

Maunalua Bay Recreation Advisory Committee

Date: April 12, 2017
Time: 6:00 P.M.
Location: Kamiloiki Elementary School Cafeteria
7788 Hawaii Kai Drive
Honolulu, HI 96825

Members:

Sam Montgomery: Present
Makani Christensen: Present
Jeffery Krantz: Present
Linda Krieger: Present
Ann-Marie Kirk: Present
Linda Kaiser: Absent

DLNR staff:

Maria Gaydos: DOBOR Legal Fellow
Meghan Statts: DOBOR Oahu District Manager
Luna Kekoa: DOCARE Coordinator/Meeting Facilitator

Maria Gaydos called the meeting to order at 6:22 P.M.
Maria introduced Luna Kekoa as the meeting facilitator.

Luna: the main purpose of the MRAC is to develop rules for Maunalua Bay and work with the legal staff at DOBOR to determine if any planned rules that come out of the MRAC are enforceable. Tonight's agenda is to have each of the MRAC members share their feedback and information from their constituents. Once the rules are written & implemented, DOCARE will enforce the rules. At the end of this meeting we will be sharing a map tool.

Attendee: how long after this meeting will the minutes be available for public viewing?
Maria: about 10 days.

Discussion:

Sam Montgomery: diving representative
-Many canoers were blocking the boat channel on the right-hand side - smaller boats can go around, but bigger boats can't. Would like to dredge.
Maria: Dredging would require CIP funding.
-Operators agreed that they would be open to a moratorium on permits being given out.
-Would rather not have a demarcation line for diving.
-Want more moorings.
-Most problems involve private boaters who are either inexperienced or are disregarding the rules; lately there have been more illegal jet ski operations.
-Kiteboarding is a problem at Bay Street.
-Commercial dive operators want the bay preserved; want programs to address pollution & runoff.

Questions:

-Is there a suspension mooring system in place?

A: Yes, dive operators are the ones maintaining the moorings.

Maria: Statewide, DOBOR received a position for a day-use mooring buoy coordinator.

DOBOR provides moorings throughout the State through a public-private partnership. The State is trying to create a comprehensive day-use mooring buoy program. As to the types of mooring, DOBOR is trying to standardize the type of mooring across the State.

-Clarification about the kiteboarders - is that commercial?

A: Yes

-Are there any concerns that are specific to commercial or recreational diving?

Attendee: I haven't had a problem finding a mooring; there should be more moorings out there.

Rep. Ward: What kind of moratorium on permits are you referring to?

A: Any kind of moratorium.

-Is the problem with paddlers something new?

A: No, but the channel is getting shallower & shallower. There is a safety issue with the traffic and the potential for collisions with paddlers.

-Is there any conflict/concern over thrill craft operators?

A: It seems to be divided up well because the jet skis are usually out of the way; parasailers rarely come further in; better to keep parasailers behind the dive operators. Can create safety issues if parasailers come further in e.g., if there is a stray diver that could be hit by parasailers.

-Do you have any problems w/ recreational jet ski operators?

A: Very seldom; it's more about the boats that don't know/abide by the rules. Recreational jet ski operators don't provide as much problems as commercial jet ski operators.

Makani Christensen: fishing representative

-Channel marker 2 - getting shallower in that area; would like to dredge.

-There was discretionary funding that would have been taken from DOBOR

Meghan: that was the bill to repeal the boating special fund - the bill did not pass. Either way, funding needed to dredge would be much more than the special fund can provide - would be CIP.

-There has been conflict between paddlers & fisherman, especially at night.

-Replace cleats, possibly get an area for boats to stand by - can eliminate the line by having such an area.

-Canoe races that end up in Maunalua Bay - when races end up in the channel, can create a backlog, and race participants aren't concerned with watching for boats.

--Could the races end outside of the channel?

-Fishing access - beach access in the Kahala area - people are using a fence to access the beach - is it legal? Is it City & County property?

Maria: The scope of MRAC itself is boating rules & ORMA access; the point of MRAC is to get feedback on Maunalua Bay related matters. This would not fall under the responsibilities/goals of MRAC. However, it is helpful to have this information to pass on to other agencies/authorities.

Questions:

-There's a boat out doing netting quite often - is that commercial? They were surrounding where the sailboat sunk.

A: It is commercial. That is the operator's livelihood, and there are no other means for the operator to catch the fish they usually catch. When fishers throw net, they usually throw to catch the school, not on the structures themselves.

-People were saying there was a decline in Akule in the bay - is that still true?

A: No, this year was actually a good year for Akule.

Jeffery Krantz: thrill craft representative

-People are renting out jet skis out of the bay - either renting out from a vehicle with jet skis or renting out the jet skis themselves. There are often confrontations when people try to tell the person that they aren't allowed to rent out the jet skis in the bay. The person will then move to the park, set up a tent & BBQ and make it seem that they are BBQing when they are actually renting out the jet skis. It is difficult for commercial operators to tell a private individual that they aren't allowed to rent out jet skis. Seems that DOCARE officers would be better for these situations.

-There are 3 active jet ski permits and only 2 currently in use.

-When winds shift, we are tied to a mooring, so everything swings. It's difficult to tie boats to the ocean floor. Trade winds are usually not a problem; other wind directions usually create problems.

-Commercial operators are usually met with opposition.

-Paddleboarders - is there a permit issued for commercial paddleboarding? This hasn't caused us a problem.

-Suggestion - need to find a way to make surfboards/paddleboards more visible so that boats won't hit them. The potential for injury/fatality in the bay increases each day because of how crowded the area is getting.

-On Akule - I don't think we are contributing to the problem; I go where the State tells me to go.

Questions:

-What about drones?

A: Drones catch the attention of jet ski operators and can distract the operators, which increases the potential for an accident. Should be evaluated. I'm not sure if the area is approved for drone use; the FAA regulates drones.

-Are there permits issued for paddleboards?

Meghan: Yes, but there have been hundreds of permits issued for Oahu for all kinds of uses. I don't have the specific number of permits issued for Maunalua Bay and would have to report back with more specific numbers.

-When did the permits for other purposes become available?

A: Commercially, there are limits on the number of permits; recreationally, there are no limits on permits.

Maria: There are a designated number of thrill craft permits; commercial permits were not required before 2014 for other activities - this does not mean that they were prohibited; it means DOBOR only began to regulate those from 2014.

-Which thrill craft area were you referring to?

A: In between the dive area.

Rep. Ward: With respect to illegal jet ski renting: how long has that been going on?

A: About 6 months.

Linda Krieger: surfing representative

-DOBOR should stop giving out permits; there is just too much use of the bay.

-3 main concerns:

(1) Growing use of surf spots by people who are vacationing in illegal vacation rentals - there is a higher amount of tourists than was planned for.

(2) More people have access to jet skis to get to surf spots that may have previously been less crowded

(3) Quality of the water - sometimes it is dirty

-Don't like the idea of commercial surf spots - people should not be able to profit from an ability to give others access to surf spots.

-There should be some provision in licensing/permitting requiring people to give back to the bay.

Questions/comments:

-The one thing we don't have and need is more enforcement.

Luna: DOCARE has been stepping up enforcement, especially on the holidays and peak times.

-What kinds of permits are you referring to?

A: I'm referring to commercial use permits - the problems I'm referring to relate to the number of people. The point is that you're dealing with people who are very connected with the Bay and want changes made so that the quality of the Bay doesn't further deteriorate.

-It appears that the issue is the permitting - when the permitting system was implemented, the community spots got taken up by commercial operators. Permits need restrictive parameters - a person who gets a permit isn't restricted in the areas where they can conduct their activities - e.g., an operator can operate in Maunalua or Makaha etc.

Ann-Marie Kirk: resident representative

-I don't want new rules; I want better enforcement of the current rules - the current rules are good but are not being enforced.

-Recreational jet skis are parked in the parking lot - we've been calling DOBOR and DOCARE but continue to see these jet skis in the parking lot. Jet ski operators speed through the channel and there is no enforcement.

-Beach areas in front of Portlock are being used by jet skis - the law says that people can only use jet skis in that area if they live in that area.

-Boat operators are beaching their vessels to clean the bottoms of the boats, which is illegal.

-Recreational boats speed out through the channel, which creates problems.

-Main point: there is no need for new rules; need better enforcement of the existing rules.

-Also, information and instructions from DOBOR should be clearer; Sam Montgomery said he uses the moorings he uses b/c the State said he could.

Questions/comments:

-Population in Maunalua has grown tremendously.

-Canoe operators brought to the neighborhood board's attention that jet skis are going out at 5:30pm.

Jeff: My understanding is that we cannot have jet skis running after 5:00pm.

Meghan: Attorney General's office has said that only jet ski operation is covered by the 5pm restriction; cleanup and other tasks are not included.

-The marina has its own set of rules and DOBOR as its own set of rules - should the Marina be represented here?

-Where does it say that is against the law to beach a boat in Portlock?

Luna: DOBOR will provide information.

-Does this cover pleasure boaters?

A: They can contact me [Ann-Marie] if they have concerns.

Sam: We don't want to designate/close off beaches just for the rich.

Meghan for Linda Kaiser:

2 concerns:

(1) In the Hui Nalu location, consider adding additional spots

(2) Paddlers have heard that it is illegal to paddle in the channel

Meghan for DOBOR:

-We have not given out permits for the 3rd thrill craft area - we want to remove that area from our administrative rules - proposal.

-Also proposing removing the waterskiing/watersledding zone.

-There are DOBOR harbor agents that can't come out to Maunaloa. DOBOR is also proposing to remove the designated mooring area.

-Also need to clarify what rules fall under each of the DLNR divisions (e.g., DOBOR/DAR).

Maria for DOBOR:

-DOBOR has been working w/ GIS mapping to put together interactive ORMA maps for areas in the State. The maps will provide information on what the area is, what the restrictions are, and a link to the language of the rules themselves.

-These interactive maps are more current than the old maps in the HARs.

-The maps were originally made in azimuth and the new maps are being changed to GPS coordinates.

-Maps can be accessed from the link on the agenda for today's meeting.

-Goal is to create maps Statewide and to have an app.

-Use of the areas change over time, so it's also time to revisit use.

Question:

Jeff: Is this able to show us where we are?

A: That's the end goal when the map project is finished, but you wouldn't be able to locate yourself if on shore.

Meeting concluded at 8:05 P.M.

Matters for next agenda:

-Everything discussed at this meeting will go through DOBOR & DOCARE – staff will review; divisions will report back.

-Next meeting is July 19, 2017 at 6:00 P.M.; location TBD.