

Kāneʻohe Bay Regional Council Meeting
Agenda
May 25, 2022
6:00PM-8:00PM

Online or call-in via ZOOM
(Zoom info listed below)

or

In-person at:
The Key Project, RM 102
47-200 Waihee Rd, Kaneohe, HI 96744

1. Opening (Introductions)

Brian Neilson - DLNR-DAR, Administrator and Chair of KBRC (non-voting member)

Mo Radke - Kāneʻohe Neighborhood Board Representative (voting member)

Clifford Loo - Kahaluʻu neighborhood board representative (voting member)

Fred Reppun – NERR Education, HIMB Representative (voting member)

Kendall Tucker – DLNR DAR

Casey Ching – Heʻeia NERR

Josh Hekeka – Office of Planning

Elena Bryant

Aunty Rocky Kaluhiwa

Kirk Deitschman – DLNR DOCARE

2. Approval of Agenda (Action Item)

Quorum not present to approve agenda.

3. Approval of Council minutes of April 27, 2021 (Action Item)

Quorum not present to approve minutes.

4. Permitted Interaction Group update on status of the Kāneʻohe Bay Master Plan Update
(Non-Action Item)

Member Radke shared that most subcommittees were not prepared to share or were unresponsive about their progress. Though he will be stepping down from KBRC, he will continue to come to meetings and lead the Kāneʻohe Bay Master Plan update.

Member Reppun shared progress of the environment subcommittee (which was also merged with the climat change subcommittee and MCBH subcommittee) and the education subcommittee.

- No recommendations for the Master Plan at this time due to lots of questions that still need to be answered
- Most of the topics fall into the “long-term” category of how they should be addressed

Topics discussed:

- Land-use district and zoning changes

- Refer to Ko‘olaupoko sustainable communities plan – How does it relate to reality?
- Growth is happening despite the footprint being maxed out.. Infill development, increased density of dwelling units
- Stream flow
 - Reached out to CWRM, but they are too busy to fulfill info requests so the subcommittee will have to do their own homework
 - Explore ways to get changes recorded for the council. Ex. Stream flow into the bay - Track it over time?
 - Stream flow channelization... Is there a way to limit the amount of streams that are channelized? Miles of channelization? How can we mitigate harm from that?
 - Culverts and small bridges get clogged up with debris and trash - Need a work plan to ensure they stay cleaned out and don't overflow with floods.
- MCBH Issues
 - Community access to surf, shoreline, and cultural sites
 - Spill response notification systems
 - Follow up with MCBH so we know the plan and who will respond
 - Is it enough to combat a spill?
 - Status of wastewater, storm drains, water use and alternatives
 - Access to the study of PCBS in the fish off base (weke) and update on follow-up action
 - Status update on fuel tanks – What is out there and how many?
 - Need to do homework on golf courses to find out how much water they use and what they are doing to reduce runoff
- Water Quality
 - How many streams are listed waters considered impaired under EPA criteria and what actions have been taken?
 - Status of KWRAS (Ko‘olaupoko Watershed Restoration Action Strategy) planning process
 - Wastewater – How many treatment plants have spilled in recent years? Are there plans for sewer system expansion (replacing cesspools, etc.)?
 - Boat haul outs and designated painting areas are sources of contamination
- Erosion and Sedimentation
 - Dept. of Planning and Permitting
 - How do they control erosion at construction sites? Small construction sites fly under the radar and cause erosion.
 - What is being done to reduce erosion at storm drains?
- Invasive Species
 - DAR can provide info on aquatic invasive species within the bay
 - Miconia was discovered in watersheds and are a huge threat to water quality
 - Albezia is spreading over the Kāne‘ohe Bay area
 - DOFAW or OISC could provide more info on invasive terrestrial species

The Office of Resilience at City and County was identified as a group that could provide the subcommittees with information about climate change issues and plans to address them. Similarly, DLNR and DOH.

Member Radke asked about the potential for the subcommittee members to do their own research. He and Member Reppun agreed that additional information would require subject matter experts to serve on the subcommittees or present to the subcommittees to move forward. Member Reppun suggested someone be designated to gather information or look into available resources about these topics. In lieu of this heavy research load, Member Reppun also suggested that each of the involved agencies could give presentations to the council to get a grasp of the issues they address. Member Radke requested a prioritized list of these issues to be included in the report. Member Reppun agreed to work on that with the subcommittee.

Josh Hekeka suggested the Dept. of Facility Management and DOH Clean Water Branch to provide information about erosion control, nonpoint source pollution, etc. He volunteered to connect Member Reppun with the Clean Water Branch.

Chair Neilson suggested connecting with Katie Roth, who was the previous watershed coordinator at DOFAW and is now at CWRM. Chair Neilson also speculated that Eileen Nalley could be the researcher for the PCB study on weke, as she's done many contaminant studies at HIMB. He volunteered to request to the Aquatic Invasive Species team at DAR to provide a short summary of invasive threats and priorities for the bay. In addition, he proposed working together to submit a letter of request on behalf of KBRC to send to agencies that are unresponsive.

Josh Hekeka shared that Representative Scott Matayoshi and Representative Lisa Akitagawa are Kāneʻohe legislators and state agencies are quick to respond to their requests, if we want them to reach out on our behalf.

Aunty Rocky Kaluhiwa shared that Senator Riviere is very active and tried to put a bill in for Kāneʻohe Bay. They will adjust it for next year and try again. In the meantime, Makua Rothman has a large vessel in Kāneʻohe Bay and businesses look like they've multiplied. A lack of enforcement action is causing illegal activity. In addition, a truck with loads of gravel got stuck on the boat ramp and caused a lot of damage.

Member Reppun expressed that the Kāneʻohe Master Plan seems overdue for an update regarding a lot of issues and that KBRC needs to be connected with the relevant agencies. He reiterated the need to schedule presentations from these agencies to the council with the subcommittees invited in order to move forward.

Member Radke spoke of the need to address enforcement of the issues mentioned by Aunty Rocky. He suggested increasing funding by communicating with our legislators and recommending action in the master plan.

Aunty Rocky Kaluhiwa recalled talking story with others at Heʻeia Pier who are also disappointed and frustrated with the lack of enforcement. She brought up concerns about Makai Watch, which could focus too heavily on the local fishermen instead of the commercial activity. Chair Neilson replied that DOCARE is currently hiring new cadets with Kirk Deitschman, the

Makai Watch Coordinator, involved in their hiring and training. Marine enforcement units will be established, which call out the need for enforcement.

Kirk Deitschman from DOCARE shared about Makai Watch in Kāneʻohe Bay and their efforts to bring together DOCARE, DAR, DOBOR, and community to be makaʻala about what is happening in the bay and what to do with the information. A second Makai Watch meeting is planned in a few weeks to take volunteers out on a boat to see different zones and activities. DOCARE will fill 19 new officer positions on Oʻahu and designate 12 officers statewide for marine patrol. Aunty Rocky Kaluhiwa responded by reiterating her concern for enforcement being focused on fishers.

Kirk Deitschman addressed Aunty Rocky Kaluhiwa's concerns by sharing how Kāneʻohe Makai Watch focuses on illegal operators and that DOCARE and DOBOR staff will continue to be present at meetings to discuss the issues with the community. However, it takes multiple occurrences of illegal behavior to prove illegal commercial activity, which is difficult and time consuming.

Aunty Rocky shared that throughout her history in Kāneʻohe Bay, they have tried to keep the pier in good condition, but frequently witness violations against the resources. She sees the illegal tour buses park down the road by her house and knows there are lots of illegal businesses at the pier. She shares that Kāneʻohe may have Makai Watch, but it needs enforcement. Kirk Deitschman agreed with Aunty Rocky, but also suggested updating the master plan to reflect current conditions of the bay, such as how Ahu a Laka has high traffic of tourists. He recommended compiling documentation of these events as community proof of what is happening and though the state moves slow, being patient as this information slowly builds.

Aunty Rocky Kaluhiwa stated that DLNR is responsible for our resources and has to start managing them in a proper manner. Member Loo expressed frustration with the limited schedule of DOCARE officers. Kirk Deitschman replied that officers work on weekends and dispatchers were also hired to work nights and communicate with the officers on night shifts. The increase of officers will increase the variety of schedules that they work.

Member Radke questioned when this will start and Kirk Deitschman replied that after the 8 month training academy starting in July, they will graduate in February and undergo 2-3 months of on-the-job training before becoming full officers by Spring 2023.

Member Radke asked if Hawaiian cultural aspects are integrated into their training. Kirk Deitschman shared that native Hawaiian law professors are brought in and people from each division are involved to share about resource rules and practices during training.

Member Radke asked for clarification regarding Kirk Deitschman's request to update the master plan to reflect commercial activity. Kirk Deitschman responded that the original plan addresses the legal commercial operators, but with all the other unregulated uses in the bay, the plan needs to be updated to include language to regulate the uses of all these activities.

Member Reppun asked if DOCARE trainees could do a specific segment on Kāneʻohe Bay, including attending a council meeting or having some of the council attend a training to share our

unique issues. Kirk Deitschman replied that they typically train and work in the district they are assigned to and once they receive assignments, they're brought together and into the different communities to become acquainted with place-specific rules. He suggested Member Reppun email him to follow up about Kāne'ōhe bay training in the future.

Aunty Rocky Kaluhiwa brought up that Captain Bruce has gone above his commercial business limit and his overloaded. She brought up the issue to Tanya Borabora, the harbor master.

Chair Neilson shared that a bill was passed this session for a carrying capacity study to be completed at Pupukea MLCDC with appropriated funding. He suggested we push for something similar for Kāne'ōhe Bay next legislative session. Member Reppun agreed and shared that the subcommittee suggested the same thing.

Regarding enforcement in the Kāne'ōhe Bay Master Plan update, Member Radke shared that many interesting methods were talked about and he would push the subcommittee to present them to the council.

Member Reppun shared a list of priority issues that need more information: land use, stream flow, MCBH issues, golf course issues, water quality, erosion and sedimentation, invasive species, climate change. Chair Neilson inquired where the council could move the needle the most regarding these information requests. Member Radke suggested prioritizing stream flow, water control, and monitoring followed by invasive species, erosion, and sedimentation. Member Reppun suggested starting with KRWAS to find out the status of the process and provide input. Josh Hekeia volunteered to look at his list of contacts and sent it to Member Reppun.

Aunty Rocky Kaluhiwa suggested that we initiate a meeting with the City/State and DOT since they border the oceanfront. She witnesses homeless people building fishponds with rocks taken from the road, cutting the trees, and making the erosion worse. The police and DLNR claim it is not their jurisdiction. She recommends all these agencies working together to prevent future deterioration of the area.

Member Reppun also suggested the council reach out to DOT or OCCL.

5. Suggestions of future agenda items (Non-Action Item)

Member Reppun said the education subcommittee can report out at the next meeting with a better quorum present and action items to be voted on such as "This area should be added to the master plan". However, people are needed to write those sections.

Member Radke expressed disagreement with Kirk Deitschman's comment, that the Master Plan should not be updated to accommodate to commercial activity. He suggested keeping the Master Plan on the agenda for next time.

Aunty Rocky Kaluhiwa suggested an action associated with the commercial businesses. She shared about testifying against them in the past and recommended that Joe Pickard would have input to add. Member Radke asked the group if they wanted to collaboratively work toward another resolution detailing "where as" about what goes on in the bay. He suggested getting

together with Aunty Rocky and Uncle Frank about the Hawaiian cultural perspective of the bay. Aunty Rocky agreed.

Member Loo spoke of illegal commercial activity at Kualoa Beach Park, involving a blue Toyota truck with approximately one dozen kayaks getting launched into the bay and paddle to the island. Aunty Rocky Kaluhiwa suggested convening a group of managers and legislators at the harbor to see the problem and work together to figure out a way to address it.

6. Scheduling of next Council Meeting (Non-Action Item)

Aunty Rocky Kaluhiwa suggested meeting monthly to keep up with what is happening in the bay. Member Loo agreed, adding that the longer we wait, the worse it gets. Aunty Rocky Kaluhiwa mentioned the full parking on the corners of the highway creating dangerous conditions. Josh Hekekoa agreed that we need management with the record number of visitors. Member Reppun asked if we can put in a request to ticket those who park alongside the road unsafely during big weekends, such as 4th of July.

Member Radke requested that the Master Plan Update be kept separate from what is being done to address this problem. He suggested continuing reports back from the working groups and taking about action items for commercial activity and enforcement at the next meeting.

The group set the next meeting for July 6.

7. Adjournment (Action Item)

Meeting adjourned.