

**WEST HAWAII FISHERIES COUNCIL  
POBOX 489 KAILUA KONA HI 96745**

*MISSION STATEMENT OF THE WEST HAWAII FISHERIES COUNCIL*

*“To effectively manage fishery activities to ensure sustainability; enhance nearshore resources; develop and implement management plans for minimizing resource depletion and conflicts of use; per legislative mandate to the Department of Land and Natural Resources to provide for substantive involvement of the community in resource management decisions; and encourage scientific research and monitoring of the nearshore resources and environment from Upolu Point to Ka Lae.”*

**WEST HAWAII FISHERIES COUNCIL  
DRAFT Minutes for Thursday, APRIL 17, 2014  
Presiding: Tina Owens**

**Call to Order:** 6:30 pm

**Members Present:** (No proxies everyone present) Patrick Cunningham, Bob Hajek, Charles Young, JR Rosario, David Dart, Bill Walsh (Ex Officio), Sierra Tobiason (Ex Officio), Donna Goodale, Kim Koch, Malia Kipapa.

**Guests and Observers:** Kara Osada D’Avella, Shane Nelson, Barbara Dalton, Frazer McGilvray, Solomon Alani, Phyllis Alani, Linda Preskitt, Keo Lopes, Emma Anders, Rick Gaffney, Ross Martin, Rebecca Most, Kathryn Beaumont, Jack Fields, Christie Hilliard, Lino M. Kamakau, Nicole Lowen, Phil Fernandez, Karen Eoff

**Approval of the Agenda:** Dale made motion to approve. Donna Second – approved.

**Approval of minutes from last meeting:** Donna moved to accept. Dale second – approved.

**Special Guest Speaker Mr. Frazer McGilvray, newly appointed Administrator for the state Division of Aquatic Resources**

- Mr. Frazer McGilvray is originally from Scotland and now lives in Mililani. He’s a marine biologist, fishery industry expert and has worked on every continent; Administrator for DAR.
- Council Questions:
  - Dale Sarver – What do you see as far as community based group like the WHF council?

- Frazer - I worked in top down communities and community based areas, so there is a broad spectrum, and am in favor of community based management due to the fact that their livelihood depends on the resources. Part of my job is to engage communities in the decision making process.
- David Dart – example stock assessment studies, how will you expand the scientific studies to collect fish data?
  - Frazer - Social and biological studies are important and need to be done, both.
  - Frazer - We need to manage our own resources internally and not depend on other administration to analyze studies and dictate how we manage our own resources.
- Tina Owens – This year there were a number of strong bills in legislature, one size fits all and Honolulu makes all the decisions, how do you feel about this?
  - Frazer - We have the authority to do it now, and don't need the committee, we have everything in place to do the community consultation, and we don't need the task force committee.
  - Frazer - We talk to as many people as we can, and collect input and opinion.
- Charles Young – Welcome to Kona, we ask that you folks actively participate in our council meetings, I disagree that science is the only answer, I don't think science can measure cultural importance, when it goes through science it sterilizes the information. The community based management has always been a part of this council.
  - Frazer - Social science brings in the cultural aspect and is equally important as the biological part. If we don't take in the cultural part with the science component, it will not work.
- Tina Owens – Brief review of how WHF council came about – started with Act 306; to have substantive community input, from all users of the coast line. In

1998 tried to get representatives from all stakeholder groups to represent their group on the council. Now we are looking for members.

- Chad Wiggins – I think it's good to look at the social science, ecosystem services. What is inspiring about all of us in this room we believe in this and because we must. Do you see potential in bridging gaps between DLNR?
  - Frazer - Most of the divisions don't talk to each other which I noticed when I first came into this position. No one knows resources better than people that live on the land where resources exist. Example is heavy rain causing erosion and run off and algae blooms that are created after this impact. Yes I think everyone needs to work together and a change needs to come to link land and water issues.
- Dale Sarver – I've lived in several places especially in the west coast. It's so hard hear, it's a system that does not work. How can adaptive management work here in Hawaii?
  - Frazer - Act 21 – international lists are hard to change; but within our division I can change to be proactive instead
- Tina Owens – Mr Aila went to legislature to address scuba diving ban in Kona, got \$250, 000 to do study, then bought it down to \$50,000. Do you have any idea who will conduct study?
  - Frazer - I don't know who is doing the study but if it does get done it's going to be through DAR and I will need to check on that, and not sure if we got the money.
  - Frazer - We don't know how this methodology will look like, if we have a hypothesis we can do the study – but it needs to be determined if it has an affect or doesn't it. Methodology needs to be robust and defendable, transparent.
    - Bill Walsh – Comment – there is quite a body of information from studies on scuba

spear fishing; basic principles which have been recognized from studies, before it became such a problem. Trying to study something that doesn't exist, there is a ban, night dives un-regulated, and to compare Honolulu to Kona that's unrealistic.

- David – real time fish management what is your thoughts?
  - Frazer - We kind of do that with the bottom fish catch within 5 days, that's here in Hawaii. Alaska is much more complex, sophisticated, and has a robust process that earns fisherman more money. Difficult to compare Alaska to Hawaii.
  - David – an example is how fish managers are looking at it, and collecting information, but can that information be used to make quick decisions.
- Charles Young – in the short time in this job can you give us a list of some important things you need to do for your job?
  - Frazer - Structure of division is horrible, old way of managing things. For the first time sat for three days with all our DAR staff to reflect what we have been doing in the past years and what needed to be changed. Modernizing our system, Hawaii is the only place that gives their fish away for free. How a non-commercial license would work and how it would look like? We need to take a look at doing our own science and managing our own resources is the best method.
- Tina Owens – Aquarium industry, here in west hawaii we have come to an agreeable collection limit. People from Maui are trying to shut us down, what does your division think about his movement?
  - Frazer - I'm more concerned about the sustainability of an ecosystem; you need to consider the entire ecosystem. I come from a

non-profit fortieth, people are integral of the ecosystem not isolated from it, people need to manage ecosystem properly, and then there is no reason that resource can't be managed. If resource is not sustainable we need to do something

- Dale Sarver – We have seen the ecosystem management process create chaos; so much agencies taking that statement and using it to their advantage.
  - Frazer – It's a paradigm shift – a new equilibrium will form off of it. Example – on the east coast the scallop industry collapsed and 10,000 people lost their jobs. The problem was, in fact, two trophic levels higher.
- Question from Shane Nelson – data vs concepts, how would data support traditional concepts?
  - Frazer - 95% confidence limits are strived for by scientists; managers don't need 95% confidence limits to make decisions. Need to see how we can learn from traditional practices and use it today? We need to do a study.
    - Shane comments – what we are trying to grapple with, identify traditional practice and see how it can be used today.  
Preliminary answer? Represent OHA.
- Question from Nicole Lowen (State Representative for District 6) what would a functional community-based process look like? And how far are we from using this today?
  - Frazer - Depends on what model is being proposed. We are still trying to figure this sweet spot is; every community is slightly different. Get as much information from the community as possible, if we can all be on the same page and be in agreement with each other, it doesn't matter who is driving the bus.
  - Emma (DAR representative answered) It depends – learning by doing – certain types of options violate Act 91 – within the next two months we

are moving forward with community based subsistence management. Not a west Hawaii community.

- Tina Owens – asked if anyone interested in joining the council we have applications available.

### **Update from DOCARE:**

- Mr Kamakau – complaints department – we don't implement anything we just enforce – we are working on 3 cases right now I'm not happy with the justice system – the violators go to court and the fine is too small it doesn't deter people from breaking the law. We have shortened funds and have no money; we will do what we can. We have grants that we need to fulfill responsibilities; maximize and prioritize our work. We might go criminal, but I think the judges need to be educated about how important our natural resources are. We don't have a collection agency to collect funds. 17 years ago we had 16 of us now we down to 8 workers. We cover a lot of ground in the water. Marine unit, I don't like the one year temporary position – you need to have 2 year enforcement experience, have suggested to his manager to make the position permanent.
  - Charlie Young – Thank you for coming tonight. What our community is willing to do is the monitoring, how do you feel about people from the community is willing to help? And how supportive do you think your administration would feel about this? The community may be able to generate funds.
  - Mr Kamakau – administration is for it, it's like the Makai Watch. I'm okay with it, I helped start this program and agree that it works.
  - Chad Wiggins – I know that your agents are working really hard and dedicating a lot of time.
  - Bill Walsh – looking at the penalties, there hasn't been a penalty schedule for infractions. The board needs to approve it to make it enforceable for criminal charges. We put together a laminated handout for all DOCARE officers, that way they have it with them in the field (visual aid).

### **Legislative Update:**

- Tina Owens HB 709 and SB 2125 did not pass, HCR 65 did pass.
  - Session is almost over; there is no task force it comes down to whether DLNR wants to implement it or not.

### **New Business:**

- Council vote on New Membership Application: Chad – Charlie Young applied to represent Kealia and Ho’okena – He’s a recreational diver and fisher, shoreline diver, native practitioner. Inshore hand line, spear fishing free diving. Impressive of the value of helping to make things better. JR and Chad interviewed Charlie.
  - Motion to approve as a member to council - Chad first motion, Dale second motion.
  - Kim Koch – what are you hoping to get out of being on the council?
    - Charlie Young – I want to work with Milolii in moving forward with the Community based subsistence fishing, regional and specific to the area I serve.
    - Unanimously voted in as a member by council members.
- Giant Grouper Update (Dale Sarver)
  - It looks like there is a possibility with permit from Department of Ag. One thing is you can’t put fish obtained from somewhere other than Hawaii into the ocean; we have had the fish for 13 years. Commercial aquiculture fish, will not work.
    - Background for guests: Giant grouper is a native species here in Hawaii, really rare, they are the largest fish around, can get up to 800 lbs. Mexico and Florida has similar species to this grouper. Have been overfished in different places, hoping to get this fish protected. Spawn in late summer.

**Announcements:**

- Tina Owens
  - I will keep everyone updated on the room for next months meeting.
    - Chad mentioned - NELHA offered to use their conference e room for \$35 dollars per meeting.
  - Harold K Castle foundation said that we can go ahead and spend the left over money
    - I will work with the other chairs to create a budget for this year
  - Website – If anyone has ideas on design and suggestions on the website in general let Tina know.

**Adjournment:**

Dale made a motion to adjourn and Donna seconded his motion.  
The meeting was adjourned at 8:21pm.