

**Marine and Coastal Zone Advocacy Council (MACZAC) / Ke Kahu O Na Kumu Wai**

**DRAFT MINUTES**

**Friday, April 7, 2017: 9:30 am – 12:30 pm**  
**Office of Planning's Conference Room**  
**235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813**

**ATTENDANCE**

- Members Present: Phil Fernandez, Jim Coon, Nick Palumbo, Rich Brunner, Dawn Hegger-Nordblom, Kimbal Thompson, Robert Nishimoto, Angela Anderson
- Members Absent: Robert Kaden, Donna Brown, Sue Sakai
- Office of Planning (OP) and Office of Planning/Coastal Zone Management (OP/CZM) Staff Present: Leo Asuncion (OP), Justine Nihipali (OP/CZM), Rebecka Arbin (OP/CZM), Lisa Webster (OP/CZM)
- Others Present: Tom Eisen (OEQC)

**DISTRIBUTED MATERIAL**

- MACZAC Meeting Agenda for April 7, 2017
- Minutes from January 27, 2017 MACZAC Meeting [Draft]
- Handout #1 – High Priority Retreat Goals
- Handout #2 – History of MACZAC Working Groups
- MACZAC Hotspots 4/2017
- Thumbs-Up Award Guidelines
- Thumbs-Up Award Nominations 2016

**I. Call to Order**

MACZAC Chair, Kimbal Thompson, called the meeting to order at 9:33 am and welcomed everyone.

**II. Approval of January 27, 2017 Meeting Minutes**

The January 27, 2017 Meeting Minutes were unanimously approved by all members present, after revision of the hotspot discussion about Hawksbill Turtles on the Big Island.

**III. Hawaii Coastal Zone Management (CZM) Program Report**

Justine Nihipali, CZM Manager, provided a verbal CZM Program Report highlighting the following:

**CZM Budget for Fiscal Years 2017 and 2018**

- There may be budget cuts to the federal funding (from NOAA) of the CZM Program in FY 2017 and/or FY 2018 - it is unknown at this time if there will be cuts, and if there are, how large the cuts will be.

**Request for MACZAC Support for CZM Program**

- Ms. Nihipali requested that MACZAC members advocate for the Hawaii CZM Program by writing a letter to folks in Washington noting what the CZM Program is working on, and what will not be completed if funds are cut, including the Probabilistic Tsunami Mapping Project and the Ocean Resources Management Plan update. Chair Thompson asked the group if everyone was in support of such a letter, and the group agreed that they were.

#### Ocean Resources Management Plan (ORMP)

- Ms. Nihipali shared that a new ORMP Coordinator will be starting July 1, 2017.
- The joint Action Team for Management Priority 1 (Appropriate Coastal Development) and Management Priority 2 (Management of Coastal Hazards) created an Implementation Plan, and one of the projects that came out of that Plan focuses on Managed Retreat, and will include both a background report, a symposium to look at case studies, and a final report.

#### **IV. Discussion of MACZAC Retreat Outcomes**

##### Clarify and Codify

- Angela Anderson, MACZAC Vice-Chair, noted that it would be helpful for new MACZAC members to have an orientation, to go over expectations of, and opportunities for MACZAC members. Ms. Anderson also suggested creating a New Member Working Group, or assigning a mentor to each new member, in order to assist new members in getting up to speed more quickly. It was suggested that a mentor could be a MACZAC member on the new member's island, or could be a MACZAC member who shares common interests with the new member.
- The group also discussed how issues are chosen for MACZAC action, and Phil Fernandez, MACZAC member, suggested that it might be good to focus on items that relate to policies. Mr. Fernandez added that it is important to determine how MACZAC will triage hotspots going forward. Ms. Anderson noted that the group could look for commonalities within the hotspots, and focus on the bigger issues that lead to multiple hotspots, looking for disconnects between current practices and the policies laid out in HRS 205A and 226. Chair Thompson proposed revisiting hotspots from the previous MACZAC meeting at the start of hotspot discussions, to determine if any action had been or should be taken.

##### Reorganization of Working Groups

Mr. Fernandez made a motion to sunset all working groups, except the Retreat Working Group, which will sunset at the completion of its purpose, and the Legislative Working Group, which will be ongoing. Ms. Anderson amended the motion to include keeping the Executive Working Group, which will also be ongoing. The motion was seconded by Jim Coon, MACZAC member, and unanimously accepted by the group. Each working group will work on determining its group's purpose, as well as on providing recommendations for the scope of its work for the following year.

##### Next Steps for Working Groups

- The Retreat Working Group, which was formed at the January 26, 2017 MACZAC retreat, will make recommendations at the next MACZAC Meeting on some ways to make MACZAC more effective. Members: Mr. Thompson, Ms. Anderson, Mr. Fernandez, and Ms. Sakai.
- Legislative Working Group – MACZAC members discussed some ideas for how the Legislative Working Group can be most effective. Mr. Coon suggested looking at every bill in the first week of the Legislative session, and submitting strong testimony for or against important bills early in the Legislative session. Mr. Coon added that after initial individual review, the Legislative Working Group might want to organize a conference call to decide which bills are under MACZAC's purview. Dawn Hegger-Nordblom, MACZAC member, suggested using key word search terms, and Leo Asuncion, Director of the Office of Planning, added that it would be good to look at bills relating to coastal management, the ocean, and fisheries. Mr. Fernandez suggested monitoring the Water & Land Committees (both House and Senate) and the Ocean, Marine Resources, & Hawaiian Affairs Committee (House), waiting until crossover to submit MACZAC testimony. Mr. Fernandez added that testimony from organizations goes to the top of the pile. Ms. Anderson suggested having a list of topics and positions pre-approved by all MACZAC members

for which the Legislative Working Group can submit testimony. Members: Mr. Thompson, Mr. Fernandez, Mr. Coon, Ms. Sakai, and Ms. Hegger-Nordblom.

- Executive Working Group – ongoing working group made up of the MACZAC Chair and Vice-Chair. Members: Mr. Thompson and Ms. Anderson.

#### Step Up Outreach Efforts

- The group agreed that it would be valuable to invite county planners to MACZAC meetings in order to provide briefings regarding county SMA issues.
- Members also agreed that it would be helpful to compile a list of island contacts, and add these to outreach efforts.
- The group agreed to give the “Thumbs-Up” Award to all nominees and to put out a press release.

#### Strengthen Internal Communication

- Mr. Coon suggested having the Legislative Working Group copy each other on personal testimony they’ve submitted.
- Ms. Nihipali has been working on increased bi-directional communication between CZM and MACZAC, reaching out to both MACZAC members and county planners in order to increase MACZAC effectiveness.

#### Sunshine Law

Lisa Webster, MACZAC Administrative Assistant, will send out a link to the Sunshine Law Refresher, which is available online.

### **V. Reports from MACZAC Working Groups**

- Education and Website Working Group  
Sunsetted.
- Ocean Resources Working Group  
Sunsetted.
- Shoreline Access Working Group  
Sunsetted.
- Legislative Working Group  
Members of the Legislative Working Group will work together to develop the group’s purpose and procedures for the 2018 Legislative session. The group will also provide a list of pre-approved topics. This information will be presented at the last MACZAC meeting of 2017 for MACZAC member approval.
- Executive Working Group (Formerly the Request for Comments Working Group)  
Members of the Executive Working Group will work on determining the group’s purpose and scope, and will report back at the next MACZAC meeting.

- Retreat Working Group  
Members of the Retreat Working Group will work on determining the group's purpose, as well as recommendations for the scope of the work, and will report back at the next MACZAC meeting.

## VI. Discussion Highlighting Critical Marine and Coastal Hotspot Issues, By Island

- East Hawaii Island – Bob Nishimoto, MACZAC member, discussed the following East Hawaii Island hotspots:
  - Hamakua Coast Dairy Farm  
Dr. Nishimoto noted that dairy cows produce large amounts of estrogen, and that runoff from the dairy farm may contain elevated levels of estrogen. Estrogen is a powerful hormone that can lead to feminization, and possible collapse, of fresh water fish populations. Estrogen exposure is also linked to changes to young children's development. Dr. Nishimoto added that State agencies get involved with biological (E. coli) and nutrient (nitrogen) monitoring, but probably do not monitor estrogen levels.
  - Hawksbill Turtles  
Dr. Nishimoto added that hawksbill turtles, an endangered species, are known to spend time in the Hamakua area, where they eat a particular species of sponge. Dr. Nishimoto pointed out that the debris from the homes falling off the cliff side may impact the hawksbill's habitat. Dr. Nishimoto has tried to foster collaboration between students at UH Hilo (both undergraduate and graduate) and the county planning department, but has not been able to gain traction. Dr. Nishimoto would like to receive a formal introduction to county planners in order to advance collaborative projects.
- West Hawaii Island – Phil Fernandez, MACZAC member, shared the following West Hawaii Island hotspot:
  - Kona Manta Ray Tour Regulations  
Due to overcrowding in the manta ray dive sites off of the Kona coast, DLNR/DOBOR is considering installing mooring buoys. A permitting process to obtain a mooring is also being proposed. There are more operators than mooring locations, so a rotational process may need to be incorporated as well.
- Kauai – Angela Anderson, MACZAC Vice-Chair, shared the following Kauai hotspots:
  - Water Quality in Streams and Estuaries  
Ms. Anderson sees water quality issues as a larger policy issue, because it affects different areas throughout the islands. Ms. Anderson would like to see a MACZAC Working Group focused on water quality issues, to address issues of injection wells, proposed dairies, pathogens in the waters, and/or pesticide runoff.
  - Ala Loa Coastal Trail in the Pila'a Area  
Ms. Anderson noted that she followed up with some of the community groups working on this issue, and one of the groups is in the process of becoming an organized non-profit. Maui Representative Kaniela Ing is currently working on legislation to recognize the Ala Loa coastal trail. The State owns those lands, and the lands are public, but there is a dispute on Kauai about the location of the trail. Mr. Fernandez stated that there is a similar dispute about the location of the trail on the Big Island.

- Hawaiian Monk Seal Drowning  
Mr. Fernandez shared that a monk seal drowned in an aquaculture cage off Kapaa after a door at the bottom of the enclosure was left open.
- Lanai hotspots:
  - Manele-Hulopoe Marine Life Conservation District  
Nick Palumbo, MACZAC member, shared that another fireworks show is scheduled for April 14–16 in the Manele-Hulopoe Marine Life Conservation District area. Notices were posted around Lanai to let residents know. Mr. Palumbo believes that these fireworks are having negative impacts on the coastal and marine environment. Ms. Hegger-Nordblom recommended looking over a DLNR Land Division explosives permit to see what it says about effects on marine life, and also suggested contacting U.S. Fish & Wildlife.
  - Windward Coast Coral Reef  
Mr. Coon noted that there is a large barrier reef around the windward part of Lanai. There has been accretion of up to 100 feet of land at the site of the reef due to silt, which has been caused, in part, by feral sheep and axis deer. Silt is one of the greatest threats to coral reef health.
- Maui hotspots:
  - Injection Wells in Maui  
Rich Brunner, MACZAC member, contacted Rebecka Arbin, CZM planner, to discuss possible pollution due to injections wells. Ms. Arbin contacted DOH/Clean Water Branch and received additional information about regulations in the area, which she shared with Mr. Brunner. Mr. Brunner noted that a study was done that clearly links turbidity and poor water quality in Maui to the wastewater injection wells. Mr. Brunner added that the water in South Maui is always green.

Dr. Nishimoto shared that he attended the Governor’s meeting in Hilo last year, where he advocated for restoration using bioremediation. Dr. Nishimoto would like to see the UH Hilo aquaculture program get the bivalves going. There are 2-3 indigenous species of oysters which might be suitable. Mr. Brunner shared that he attended a presentation by the Oahu representative of the newly formed Water Keeper Alliance, who plans to work with UH Hilo aquaculture to use bivalves to filter water, something that has worked in other places. Mr. Brunner added that the presenter shared that oyster farms may even be able to replace sea walls. Mr. Fernandez noted that oysters are very invasive, and may end up in places like power plant intake valves.

  - Gray Water Legislation  
Mr. Brunner stated that he would like to add to the proposed Water Quality Working Group scope to include advocating for gray water legislation, going county by county if necessary. Ms. Anderson stated that she believes this legislation has already been passed in County of Kauai.
  - Kanaha Beach Park Renovation Plan  
Jim Coon, MACZAC member, shared that the exposed post in the water at Kanaha Beach Park is still there, and continues to be a danger. Mr. Coon and Mr. Brunner will write a follow-up letter to DLNR regarding the post.

Mr. Coon will also write a letter to County of Maui Parks Department expressing MACZAC’s concern regarding the Kanaha Beach Park Renovation Plan, which has failed to

incorporate the feedback and concerns of the parks community members. Ms. Nihipali suggested also sending the letter to the approving authority for the project EIS.

**VII. Public Input**

No public input was given.

**VIII. Nominations and Selection of 2016 Douglas Tom “Thumbs-Up” Award**

Mr. Coon made a motion, which was unanimously accepted, to send a letter of commendation to all nominees, along with issuing a press release announcing the names of each of the organizations. Mr. Coon also suggested removing the year from the award.

**IX. New Business**

- MACZAC members agreed to write a letter of support for the Hawaii CZM Program to send to Federal representatives, with a cc to NOAA/Office for Coastal Management/Pacific Islands Director, Kristina Kekuewa.
- The next MACZAC Quarterly Meeting will be held Friday, August 4, 2017, in Maui.
- Agenda items for next meeting:
  - Updates from county planners
  - Site visit to Waihee

**X. Adjournment**

Chair Thompson adjourned the meeting at 1:02 pm.