

**Marine and Coastal Zone Advocacy Council  
Ke Kahu O Na Kumu Wai**

Tuesday, April 18, 2006  
9:30 a.m. to 2:30 p.m.  
State Office Tower, 6<sup>th</sup> Floor, Large Conference Room  
235 S. Beretania Street, Honolulu, HI 96813

MINUTES

Members Present: Susan Sakai, Scott Sullivan, Arnold Lum, Donna Brown, Ron Terry, Roland Sagum III, Ann Sturgis, Roberto Hera, and Justin Withington

Members Absent: Don Thornburg, Lawrence Aki

OP Staff: Laura H. Thielen, Douglas Tom, Shayna Higa, Ruby Edwards, Christina Meller, and Dawn Omoto

Others present:

DISTRIBUTED MATERIAL

- Meeting Agenda
- CZM Hawaii Program Report
- A Participant's Guide to Special Management Area Permit Process in the State of Hawaii
- Minutes of the October 26, 2005 Meeting
- Letter of Resignation from Lawrence Aki
- ORMP Update Schedule 2006
- Hawaii Ocean Resources Management Plan 2005 Status Report to the Twenty-Third Legislature, Regular Session of 2006
- Workshop to Explore Rural Planning Approaches May 1-4 2006 by Office of Planning
- Proposed Rural Policy & Best Management Practices Models Project
- Forum Shifting Shorelines Strategizing a Future for Hawaii's Coast April 20, 2006 by Coastal Society of Hawaii
- CZM Annual Report <http://www.hawaii.gov/dbedt/main/about/annual-reports/2005-czm.pdf>

CORRESPONDENCE

**Call to Order**

Chair Susan Sakai called the meeting to order at 9:38 a.m. Everyone at the meeting introduced themselves.

### **Public Announcements**

Members were forwarded Caren Diamond's e-mail regarding Earth Justice Lawsuit. MACZAC member Lawrence Aki of Molokai resigned. The group discussed finding a replacement by contacting DHHL, OHA, Liliuokalani Trust, Chamber of Commerce, Burial Council, Planning Commission and Hawaiian Civic Club, Molokai Dispatch. The Coastal Society of Hawaii Workshop

### **Approval of the October 26, 2005 Meeting Minutes**

Minutes were approved.

### **RCUH Budget Agreement**

In the process of setting up interviews for the RCUH half time Administrative Office Assistant to MACZAC. MACZAC approved Scott Sullivan, Arnold Lum, and Sue Sakai to interview qualified applicants for the position.

### **CZM Hawaii Program Report – Douglas Tom**

See Attached Report

SB1884 – Ron Terry asked did OP testify to support the bill. How is the bill related to County SMA permit, sensitive cultural resource, comparison of HRS Chapter 205A and Chapter 46? Roberto Hera indicated we should be coordinating with Na Ala Hele. Doug Tom indicated OP supported the bill.

ORMP – Further information by Doug Tom on the ORMP. The first ORMP was a holistic approach a living document. The approach for the current effort involves community stakeholder in depth discussions, a blue print for implementation, a measurable 5 year time frame, and visioning

### **Working Group Reports**

*Ocean Resources Management Plan Implementation:* - Report by Jim indicated the need for Neighbor Island participation. The first draft of the ORMP is targeted for June 2006.

Please note ORMP information and report to the legislature can be found at the following website. [http://www.hawaii.gov/dbedt/czm/czm\\_initiatives/orm.html](http://www.hawaii.gov/dbedt/czm/czm_initiatives/orm.html)

*Shoreline Certification Working Group:* - Donna Brown and Don Thornburg attend the DLNR Shoreline Certification Working Group Meetings. The group hasn't met since October 2005. A report to the legislature including recommendations is located at the following DLNR website. <http://www.hawaii.gov/dlnr/occl/files/Shoreline/SCR051-12-7-05-FINAL.pdf>

*Boating Working Group:* - Jim reported on progress for a land base pump out at Maalaea costing three and a half million. Several organizations are working together on the Maalaea pump out project including DLNR, Hawaii Tourism Authority, Hotels, and private companies. The Manele Harbor pump out was taken care of since MACZAC met on Lanai last year. Lahaina Harbor has problems when the cruise ship is in port. Financing pump out facilities and other harbor improvements remain a major problem even though the boating community consented to pay hire fees. Maybe scheduled honey wagons for smaller harbor areas might relieve the problem.

*Legislative Working Group* – Nothing to report

### **Old Business**

None

### **New Business**

#### *Election of Officers*

Sue Sakai requested that she wanted to step down as MACZAC chair  
Jim Coon nominated Arnold Lum as chair. The nomination was seconded by Ron Terry. Arnold indicated his willingness to chair MACZAC. Ron Terry called for a vote. The vote was unanimous. Arnold Lum is the new MACZAC chair.

Vacancy on vice-chair since Arnold Lum is the new chair. Bob Hera was asked but he declined. Roland Sagum nominated Scott Sullivan to fill the position as vice chair. Ron Terry seconded the nomination. Roland Sagum and Sue Sakai discussed that the vice-chair position should be filled by someone on Oahu. Ron Terry called for a vote. The vote was unanimous. Scott Sullivan was the new MACZAC vice-chair.

#### *Rural Policy and Low Impact Development Projects*

Laura Thielen with assistance from Ruby Edwards gave a presentation. Laura cited Act 183 Relating to Important Agricultural Lands SLH 2005 and Act 205 Relating to the Land Use Commission SLH 2005 regarding permitted uses on agricultural and rural districts as the rationale for reviewing rural policy. The two year project provide public outreach and educations as well as technical assistance to State and county policy makers, regulators, and

functional agencies on rural land use policy, best management practices, and appropriate standards for planning rural areas and rural infrastructure and services, and managing and mitigating the impacts of rural development on the coastal zone.

Ron Terry motioned for MACZAC to participate in the Rural Policy and Best Management Practice Project. Arnold Lum seconded the motion. Office of Planning will conduct workshops in all four counties but no workshops were planned on Lanai and Molokai. MACZAC participation justifies travel expenses for members on Lanai and Molokai to attend the workshops. Jim Coon called for a vote. The vote was unanimous that MACZAC would participate in Rural Policy and Best Management Practices Projects.

#### *MACZAC Priority Setting Session*

After much discussion the members unanimously agreed to the following projects for this year.

1. ORMP Working Group – Jim lead but everyone wants to participate
2. Rural Policy & Best Management Practices Projects – Ron, Arnold, Sue, and Justin
3. Marine Protected Areas – Donna and Roberto
4. Small Boat Harbor Working Group - Jim and Roberto
5. Coastal Process Working Group – Scott

#### **Next Meeting Date**

Meeting scheduled for Monday, July 10, 2006, at the Office of Planning Conference Room on Oahu. The following meeting in October will coincide with the Hawaii Congress of Planning Officials Conference tentatively scheduled by the City and County of Honolulu on October 3, 4, and 5.

#### **Adjournment**

The meeting was adjourned at 2:25 p.m. to attend the ORMP Workshop.

April 18, 2006

To: MACZAC Members

From: Doug Tom



The contract with RCUH to provide administrative support to MACZAC has been executed. We are now working with RCUH in hiring an administrative aide.

We have not yet filled the CZM civil service planner position which has been vacant since last year. We depleted the list of eligibles from the Department of Human Resources Development and are trying to recruit from the general public. In addition to an advertisement in the newspapers, staff also participated in a job fair last week at the University of Hawaii's Department of Urban and Regional Planning. We also informed organizations so they could help pass the word along.

**Special Management Area (SMA) permit administration.** A public hearing was held on April 6 for an SMA permit for the Hawaii Children's discovery center in Kakaako. The proposal is an additional 8,100 square feet of building area to the first and second floors for additional space for the center and a water play area. Because of the potential presence of hazardous material at the site due to its proximity to the former incinerator ash landfill, clearance from the Department of Health is necessary before a permit can be issued.

**Legislative.** This year, there were substantially fewer legislative measures relating to CZM. Most did not progress. HB 2138 proposed to repeal the exemption of the prohibition on artificial lights on the shoreline and ocean given hotels and condominiums. SB 2475 proposed a redefinition of the shoreline based on the report DLNR prepared in response to Senate concurrent resolution 51, SLH 2005. Because there were differing positions on the measure, the Legislature decided not to move it forward. Instead, resolutions for the Legislative Auditor to study the measure are being considered. SB 2361 proposed to make the Hawaii Ocean and Coastal Council permanent.

A few measures are still alive. SB 1884 proposes to amend Chapter 46 to assure continuous access along the shoreline area, unless precluded by geography, as a condition to final approval of a subdivision. In addition, SB 918 proposes to require OP to consult with the chairperson of the Board of Trustees of the Office of Hawaiian Affairs in selecting new members for MACZAC. OP opposed the measure because it would bias the selection process. The measure passed as introduced, however.

**Section 306 grant application.** We submitted our application for Section 306 funds to administer the CZM program for the year beginning July 1, 2006. We are not soliciting new projects from agencies and organizations. The tasks on performance measures, coastal hazards, the rural project, and others will consume our fiscal resources and staff time.

At the national level, the Office of Management and Budget recommended the conversion of half of federal Section 306 administrative grants to competitive basis, to be phased from 30% to 50% over three years. We are trying to obtain more information on OMB's rationale. Most states disapprove the federal maneuver and will likely contest it in Congress where approval for it is necessary. The strong opposition is based on issues of equity, fairness, and relevancy. States have very different programs and structures, and their needs and values also differ substantially. There is fear that only those that have strong state financial support that don't require federal funds for operations will reap the benefits. Those that depend on federal funds to support basic personnel needs may not be able to demonstrate creativity since prevention, a key objective of management, does not lend itself easily to creative reporting. Based on past federal actions, there is a contrast between the needs of the states and the desires of the federal funding agency. Because of the history in related competitive grant programs, the states lack confidence in the federal administration's ability to understand their needs and values and fairly incorporate them in the evaluation process. The U.S. islands will collaborate and develop a position statement for the Coastal States Organization to use in lobbying against the competition grant program.

**Section 309 assessment and strategy.** In the last report, it was mentioned that we contracted with a consultant to help us poll the public and develop an assessment and strategy for program enhancement grants over the next five years. Under the federal requirements, projects funded under this program must relate to one of the nine national enhancement objectives and result in a program change. A draft assessment and strategy was presented at public meetings around the state. We are now finalizing the assessment and strategy.

**Performance measures.** We filed the phase 1a report on public access and government coordination and decision making in January. For the rest of the tasks, a request for proposals was issued. The closing date is May 5.

**Coastal hazards.** A contract with a private engineering and research firm to develop wind speed maps in GIS format for the Island of Hawaii was executed. The project will deal with wind hazards, their direction and topographic effects, and related wind speed building code amendments that will be incorporated in the International Building Code and International Residential Code sections on wind provisions. Under the new Section 309 assessment and strategy, we are proposing to support a similar study for Maui to complete state coverage and proposed changes to the building codes.

We are also jointly planning and sponsoring ATC-20 training (post earthquake safety evaluation of buildings) in Honolulu on June 20 and Hilo on June 21. County building inspectors and a corps of volunteer design professionals and other government officials will be trained to quickly identify the structures safe for reentry and those that should be avoided after an earthquake. In this endeavor, we are working with FEMA, State Civil Defense, and the Structural Engineers Association of Hawaii.

**ORMP.** MACZAC has been actively involved in our efforts to update the ORMP. Arnold Lum and Jim Coon participated in our last two meetings with the consultant and agency review team. The ORMP is coming along well. A first draft may be available by the end of July, and it will likely focus on three perspectives using the ahupua'a or moku concept. The first is on linking land and sea, the second maintaining ocean resources, and the third government coordination and stewardship.

From May to June, input on the strategic actions will be solicited from the Department of Land and Natural Resources, Department of Health, and the counties. Input will also be solicited from other stakeholders.

We are also coordinating the ORMP planning effort with the rural lands project and our coastal nonpoint pollution control program to communicate the broader interrelated perspective. We intend to organize meetings with groups as necessary to generate a better understanding of their interrelationships.

**Coastal nonpoint pollution control program.** We have submitted all of the elements required. We are awaiting NOAA and EPA comments on them to learn what have been approved and conditionally approved, so that we can provide the additional measures or information to have the conditions removed. In addition to this, we are required to prepare and submit a 15-year strategy and 5-year implementation plan for the program.

**SMA users' guide.** We produced the users' guide in coordination with the counties. It is a partial response to a federal requirement for CZM to strengthen its role in responding to citizen concerns relative to the SMA permit system and to increase opportunities for public involvement in the permit process. The requirement was based on statements made by a handful of citizens attending a public meeting of the federal evaluation. Their comments indicated they did not understand the SMA permit and its process. The guide explains what the SMA permit is and what it is not. It also identifies the opportunities for citizen involvement and explains how to participate effectively. Copies of the guide were sent to the counties for distribution. In addition, they are also available at libraries around the state.

A copy of *Wings of the Islands* was produced with CZM support. It is a resource guide for teachers that complements the play, which just started on Thursday evening at the Honolulu Zoo. It includes lesson plans for various grade levels and activities.

Finally, we have been putting more information about our various CZM initiatives on our website. The address is <http://www.hawaii.gov/dbedt/CZM>.