: Kitty Simonds

Hawaii Sub-ROP: Miranda Foley

Hawaii CZM: Justine Nihipali

PROP: Takiora Ingram, Cheryl Anderson

JCS: Tracy Kirby

USACE: Cindy Barger

BOEM: Ellen Aronson

AGENDA OVERVIEW

- Introductory remarks
- Charter
- Goals
- Data working group
- Stakeholder engagement
- Next meeting

Charter

The RPB members went through each edit provided. Edits were accepted or rejected, or bracketed for further consideration. A spreadsheet of edits was maintained, including the action taken, which will be sent to the RPB members along with a red-line version of the charter.

The working groups and committees section needs to be developed prior to signing the charter. The Secretary and Co-leads will develop this section and send it out to the RPB members for review.

A few edits received brackets. The first item the RPB members will decide is whether to include “and productive” in Guiding Principle #3. RPB members were comfortable with the “responsible use of natural resources and safe, secure access and use of coastal and ocean areas,” but wanted more discussion around the inclusion of “productive”: “responsible use of natural resources and safe, secure, and productive access and use.” The issue is what is meant by the term “productive.” More discussion via email will occur about the phrasing. The RPB members also wanted more discussion about changing “traditional ecological knowledge” to “indigenous peoples’ ecological knowledge.”

The next bracketed text to address is how many days in advance of a meeting there will be public notice. 60 days was recommended by the Department of Defense General Counsel, which RPB members felt was excessive. The State of Hawaii requires 6 calendar days of advance public notice for general board and commission meetings and the Magnuson-Stevens Fishery Conservation and Management Act requires fishery management councils to provide 14 days of public notice before a fishery management council meeting. The OSD representative to the RPB will provide the RPB members with clarification from DOD GC about the 60 day recommendation.

The paragraph about dispute resolution was bracketed. It was felt that disputes were discussed already in the charter and that disputes should be handled solely within the RPB. It was pointed out that the current phrasing said that consulting the National Ocean Council is an option, not a requirement, but members were still uncomfortable with the paragraph. This will be discussed further via email among the RPB members.

Lastly, DOD asked that a sentence be added to the end: “However, official duties or participation by PI RPB members may invoke federal, agency, state, or other restrictions regarding conflicts of interest for government employees.” RPB members asked what types of conflicts of interest this pertained to because RPB members are government employees, thus do not stand to personally benefit from any actions. The OSD representative will take this to the DOD General Counsel for clarification and the NOAA representative will consult with NOAA General Counsel.

There was conversation around who should sign the charter. The culmination of the discussion was the decision to leave the charter as written. The discussion was whether just the co-leads should and/or could sign it, or if all current PI RPB members should sign it. Allowing just the co-leads to sign the charter would result in its quick implementation. Also, the question arose about who is bound by the agreement when an RPB member is replaced. It was agreed that all members must sign, and that the signatures bind the agencies – future signatures are not required.

The Secretary will make the accepted and bracketed edits to the charter, update the spreadsheet, and send to the co-leads for review by November 21, 2013. The co-leads will then provide their review by November 27, 2013. The Secretary will then send out the charter for RPB members’ review by December 4, 2013. RPB members’ responses are due January 10, 2014.

GOALS

Two sets of goals were presented. The first set was a modified version of the National Goals from the Final Recommendations of the Interagency Ocean Policy Task Force plus two additional goals. The

second was an entirely new set of four goals, drafted to capture the intent of the National Goals while incorporating the final goal of the Pacific Islands – a Coastal and Marine Spatial Plan.

Edits were suggested by the fishery management council (FMC). An addition to the goals was suggested to capture the intent not only to have our goals apply to now, but also to have them apply in the future. For example: “providing the best available and publicly accessible information on the condition and uses occurring within the coastal and marine ecosystems now and in the future.”

Another suggestion was the addition of “community benefits” to the second goal such that it reads “The Pacific Islands Region’s Coastal and Marine Spatial Plan will promote healthy coastal and ocean ecosystems and community benefits.”

Replacing the term “recognize” with “reflect” was recommended for goal 3: “The Pacific Islands Region’s Coastal and Marine Spatial Plan will involve stakeholders and reflect local, regional, and cultural priorities.”

The FMC will be supplying a fifth goal for RPB consideration that ensures all rights of indigenous peoples and agencies rights are not undermined. The goal is being wordsmithed and will be provided to the RPB in the near future.

The edits provided by the FMC were supported by other RPB members.

DOI pointed out that goals 1 and 3 involve concrete actions, while 2 and 4 are not ensuring anything. Therefore, the RPB has two “we will” goals and two “going to try to” goals. Clarification was provided by the State of Hawaii that two goals were watered down because the intent is not just about maintaining healthy ecosystems, but about integrating management; how to capture that was unclear, so edits were welcomed to make the goals reflect the RPB’s desire to have concrete actions.

The RPB members’ feedback and edits on both sets of goals are welcome and requested. The FMC should get their suggested edits to the Secretary by December 16. The Secretary will then email to the RPB members the updated goals on December 17. The RPB members then have until January 17 to provide edits before a closer-to-finalized version is emailed for RPB member comment.

DATA GROUP

The RPB needs to begin organizing the information it needs for the planning process and developing a framework for how the end product might look. The federal co-lead asked for a volunteer to lead the group. No-one volunteered.

Because the standing technical committees and working groups definitions have not yet been defined in the charter, there was hesitation to begin a group. It was suggested that an informal group might be formed to begin looking at the data issues in the region that would be formalized when the charter goes into effect. The FMC said they would be a participant in the group once formed; the FMC is forming an expanded data group in the State and Territories that will allow it to effectively contribute to the RPB working group.

STAKEHOLDER ENGAGEMENT

The National Ocean Council communicated that a letter was received by the National Ocean Policy Coalition accusing the RPBs of not doing enough stakeholder engagement. The PI RPB has not done

much stakeholder engagement as an RPB, but the individual members have communicated with stakeholders about coastal and marine spatial planning frequently. The Secretary documented on www.PacificIslandsRPB.org the various outreach and engagement activities that have occurred. Additionally, the RPBs have been tasked with developing their stakeholder engagement plan (which was already required as part of the bigger work plan and coastal and marine spatial plan) soon. The Secretary will begin development of a stakeholder plan for co-lead review by January 15, 2014.

It was pointed out that community groups are being engaged in CNMI about CMSP. There is also engagement in CNMI through watershed planning.

NEXT RPB MEETING

A teleconference, 2-3 hours in length, every three months was proposed. The next teleconference will be in late February / early March. The next in-person meeting will be scheduled in the spring or summer. The Secretary will email RPB members about availability for the next teleconference.

It was suggested that the meetings for the next couple years are laid out with goals and objectives to guide the RPB's progress.

OTHER ITEMS FOR DISCUSSION

The question was raised whether there are funds for CMSP from other organizations or if funding is solely federal. There are no successful Congressional appropriations requests, only ROP funding is available in NOAA. Federal agencies in the co-lead role are using their existing funds.