

**MINUTES FOR THE MEETING OF THE  
MAUNALUA BAY RECREATION ADVISORY COMMITTEE (MRAC)**

Date: August 18, 2016  
Time: 6:00pm  
Location: Koko Head Elementary School Cafeteria  
189 Lunalilo Elementary Home Road  
Honolulu, HI 96825

Maria Gaydos called the meeting of the MRAC to order at 6:15p.m. The following were in attendance:

**Members:**

Sam Montgomery (SM; diving): Present  
Makani Christensen (MC; fishing): Present  
Danny Loui (DL): Absent  
Ann-Marie Kirk (AK): Present  
Linda Krieger (LK): Absent  
Jeffery Krantz (JK): Present

**DLNR staff:**

Maria Gaydos: DOBOR legal fellow  
Meghan Statts: DOBOR Oahu District Manager  
JK: Commercial operator; recreational fisher.  
SM: Commercial operator  
AK: Maunalua resident  
MC: Founded Hunting Farm & Fishing Association  
Alton Miyasaka: DAR biologist  
David Sakoda: DAR legal fellow  
Luna Kekoa: DOCARE coordinator

**Discussion:**

Attendee: Process for putting a matter on the agenda?

Maria: Can request to committee members. Haven't yet decided how often the committee meets; semiannually is recommended.

Attendee: If committee members are absent, will their spaces be filled?

Maria: They will not be replaced, but there must be quorum. There is quorum today, so today's meeting will proceed. Committee members are on the committee for 3 years unless they choose to leave.

Attendee suggested quarterly meetings; MC suggests meeting monthly for 1 year. SM, AK, JK suggest quarterly.

Public can meet with committee members outside of the official meetings.

Attendee: If committee members do not show up, how many times can they be absent before they will be replaced?

Maria: Because this is the first meeting, there is no procedure established.

Attendee: Land board uses Robert's rule (?); should that apply here?

Maria: The land board operates differently from this advisory committee. The committee can vote on matters, but meetings will entail mostly discussion.

Attendee: There should be a framework for committee operation; there should be a general procedure established. If members and stakeholders can agree on a procedure, it will allow people to have a voice.

Maria: We can set that now. Stakeholders can talk to the specific members for each area (e.g., surfing, diving, etc.) to discuss their specific concerns.

Conclusion: MRAC meetings will be held quarterly.

Attendee: Does MRAC have a state charter? The purview is stated as commercial use permits.

Maria: The spirit of MRAC is to address the issues related to Maunalua Bay, not just CUPs.

Attendee: Is it the intent of DAR to attend each of the subsequent meetings?

Maria: It was not planned, but that may be a good option.

Attendee: Will we have the opportunity to go to the land board to share our findings?

Maria: Yes. If the committee wants to look at HAR, it can do so. This is a community-driven initiative.

AK: Recommends that members come to each meeting with an issue/concern so that there are specific talking points. Would be helpful for DOBOR & DAR to assist the members with factual information that the divisions have quick access to (e.g., how many permits are currently issued); would allow people to be more informed.

AK requests: Boundaries, CUPs, who has the CUPs, and how many people can go off the boat ramp for the next meeting.

MC: If we get an idea of where everyone stands, it will give us an idea of what we need to do. If stakeholders provide ideas, members can take those ideas and gather useful feedback; would remove ambiguity.

Maria: The long-term goal would be a HAR amendment - there must be lots of background, formal meetings, and informal meetings to make a HAR amendment; the process can end up taking up to and more than 1 year.

Attendee: Is the purpose of this meeting for getting more CUPs/how to manage the CUPs/or how to manage the ORMA?

Maria: This committee was formed under HAR §13-256-3(b). The purpose is not to be able to get more CUPs.

Attendee: Committee members should know where they stand and educate stakeholders of what may change and collect feedback.

Maria: There is currently no rule change in process and there is nothing contemplated. The committee will report to meeting attendees and have discussions.

Rep. Ward: Will there be a committee chair?

Maria: No. Each member represents a different interest. If problems arise, we can change the model.

AK: This committee came together because there was a rule change with no community input. In areas where there was no commercial activity, the rule change made operators vulnerable, which caused an outcry. There was commercial activity in places that raised concerns, and the MRAC is the only way for the community to effect change. At the end of the day, DOBOR can take input from the committee but can still go its own way. This committee is the first step; if the community wants to make change, there needs to be larger participation or else DOBOR could take action on its own again.

AK: How is HAR changed? What was changed?

Maria: There needs to be public hearings, which are different from a community discussion such as this one.

The rule change was in September 2014 - §13-256-3. Previously, the only people with permits were those operating out of the harbor. However, there are people operating out of various places that don't include harbors. The rule change brought all others under DOBOR jurisdiction.

MC: We are losing resources that we had as kids. There was only 1 public meeting, and having more of the community come together to work with DLNR will help ensure that any changes are for the best. Fishermen are often a target, and we worked together to stop the humpback whale sanctuary that would have closed off a large portion of commercial fishing - this meeting will allow the community to make desirable changes.

Attendee: Are there any areas of conflict specific to each member's areas and any possible solutions?

JK: Would like to be able to choose a representative/proxy in case the original member is absent so that there are no vacancies.

Maria: Because the committee is governed by the sunshine law, we aren't able to decide that matter right now. Will need to see if a proxy is allowed.

Attendee: How are the members supposed to reach out to the community?

Maria: DOBOR allowed people to sign up to participate. The emphasis is that this is a community-driven initiative.

Attendee: Has DOBOR put a hold on permit issuance? If we are only meeting quarterly, does that mean a lot is happening in between?

Maria: No, there is no moratorium on permit issuance. Permit issuance can be limited by HAR. There aren't many permit requests, so there should not be a lot going on between meetings.

AK: The rule change occurred because there were little/no parameters in the rule change from September 2014. Although we don't see it now, we need to look at the long-term effects. This is the purpose of the committee. The major ongoing problem is lack of enforcement in Maunalua Bay.

Attendee: How long are meetings going to last?

Maria: Generally around 2 hours.

Attendee: Will meeting agendas be posted on the DOBOR website?

Maria: Yes, but agendas should be limited so that the meetings will not run over 2 hours.

Attendee: The immediate goal of the committee should be to have everyone become familiar with the rules so that everyone knows how to abide by the rules; the community shouldn't need to be totally reliant on DOCARE for enforcement.

Attendee: Suggests being able to talk to the next person on the member list if a current member is absent.

Maria: There may be Sunshine Law conflicts, so need to research.

Attendee: The members who are absent today must show up to the next meeting or else they should be removed.

#### **MRAC matters:**

- (A) Long range goals of MRAC for the next 4 years
- (B) Mid-range goals of MRAC for the next 2 years
- (C) Immediate goals of MRAC

#### **Other details:**

- Meeting frequency: Quarterly
- Next meeting will be in November; no day yet
- At every meeting, the agenda for the next meeting will be decided in order to remove ambiguity.

#### **Matters for next agenda:**

- How many times can a member be absent before they are removed from the committee?
- What is the process for establishing a proxy if a member is absent?
- What will the process be for community outreach?
- Outreach & education
- Consider matters for DOCARE training
- Brief DOBOR education?