

# Hawaii Ocean Partnership Agreement

The purpose of the Hawaii Ocean Partnership (Partnership) is to implement and further develop the Hawaii Ocean Resources Management Plan (ORMP).

Partnership member agencies are committed, to the extent practicable and consistent with their underlying authorities, to participate in the collaborative planning process for ocean resources in Hawaii as described in Hawaii Revised Statutes (HRS) Chapter 205A and the Coastal Zone Management Act of 1972. This Hawaii Ocean Partnership Agreement (Agreement) provides a framework to support accomplishing ORMP goals and actions.

The Partnership representatives commit in good faith to work toward the implementation of the ORMP; to actively participate in Partnership meetings; to diligently represent their agencies and departments; to ensure that the ORMP goals and actions are incorporated in the implementation process as well as their decision-making processes consistent with existing statutory, regulatory and other authorities; and to identify and pursue additional support to ensure that the functions of the Partnership can be fulfilled.

The Partnership structure implements HRS §§205A- 61 through 64, regarding coordination and implementation of the ORMP. The Partnership shall cooperatively plan and take collective action to implement the ORMP.

**Council on Ocean Resources (Council):** The Council is responsible for 1) setting Partnership priorities and 2) providing leadership and direction to the Coordinating Working Group on implementing the ORMP. The Council shall have the authority to collectively establish, dissolve, or modify Action Teams.

Members of the Council are Directors or their designees from the respective County Planning Departments, Office of Hawaiian Affairs, Office of Planning, and agencies identified in HRS §205A-62. The Director of the Office of Planning shall serve as the Chair. Each member of the Council may designate one alternate who may act in their place, with authority to attend meetings of the Council and to represent the agency in the absence of the member.

**Coordinating Working Group (WG):** The WG is responsible for identifying resources and recommending ORMP implementation strategies to the Council; reporting the progress of ORMP implementation to the Council; and serving as the principal venue to communicate, coordinate, and integrate implementation activities across the Action Teams. The WG shall evaluate Action Team progress and recommend Action Team termination to the Council based on criteria under Termination of an Action Team.

WG members include 1) Action Team Chairs, 2) staff from agencies appointed by their respective Council member, in writing, to coordinate their respective agency's implementation efforts, and 3) the Marine and Coastal Zone Advocacy Council (MACZAC). MACZAC, created under HRS §205A- 3.5 to provide support to Office of Planning on Coastal Zone Management issues, shall appoint one of its members to serve on the WG. Individual WG members serve as direct liaisons to their respective agencies and Council member. The Manager of the Coastal Zone Management Program, Office of Planning, shall serve as the WG Chair and liaison to the Council.

**Action Teams (ACTs):** ACTs serve as multi-agency groups to implement specific priorities, goals, or actions in the ORMP. An ACT is responsible for developing and executing work plans, tracking metrics, and reporting accomplishments to the WG.

ACTs are established by the Council, as needed, to implement goals and actions under ORMP Management Priorities. In considering whether to establish an ACT, the Council shall evaluate the following criteria: 1) degree of connection to ORMP

Management Priorities; 2) feasibility of suggested actions and impact to resource availability to other ACTs; and 3) ability of the Partnership to manage and oversee ACT activities.

Upon the creation of an ACT by the Council, the Council member of the lead agency for the related Management Priority shall select the ACT Chair. An ACT Chair shall 1) serve as liaison to the WG; 2) coordinate with the WG member of the lead agency associated with the ACT; and 3) lead a process to develop a work plan for WG review and comment. An ACT Chair may convene staff representatives from the "Other State and County Agencies" listed under the associated ORMP Management Priority. These representatives may serve as members of the ACT.

The ACT may invite "Partners" listed under the associated ORMP Management Priority, at their discretion. ACT partners may bring technical expertise to the ACT to complement issues of mutual interest, while integrating ACT efforts into actions taken by their respective programs. Additional representatives from agencies and organizations may be invited to participate, upon recommendation of an ACT Chair and invitation of the WG. The number of participants on an ACT shall be manageable to ensure productivity.

**Termination of an ACT:** ACTs are created to address goals and actions under ORMP Management Priorities, and are not intended to exist in perpetuity. ACTs may be terminated by the Council after considering the following criteria: 1) the ACT has achieved the majority of the tasks in its work plan; 2) other key priorities emerge as more important over time, decreasing the relevance of a particular ACT; and/ or 3) resources are not available for an extended period of time to implement ACT work plan actions.

**Meetings:** The Council shall convene at least twice annually or at any other time at the call of the Chair or at the request of two or more Council members. A majority of the Council Members shall constitute a quorum to do business and to validate any decision of the Council. The Chair of the Council shall keep an updated roll of members. The WG shall convene as determined by the WG Chair.

The Council operates on a consensus basis. Consensus is the absence of express disagreement by a Council member on a particular issue. Should a decision be required where consensus cannot be reached, the Council may participate in a facilitated discussion and/ or request information from the WG. The WG operates via consensus of enumerated WG members. Should an action be required where consensus cannot be reached, the WG may participate in a facilitated discussion and/ or request further direction from the Council.

**Administrative Provisions:** This Agreement shall take effect on the date of adoption by the Council.

The Council may review and propose changes to modify this Agreement by developing and agreeing to a written amendment. A change in member representative does not require execution of a new Agreement.

This Agreement does not obligate agency resources. Nothing in this Agreement authorizes nor is intended to obligate the members to expend, exchange, or reimburse funds, services, or supplies, or transfer or receive anything of value. This agreement does not supersede an agency's legal authority. Nothing in the above described processes constitutes a delegation of government decision-making authority to the Partnership or any other entities. Decision-making shall be carried out consistent with and under the authority of existing statutes and it is intended that this effort shall provide a better mechanism for application of existing laws and authorities related to coastal zone management.

The Council strives for consensus; for situations that warrant more formal parliamentary procedure, the Council may use Robert's Rules of Order.

Terms in this Agreement are as defined by statute or used in the most recently updated ORMP, unless otherwise defined herein.