

WEST HAWAII FISHERY COUNCIL

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MISSION STATEMENT OF THE WEST HAWAII FISHERY 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 FISHERY COUNCIL

DRAFT Minutes for Thursday March 20, 2014

Presiding: Dale Sarver

Location: Kona Community Civic Center Liquor Control Board Room

Call to Order: 6:30pm

Members Present: Dale Sarver (co-chair); Tina Owens (co-chair); Chad Wiggins (co-chair); Malia Kipapa (proxy: Chad Wiggins), JR Rosario; Dave Dart (proxy: Tina Owens); Dr. Bill Walsh (ex-officio); Donna Goodale; Bob Hajek; Glennon Gingo;

Guests: Charles Young (applicant for membership); Sierra Tobiason; Leimamo Lind-Strauss;

Approval of Agenda: Chad Wiggins called for approval; seconded by Donna Goodale; motion approved.

Approval of Minutes: (as amended) Tina Owens called for approval; seconded by Dale Sarver; motion approved. Correction of spelling David Tarnas's name;

Presentations: NO PRESENTATIONS

Business and Discussion:

LEGISLATIVE UPDATE

Cooler Inspection and Limited Entry did not get a hearing

HB 709, SB2125 – Statewide Task Force for fishing rules - did not cross over so bills are dead. HB709: Possible provision that no rules could be made for Niihau until 2017 – language was ambiguous enough to impact Haena CBSFA process. House Concurrent Resolution 65 – Adopted on 3/18 – referred to committees on finance.

SCUBA SPEARFISHING

DLNR proposed a study on SCUBA spearfishing in w. Hawai'i after rule has been enacted. Asked for \$250,000 but received \$50,000. Two years to do study and state they can get it through the rulemaking process in 9 months.

JR – Most SCUBA spearfishers target uhu at night. I wonder if people can go and look at places where uhu is bought to study it.

Bill Walsh - Since ban is already in effect study could poll the community and see how many people were SCUBA spearfishing – social science. Much of the activity is happening at night and is unseen. Reports of airport employees seeing export led to developing rule. We have information on uhu populations, but we have no comparison with areas that are not closed. I suggested a compromise to the Director to close FRAs to SCUBA spearfishing (35%) and leave the rest of the coast open to SCUBA spearfishing. Keeps fishers fishing and provides for compelling study on effects of SCUBA spearfishing. The opportunity to create a network of protected areas was lost in order to pursue no ban on SCUBA spearfishing.

Donna – Have there been any reports of violations? Is there any enforcement at night?

Do the fish buyers know about the ban? Do we know that it's truly in effect?

Bill – No violations reported. Not aware of DOCARE patrolling at night. Still legal to buy speared uhu.

Tina – Do we know how many people in w. Hawai'i might be violating the law? One of the things that that said in the interview was that "the community" was for the ban, but "not the spearfishing community." Eight out of 10 guys in opposition at the board hearing were from Oahu. I don't think there will be too many people in support. They may not have the full picture. We should engage Reps. Lowen and Evans.

Donna – Do we need to invite them? We need to be proactive and let them know what we've done and why we've done it. Bill Walsh can give an educational powerpoint on the state of the reef in w. Hawai'i and what we are working toward and what we've done in the past.

Tina – They are next door [at Water Resources Meeting for Kaloko-Honokohau National Historic Park]. If we need to send in testimony do we do it as individuals or as a council?

Dale – It's always good to testify as individuals first unless something crazy happens between now and next month. I wrote to representative Lowen to share my experience and let her know about what we do. Does she have a person here [in west Hawai'i] to represent her?

MOTION: Donna Goodale – "Invite representatives Lowen, Evans, and Craig to come to a West Hawai'i Fisheries Council meeting in the not too distant future."

Tina Owens – second; Vote: all in favor

ACTION: WRITE LETTER TO INVITE REPRESENTATIVES TO WHFC MEETING
NON-COMMERCIAL FISHING PERMITS

Donna – Fishing License article in paper. Has been work of the council.

Glennon – They were referred to as non-commercial permits

Bill – Wasn't for establishing, just studying – was originally just for visitors, but was expanded to all users. Information on willingness to pay exists.

ACT 306 MARINE RESERVES

Dale – We have to approach it – it's in our mandate. My thoughts now are to avoid publicity. We need to get ducks in a row about where they will be before moving forward. What areas do we have about where people would like to see a marine reserve?

Tina – establishment of CA MPA network started out with one year of ideal network design – finding the exact places with the perfect ecology and species distribution. CA backed off from ecological science and decided to work with communities that would support a network. They have a very long coastline and a lot of people were willing to support it. We started our work with the same idea which was to go with areas that wanted to have marine reserves. We started off with Ka'ūpūlehu because they already had a pretty well developed plan in place and the Ka'ūpūlehu rules are over at DAR somewhere. There is a community up at Mauna Lani that wants to make a certain portion of their FRA into a marine reserve. There was some discussion with Puakō – never gelled on whether or not to ask for help. We were going to see if Ho'okena or Miloli'i might be interested in such a thing. The implication is not to impose anything on anyone, but if communities do want to see this happen, we will assist them to get it to the rulemaking stage. Conflict over fishing rules caused this work to be put on hold due to push back from the same people who were pushing back on SCUBA spearfishing. We talked to Mauna Lani people several times, prepping them for what they have to do and what they have to go through. Mauna Lani has a number of people who are very much in support of protection including Hawaiian kūpuna, but we left them at the point that the DLNR was getting their rules underway – they were educating their communities and were ready to educate people in other areas and make people aware that marine reserves are an extremely effective way to bring fish back. Mauna Lani wanted a pretty large no-take zone. I would suggest that we re-establish our contact with Mauna Lani and if Ho'okena and Milolii is interested we will give them all the help we can.

Charles – We want a management plan. We are not advocating for a marine reserve. We want to get a management plan with full community input and as much consensus as we can. Milolii feels a greater impact and has discussed no-take – we are not in the same position as Ka'ūpūlehu where in their mind they have gone past the tipping point. Ho'okena is working closely with Milolii because we want to come up with something in south Kona that is along the same guidelines because we do share the same fisheries, the currents travel through our places, but I'm not 100% sure where our community is. We will have a meeting this Saturday and we will come back with a management plan. First version written in 1998 and we have a new version that was developed in 2011. It would be helpful to the Ho'okena community for WHFC representatives to come down when the community is ready to have a conversation about how they can help – maybe 3 or 4 months down the line we could discuss Ho'okena's proposal. This is exactly what this council was meant to do – help the communities. We are going to end up in public hearing and we really want to enter the public hearing with everyone having input into it as much as possible. Let's disagree before the public hearing so that the BLNR is not hearing this for the first time. It would be extremely helpful is the WHFC took a position in support of Ho'okena when we get to that point. We may need to have that discussion in the public realm before we get to Chapter 91. A 2011 plan draft needs to be updated but can be shared 3-4 months down the road. We will be running parallel to the WHFC and see how [the DLNR] feels. Is it accurate that any place in west Hawai'i can go before DAR and propose special management areas?

Bill – nodding

Tina – We can help you with making recommendations about what is practical and doable and what the process is and how we can go through the process. That's what we did in Ka'ūpūlehu. It is important to get the word out.

Bill – It's important to keep reminding DLNR to move rule forward to keep making progress on the rule.

FINANCIAL UPDATE

Still in progress. We applied for a no-cost extension but have not received word. Coming up on 3 months since the application was put in. Until they say okay, we have no access to it. Money issues are clerical administration and website. May need to pay for meeting halls in other areas.

ACTION: Tina to call Mālama Kai Foundation representative

MEMBERSHIP

Pam H. came to Keauhou meeting and wanted to submit application; Charles Young has submitted an application; Tina Owen's list = marine biologist, rec. diver, UW photographer, Manta Researcher, Environmental Activist, Monk Seal Person, Linda Preskitt, Can run a non-display ad in the paper for non-profit rate the more you run it the better. PSA is only written.

ACTION: SCHEDULE MEMBERSHIP COMMITTEE MEETING TO EVALUATE CHARLES YOUNG'S APPLICATION – JR, CHAD, PAT, and GLENNON

ANNUAL PRIORITIES

It was discussed whether to invited DOBOR and DOCARE to join WHFC as ex-officios. In the past DOCARE has occasionally had representation. David Tarnas noted that if we are going to be bringing up mooring buoys again, we should definitely invite DOBOR.

ACTION: INVITE DOBOR AND DOCARE REPRESENTATIVES TO JOIN - Tina

2014 Quick planning: Work for fisheries council is to increase membership, participation (agency and community), increase public awareness, support for communities who ask the council for help (e.g. Kahaluu, Ho'okena),

Focus for next meeting(s):

1. **Follow up on w. Hawai'i Rules Package;**
2. **Codify Day Use Moorings;**
3. **Designate No Anchoring Areas** (DOBOR is working on rules – ask for presentation/briefing to WHFC and identify working relationship)

Future focus: Marine Reserves, Develop Flyer

Next Meeting:

West Hawai'i Civic Center

Mr. Frazer McGilvray, the new DAR Administrator, will come to a meeting in April.

Adjournment: Dale Sarver moved to adjourn; Tina Owens seconded; all in favor

The meeting was adjourned at 8:08 PM.

Acronyms:

DLNR = Department of Land and Natural Resources

DAR = Division of Aquatic Resources

DOCARE = Division of Conservation and Resource Enforcement

DOBOR = Division of Boating and Ocean Recreation