

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Aquatic Resources  
Honolulu, Hawaii 96813

November 10, 2016

Board of Land  
and Natural Resources  
Honolulu, Hawaii

Request for Approval for the DAR Administrator to Enter Into A  
Memorandum of Agreement with the University of Hawaii for Access to  
Confidential Fisheries Information for Fisheries Management Purposes  
and to Delegate Signatory Authority to the DAR Administrator  
for any Future Fisheries Data Agreements with the University of Hawaii  
or Other Government Agencies

The Division of Aquatic Resources (DAR) collects commercial fishing activity data from licensed commercial fishers as required under Section 189-3, Hawaii Revised Statutes (HRS). The information collected from commercial fishers are confidential but may be shared with government agencies for management purposes with agreements pursuant to Section 189-3, HRS, and Section 13-74-2(7), Hawaii Administrative Rules.

DAR is seeking to enter into a Memorandum of Agreement (MOA) with Dr. Robin W. Baird, an associate faculty, with the Hawaii Institute of Marine Biology. Dr. Baird is an expert in marine mammals and has developed a database of sightings information on endangered insular false killer whales (FKW) around the Hawaiian Islands. This MOA would allow Dr. Baird, and one staff member, access to the commercial fishing data to compare this data with his FKW sightings data.

An analysis of these data could provide information on, among other things, where interactions with FKWs are likely to occur, which fisheries are likely to be involved, and if seasonality plays a role in such interactions. Reducing the likelihood of such interactions may prevent FKW mortalities and reduce regulatory burdens on the fishers. The State Attorney General's office has reviewed this MOA.

**RECOMMENDATION:** That the Board approve the DAR Administrator to enter into a memorandum of agreement for access to confidential fisheries information with the University of Hawaii, Hawaii Institute of Marine Biology, for fishery management purposes and to delegate signatory authority to the DAR Administrator for any future data agreements with the University of Hawaii or other government agencies, subject to Attorney General review.

Respectfully submitted,



BRUCE S. ANDERSON, ADMINISTRATOR

APPROVED FOR SUBMITTAL:

A handwritten signature in black ink, appearing to read "Suzanne D. Case". The signature is written in a cursive style with a large initial 'S'.

SUZANNE D. CASE  
Chairperson, BLNR

Attachments (1)