

Commentary

# Here's How To Do Sound Marine Management

The Kauai community of Haena provides a case study of how community practices can inform coastal stewardship.

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By Mehana Blaich Vaughan  Adam Ayers  / August 12, 2016

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In late May, the Board of Land and Natural Resources accepted the “Try Wait” regulations proposed by the Kaupulehu community to rest a section of the reef and allow severely depleted fish populations to recover. Less than a year earlier, Gov. David Ige signed into law community-driven fisheries management rules proposed by Haena, a rural community within the moku (district) of Halelea on the island of Kauai’s North Shore.

As the World Conservation Congress approaches (scheduled for September on Oahu), both initiatives send a strong message of optimism about local level care taking and the way customary practices can be integrated into community and state collaborations to care for natural resources.

Our research team began a study of the Haena process in 2008, recently published in an international scientific journal. Our findings may help all

concerned better understand the sometimes rocky road to collaboration in caring for natural resources, and reduce barriers to management based on customary practices.



Kauai's rural community of Haena, pictured here, offer an example of how customary practices can be successfully integrated into care taking for natural resources.

Hawaii enacted legislation in 1994 allowing the Department of Land and Natural Resources to designate community-based subsistence fishery areas (CBSFA) for “reaffirming and protecting fishing practices customarily and traditionally exercised for purposes of Native Hawaiian subsistence, culture and religion.” Nineteen Hawaii communities have taken steps towards becoming CBSFA, with eight — including three entire islands — submitting bills for legislative designation.

Haena is the first permanently designated CBSFA in Hawaii and the first community to develop state law based on customary coastal management.

Haena fishermen and community members formed a committee to develop rule proposals with facilitation from a nongovernmental organization founded to support Hawaii's local malama aina efforts, [Kuaaina Ulu Auamo](#).

Meetings with area Hawaiian fishing families, Haena coastal users, such as surfers and commercial kayak operators, and neighborhood associations yielded valuable input. Personnel from the state Department of Aquatic Resources and other DLNR divisions reviewed rule drafts and ultimately translated rules into legal language. The process, from legislation, to planning, to passing rules into law took nine years, over 60 meetings, 15 rule drafts, an attorney general review and three public hearings in which 99percent of testimony from across the state of Hawaii supported rules passage.

A vital component of this process was the identification of key values underlying customary management for the Haena area. Our team analyzed primary documents spanning 1840-2010, including 14 oral histories of area elders on coastal use between 1920 and 1970. We identified seven customary values (five of which we touch on here) and validated them through a focus group of knowledgeable Haena community members.


We looked for contemporary expressions of these values by observing 40 rulemaking meetings and analyzing minutes. We interviewed 20 knowledgeable fishermen and Haena community members, asking, "What traditional rules and lessons should be followed when fishing?" Then we traced the values emerging from archival documents and current day community understanding through the many rules drafts, to see how they were reflected in the rules and final state law.

## Changes In Resource Management Agencies

In Haena, the customary value of ahupuaa recognizes the interconnectedness of resources from mountain to sea. Haena community members' goals for rules included addressing declining fresh water quality

and quantity, land-based pollution and sedimentation from coastal development.

However, DLNR regulates forests, coastal lands, freshwater resources and boating separately from fisheries through five distinct divisions. Haena's rules fall under the jurisdiction of the Division of Aquatic Resources, dealing solely with fisheries and fishing. Therefore the new rules govern only a narrow band of shoreline, from the high water mark to the fringing reef and regulate only fishing, though many other factors affect coastal health.



## Haena is the first Hawaii community to develop state law based on customary coastal management.

Another barrier was DAR's preference for scientific studies over customary community knowledge. This slowed decision making and the incorporation of values, such as hoomalu. Hoomalu, or protection, emphasizes minimizing disturbance to coastal areas where fish were known to feed and seek shelter.

Community consensus based on multiple elders' knowledge held that the area was an important nursery lagoon, with one 80-year-old recalling her father instructing her not to walk along the shoreline, lest shadows or footsteps scare away the baby fish. Today, this same lagoon is the center of recreational activity for the 900,000 visitors who visit Haena each year. Up to 300 people at a time snorkel, scuba-dive, and swim, and an average of 20 at a time walk the shoreline on a typical summer day.

Studies by University of Hawaii marine biology professor Alan Friedlander and his students corroborated the area's importance as a nursery, convincing DAR to accept rules limiting recreational use there.

Changes in state rule-making are needed to allow flexibility in adapting rules to local resource conditions. That would allow a quicker response to current day realities such as coral reef bleaching and annual variations in when certain fish spawn, using ancestral tools such as Hoomaha (rests) or rotating kapu, opening and closing areas or species as they reproduce and replenish, rather than imposing fixed long term closures.

Customary values taught people how to interact with natural resources and each other. Lawa pono, “take only what you need,” was the most frequently mentioned value guiding harvest in interviews with both elders and younger generations of Haena fishermen and women. Customary management was predicated upon continually building shared understandings of a community. Values emphasize maintaining respectful relationships with all elements of the natural world, considered not just animate beings, but family. Customary values requiring sharing of mahele (portions of the catch), also promote balanced relationships and responsibility.

As we prepare to welcome the many indigenous conservation practitioners and advocates to the World Conservation Congress in Hawaii next month, it is clear that government agencies alone cannot meet the challenges facing our earth today.

We believe that sharing community-based resource-management practices that have sustained people for generations, along with customary values from around the globe can lead to better policies. We hope this sharing will also encourage more government – community collaborative management partnerships, not just here in Hawaii, but in other parts of the world.

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## About the Authors



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