

Kaneohe Bay Regional Council
September 10, 2015 Minutes
Windward Community College Hale Akoakoa 107

Started at 6:30PM (according to two clocks on wall which were 7 minutes fast compared to computer time)

Mrs. Rocky Kaluhiwa provided the opening pule

Attendees: Jerry Kaluhiwa (current KBRC voting member), Mo Radke (current KBRC voting member), Dr. Judy Lemus (current KBRC voting member), Alton Miyasaka (chair), Leo Asuncion (Office of Planning (OP), current KBRC non-voting member), Tiffany Patrick (current KBRC non-voting member), Loren Lasher (recreational boater & previous Kaneohe Bay Regional Council (KBRC) member, Clayton Hanagami, (commercial operator); Letani Peltier (staff of Representative Jarrett Keohokalole); Mrs. Rocky Kaluhiwa; Rebecka Arbin (OP), Ben Reder (NOAA, NERRS), Kristina Kekuewa (NOAA, NERRS), Jean Tanimoto (NOAA, NERRS), Andy Carre (Kamaaina Kids), Bob Twogood

Member Wayne Tanaka was not in attendance so there was no quorum for decision making.

Member Miyasaka asked Mr. Hanagami to introduce himself to the group as the potential commercial boat association representative on the KBRC. Since 1990, Mr. Hanagami has worked for Kaneohe Bay Cruises Inc., which is a tour/glassbottom boat operator, and also worked for Mid Pacific of Hawaii Inc. which is a full service operator. He is the owner of Watersports Inc., a small sail/snorkel tour operator since 1993; a discussion followed on his reasons for serving

Ms Camvel was not in attendance; she may be asked to join the KBRC as the cultural advisor as a non-voting member; Mrs Kaluhiwa suggested having her join the KBRC because of her knowledge and experience

Discussions moved to the formation of the committee to discuss Kamaaina Kids issues; Member Lemus asked to be on the subcommittee; discussion on sunshine followed; in the effort of time, the committee should deliberate prior to the next KBRC December meeting; make up of the committee will be determined by Member Miyasaka with consultation from others.

Member Asuncion noted that the committee may be considered a “permitted interaction group” or PIG that may not be subject to sunshine requirements; Member Miyasaka mentioned that he would be consulting with the Attorney General’s office for clarification on the PIGs and their use by the KBRC.

Member Asuncion started the discussion on the National Estuarine Research Reserve (NERR) update; he provided some background on the past 3.5 years of the NERR designation process; draft EIS and management plan is planned to be made

public in the 1st quarter of 2016; this is a NOAA action with NEPA (National Environmental Policy Act) compliance required; would be willing to come back to the next KBRC meeting, if invited.

Mr. Reder: went thru his prepared presentation; from NOAA Office of Coastal Management; four areas – coast zone management, coral reef conservation, digital coast, & NERRS; creates partnerships between local and federal agencies; research focus; no regulations are created

Member Lemus asked about the K-12 education program; can it be expanded to include pre-K & adult education depending on what the local communities want to develop; higher education program can be developed as well

Mr. Reder: the state is required to provide a match for the federal funds; State 30%; 70% federal; EIS to be released in February 2016; November 2016 designation timeline

Member Radke asked about the cultural connection; Member Asuncion noted that the other NERRS don't have as strong a cultural connection as the Hawaii proposal which makes the He'eia NERRS unique

Member Lemus asked about the funding and the state match requirement. Member Asuncion talked about what constitutes match; the NERRS national funds gets split among the existing 28 NERRS; Hawaii would be the 29th; different states have different ways to provide their match, Mr. Reder and the other NOAA staff provided responses to questions regarding funding under the NERRS program.

Member Asuncion then explained his handout presentation on the He'eia NERR. He gave a brief history of the process; it was supported by Governor Abercrombie; started 3.5 yrs ago; public meetings in October 2014, December 2014; Ku'iwalu consultant (Ms. Dawn Chang) was contacted to assist in the process; how did the Kaneohe Bay Master Plan match with the NERR; a number of local groups are involved with this effort; in the other NERRS nationwide, the local communities would explain how the NERRS benefit their community so there is strong local support; all other NERRS support Hawaii's effort so there is something in the Pacific; Governor Ige also is in support of the He'eia NERRS effort.

Public comments:

Mr. Lasher: Kamaaina Kids name should be referred to as Holokai Tours as they are two separate businesses. He was involved in the early Kaneohe Bay master plan creation as the recreational boater representative. The current Hawaii Administrative Rules implement the master plan. It was intended that when an original permit was no longer used, they would be phased down and not passed on. He was concerned about Holokai operations as they are in violation of the rules. No more businesses should be operating in the bay. Their operations are currently in violation and no committee needs to be formed to discuss this. He saw no need to discuss an on-going violation. He believes that the original intent was that

eventually, no more commercial operations would exist on the bay. All existing businesses were permitted, the number of permits would be limited to existing businesses, and that as businesses ended, the permits would not be re-issued, until, eventually all permits would expire.

Member Lemus explained that we (the KBRC) were asked to consider the Kamaaina Kids operation, whether they are operating inside or outside of the master plan. She further explained that because some of the current members were not part of the original developers of the master plan, there was a need to get better informed about the issue.

Member Miyasaka added that the KBRC was asked to discuss this operation relative to the provisions of the master plan, not to determine if there is a violation of the rules. The agency (DLNR) would make that determination, not the KBRC. The idea of the committee as a separate deliberative process from the KBRC process was considered to allow a more detailed discussion of this issue than would be possible during the KBRC regular meetings. The purpose of asking persons who were involved in the development of the master plan was to inform current discussions on what were the intents and thoughts at the time of the master plan creation.

Member Radke asked if he could be included in the committee, subject to sunshine law requirements.

Mrs. Kaluhiwa asked that the aquarium fish issue should be discussed at the next mtg

Member Kaluhiwa mentioned that there should be discussions about other on-going commercial operations in the bay, as well.

Member Lemus asked about what is the process for deciding how discussion items are placed on the KBRC agenda

Member Miyasaka responded that there are several ways this can happen, none of which are formally written so there is some flexibility in how items may be brought before the KBRC.

Member Miyasaka adjourned the meeting at 8:30PM (as determined by the two wall clocks)