

Hawai'i Ocean Resources Management Plan Coordinated Working Group

Meeting Summary

March 5, 2015: 9:00am – 12:00pm
Office of Planning, 6th Floor Conference Room
235 S. Beretania Street, Honolulu, HI 96813

Present:

Bethany Morrison (HI Co. Planning)	Joshua Hekeia (OP-CZM)
Bob Stanfield (C&C Honolulu, DPP)	Justine Nihipali (OP-CZM)
Deborah Solis (USACE) via phone	Laura McIntyre (DOH-EPO)
Emma Anders (DLNR-DAR)	Lisa Webster (OP-CZM)
Fiona Langenberger (PaciOOS)	Matthew Gonser (UH Sea Grant)
Jackie Martinez (Kauai Cty Planning)	Nathalie Morison (OP-CZM)
Jim Coon (MACZAC)	Shichao Li (OP-CZM)
Jody Galinato (Kauai Cty Planning)	

Welcome, Introductions, and Office of Planning (OP) Updates

Justine Nihipali, Planner, Office of Planning, Coastal Zone Management (CZM) Program welcomed participants to the Ocean Resources Management Plan (ORMP) Coordinated Working Group (CWG) meeting.

The Office of Planning submitted two (2) bills for the 2015 legislative session. Below are the updated statuses of the bills.

SB1073/HB904 Related to Land Use.

Allows agriculture tourism uses or activities, including certain overnight accommodations, conducted in conjunction with a bona fide farming operation, in the agricultural district. Defines bona fide farming operations.

- SB1073 deferred by WTL. Dead.
- HB904 Dead.

SB1074/HB905 Related to State Planning.

Requires the Office of Planning to review and propose updates to the State Planning Act and submit a written report to the Legislature. Appropriates funds. Effective July 2015.

- SB1074 heard before WAM which recommended passage with amendments – which are unknown at the time of this summary
- HB905 Dead.

Coordinated Working Group Working Session

Discussion: 2015 Legislative Bills

OP-CZM provided an update to the list of legislative bills generated in the February 2015 ORMP meeting. Agencies also added bill that were not included previously. The CWG members provided input regarding bills (if applicable). The list (attached) is not intended to be comprehensive and provides a brief synopsis of each bill. Full information for the bills can be found of the Hawaii State Legislature website at www.capitol.hawaii.gov.

DLNR provided an update regarding the positions discussed in bill(s) HB629, HB1478, SB1165,

SB1231/HB1298. These have been inserted into the House version of the budget, so they may have another chance to be funded.

DOH provided additional bills since the February meeting which have been added to the list. In addition, the agency would appreciate support for the bill, SB1118 SD1, regarding emergency appropriation for our Hazard Evaluation and Emergency Response preparedness personnel (41 positions, 32 people and 9 vacancies due to lack of funding).

ORMP Agency Updates and Announcements

NOAA's office for the Hawaiian Islands Humpback Whale National Marine Sanctuary (HIWNMS) is releasing the draft management plan and draft environmental impact statement in March. There will be a 120 day public review and comment period for agencies and the public to provide feedback regarding proposed modified and new regulations in the proposal.

UH Sea Grant announced that Sea Grant will be welcoming a new staff member for the position of a Sentinel Sites Coordinator who will start in April.

Hawaii County Planning Dept. shared that three positions in their office will be filled.

PacIOOS provided new and/or updated links for data tools that are now available online:

Ocean Acidification:

<http://pacioos.org/projects/acidification>

Provides real-time data of thirteen buoys across the Pacific. The buoys measure atmospheric and oceanic carbon dioxide content, which serve as important indicators to monitor ocean acidification.

Sea Level Rise Inundation Risk:

<http://pacioos.org/projects/slr/>

Shows coastal flooding impacts due to 1m sea level rise, hurricane storm surge inundation, as well as tsunami run-up inundation (separately or combined). Available for Honolulu, Oahu.

Shoreline Change Tool:

<http://pacioos-mapserver2.ancl.hawaii.edu/hcgg/hcgg.html>

Visualizes the rate at which the shoreline is changing. Shows historical shoreline positions as well as potential impacts from sea-level-rise (1-6 feet scenarios). Available for Kauai, Oahu, Maui, Molokai, Lanai and Hawaii.

OP-CZM announced that CRest funding has been awarded to Martin & Chock, LLC for the project that examines and identifies existing and future vulnerability of building stock to coastal hazards. The project is scheduled for completion in Fall 2016.

DOH provided a number of announcements:

Safe Drinking Water Branch has been working with the DLNR on the Water Resource Protection Plan.

Clean Water Branch is currently working on a water quality study for an area in Kauai and results will be shared with the group when they are complete.

DOH Polluted Runoff Control Program is reviewing 319 grant proposals

DOH EPO has an open GIS position in their office, and is hoping to fill the position dependent upon funding. The position is a civil service position as an Environmental Health Specialist.

Led by Laura McIntyre, Hawaii planners Scott Derrickson, Leo Asuncion, and George Atta will be speaking on a panel, "A Culture of Sustainability in Hawaii" during the American Planning Association 2015 National Planning Conference in Seattle in April 2015.

DOH Wastewater Branch – proposed cesspool rules received feedback and currently legislation related to cesspools includes HB1140, HB1141, SB1272.

MACZAC representative shared a website, windyty.com which presents current and forecasted wind models.

Next Steps & Housekeeping

- a. The next ORMP CWG meeting is scheduled for Thursday, April 2, 2015 from 9am-12pm.
- b. Hawaii Ocean Council meeting, TBD

2015 Legislative Session Bills

BILL NO.	NAME	DESCRIPTION	NOTES FROM DISCUSSION	STATUS (as of 3/4/2015)	REFERRAL
HB4	Making an appropriation for capital improvement projects for the benefit of the fiftieth representative district	Erosion Study Oahu (\$)		DEAD 2/4 Hearing 9:30AM - Deferred	TOU, FIN
HB5	Relating to the Environment	Climate Change Analysis in EA/EIS (Pub and Private)		DEAD	EEO, FIN
HB437 HD1	Making Appropriations for the Natural Resources Goals of the Aloha+ Challenge	Appropriates \$ for natural resource goals of Aloha+ Challenge (\$4M watershed management, \$6M Hawaii Invasive Species Council, \$1.5M fire, natural disaster, emer response equipment, \$1M forest and outdoor rec access improvement)	Related to ORMP management priority #3 Watershed Management HD1 (1) Specifying that within the natural resource management goal of the Aloha+ Challenge, community-based marine management must also be scientifically justified; and (2) Deleting the amounts of all appropriations to facilitate further discussion.	2/27 Hearing FIN, passed, unamended 2/10 Hearing 11AM	EEO/WAL, FIN
HB440	Relating to Land and Natural Resources	Appropriates funds for land and natural resources.	Similar to HB437 but does not incl. Aloha+ Challenge reference or \$6M appropriation for HISC	3/3 Hearing FIN, passed w/amendments 2/9 Hearing WAL	WAL, FIN
HB629	Relating to the Papahānaumokuākea National Monument	Establishes the Papahānaumokuākea Marine National Monument Program in HRS. Establishes criminal and administrative penalties. Allows DLNR to establish a fee schedule for services provided by the Monument Program. Provides for advice to the Governor and other state agencies regarding the Monument. Allows the Monument Program to solicit and accept grants and donations.	Establishes Monument Program w/in DLNR, no position, no appropriations	DEAD 2/6 Hearing 11AM	OMH/WAL, JUD, FIN

2015 Legislative Session Bills

BILL NO.	NAME	DESCRIPTION	NOTES FROM DISCUSSION	STATUS (as of 3/4/2015)	REFERRAL
HB905 HD1/ SB1074 SD1	Relating to State Planning	Requires the Office of Planning to review and propose updates to the State Planning Act and submit a written report to the Legislature. Appropriates unspecified funds. Effective July 1, 2015.	Admin Package HD1 amended by changing appropriation from \$250k to an unspecified amount.	HB905 DEAD SB1074, SD1 Hearing (WAM) 2/26, passed w/amendments 2/20 Passed 2 nd reading, ref to WAM 2/17 Passed as amended, referred to FIN	LAB, FIN (House) WTL/EDT, WAM (Senate)
HB1415	Relating to Special Management Areas	Amends maximum size of residences in definition of development in the SMA	Similar to SB1038. Current trigger is 7,500 sq ft. Decreasing trigger to 2,500 sq ft would increase the number of residences affected to thousands	DEAD 2/9 Hearing 9:30AM	HSG, WAL, JUD
HB1478 HD1	Relating to the Hawaiian Islands Humpback Whale National Marine Sanctuary	Establishes the Hawaiian Islands humpback whale national marine sanctuary program. Establishes a sanctuary co-manager position. Appropriates moneys.	Establishes Monument Sanctuary Program and Manager Position, appropriations HD1 has technical unsubstantive amendments; changed effective date to December 24, 2088.	2/26 Hearing 11AM (FIN), passed, unamended 2/20 Re-referred to OMH, FIN 2/13 passed as amended, ref to JUD 2/11 Hearing 8:30AM	OMH, JUD, FIN
SB57	Relating to Ocean Resource Management	Appropriates funds to the department of land and natural resources for watershed management; invasive species council projects; fire; natural disaster, and emergency response; and forest and outdoor recreation improvement		DEAD	
SB97	Relating to Natural Resources	Appropriates funds for land and natural resources	Same as HB437, omits Section 10	DEAD	ENE/WTL, WAM
SB204 SD1/ HB1385	Relating to Beach Management for the N. Shore of Oahu	Carryover from 2014. Appropriates \$ for a beach management plan for N. Shore, Oahu	SD1 amended effective date to July 1, 2050.	2/26 Hearing (WAM), passed w/amendments 2/17 passed 2 nd reading, ref to WAM HB1385 DEAD	WTL/HEA, WAM (Senate) OMH/WAL, HED, FIN (House)

2015 Legislative Session Bills

BILL NO.	NAME	DESCRIPTION	NOTES FROM DISCUSSION	STATUS (as of 3/4/2015)	REFERRAL
				2/10 Hearing 2:30PM	
SB499 SD1	Relating to Environmental Impacts	Requires major state or county CIP projects to include sea level rise in EIS/EA	SD1 replaced "sea level change" with "sea level rise", "coastal lands" with "special management area", and "projected sea level rise or fall" with "projected sea level rise" Clarifies that beginning July, 1, 2016, an environmental assessment or environmental impact statement may include an analysis of the environmental impact of projected sea level rise over the anticipated lifespan of the project Requires OEQC to work with CZM and state agencies to provide guidance concerning ecological and env problems relation to dev, of CZM area. Amends definition of "major" to mean any project having an anticipated value = to or exceeding \$3M Technical, nonsubstantive amendments	DEAD 2/19 passed 2 nd reading as amended, ref to WAM 2/13 Hearing 2:45PM	ENE/WTL/P SM, WAM
SB500 SD1	Relating to Environmental Impacts	Requires any EA/EIS for major infrastructure improvement project or major construction project on any coastal lands to include analysis of env. Impact of projected sea level rise. (public and private)	SD1 replaced "sea level change" with "sea level rise", "coastal lands" with "special management area", and "projected sea level rise or fall" with "projected sea level rise" Clarifies that beginning July, 1, 2016, an environmental assessment or environmental impact statement may include an analysis of the environmental impact of projected sea level rise over the anticipated lifespan of the project Requires OEQC to work with CZM and state agencies to provide guidance concerning ecological and env problems relation to dev, of CZM area. Amends definition of "major" to mean any project having an anticipated value = to or exceeding \$3M Technical, nonsubstantive amendments	DEAD 2/19 passed 2 nd reading as amended, ref to WAM 2/13 Hearing 2:45PM	ENE/WTL/P SM, WAM

2015 Legislative Session Bills

BILL NO.	NAME	DESCRIPTION	NOTES FROM DISCUSSION	STATUS (as of 3/4/2015)	REFERRAL
SB501 SD1	Relating to Coastal Zone Management	Requires new development to plan for impacts of SLR & prohibits development in areas significantly affected by SLR; transitions to long term erosion rate setback & requires 60 ft setback.	DPP: Needs definition of SLR, Needs a source of data for assessment, Response to SLR should include protection/adaptation rather than only retreat SD1 (extensive changes, refer to committee report)	DEAD 2/20 passed 2 nd reading as amended, ref to JDL/WAM	WTL/PSM, JDL/WAM
SB538/ HB1457	Relating to Natural Resources	Sand is not a pollutant in DOH rules for small projects		DEAD	WTL/ENE
SB540	Relating to Water Quality Certification	Sets timeframe/limit for section 401 water quality certification	DOT: would need allocation of additional staff to accommodate the shorter timeframe	DEAD	ENE/HTH, JDL/WAM
SB544	Relating to Natural Resources	Authorizes appropriations for watershed management, invasive species; equipment for fire, nat disaster & emergency response; forest & outdoor rec improvements	Similar to HB437, same appropriations	2/26 Hearing (WAM), passed w/amendments 2/13 passed 2 nd reading, ref to WAM 2/6 Hearing WTL/ENE	WTL/ENE, WAM
SB545	Relating to Natural Resources	Appropriates funds for watershed mgmt; fire, nat. disaster, & emergency response equipment; forest & outdoor rec improvement.	Similar to HB440, same appropriations	DEAD 2/12 passed 2 nd reading, ref to WAM 2/4 Hearing WTL	WTL, WAM
SB617 SD1/ HB444	Relating to Beach Protection	DLNR Special Beach Fund and including \$ from TAT	SD1 (extensive changes, refer to committee report)	SB617DEAD 3/3 Hearing (FIN) passed w/amendments 2/20 passed as amended as HD2, ref to FIN (HB444 HD2) 2/19 passed 2 nd reading as amended, ref to WAM (SB617 SD1) 2/6 Hearing 9AM	TSI/WTL, WAM (Senate) WAL, TOU, FIN (House)

2015 Legislative Session Bills

BILL NO.	NAME	DESCRIPTION	NOTES FROM DISCUSSION	STATUS (as of 3/4/2015)	REFERRAL
SB717 SD2/ HB743	Relating to Ethanol	Repeals existing requirement that gasoline for motor vehicles be composed of 10 per cent ethanol.	SD1 makes technical, nonsubstantive amendments.	HB743 DEAD 2/3 Hearing 2:45PM 2/10 passed as amended, ref to CPN	ENE, CPN (Senate) EEP, TRN, CPC (House)
SB882/ HB591 HD1	Relating to Climate Change	Creates a climate change & health working group (CCHWG) to examine various potential health impacts of climate change; amends HRS Section 225P-3, requiring ICAC to incl. CCHWG findings/recs in committee report to Leg, Dec 2017	(1) Deleting provisions relating to the Climate Change and Health Working Group and instead requiring the Interagency Climate Adaptation Committee to prepare public health vulnerability and adaptation reports that include substantially similar provisions; (2) Requiring the Interagency Climate Adaptation Committee to assist with coordinating the implementation of climate change policies developed by county, state, and federal agencies; (3) Reorganizing the provisions of section 225P-3, Hawaii Revised Statutes, relating to the general functions, duties, and powers of the Interagency Climate Adaptation Committee; and (4) Making conforming amendments to the final paragraph of the measure's purpose section to reflect the substantive provisions of the measure, as amended.	SB882 DEAD HB591 HD1 DEAD 3/4 Hearing (HLT) Deferred 2/20 rec passage on 2 nd reading and referral to HLT 2/10 Hearing 11AM	WTL/ENE/HTH, WAM (Senate) EEP/WAL, HLT (House)
SB1073/ HB904	Related to Land Use	Allows agricultural tourism uses or activities, including certain overnight accommodations, conducted in conjunction with a bona fide farming operation, in the agricultural district. Defines bona fide farming operations.		SB1073 DEAD 2/25 WTL Deferred HB904 DEAD	TSI/AGL, WTL (Senate) AGR/TOU, FIN (House)

2015 Legislative Session Bills

BILL NO.	NAME	DESCRIPTION	NOTES FROM DISCUSSION	STATUS (as of 3/4/2015)	REFERRAL
SB1074 SD1 - HB905 HD1	Relating to State Planning	Requires the office of planning to review and propose updates to the State Planning Act and submit a written report to the legislature. Makes an appropriation.		2/26 WAM recommended pass w/amends HB905 DEAD	WTL/EDT, WAM (Senate) LAB, FIN (House)
SB1165 SD1	Relating to Management of Ocean Resources	Establishes the Hawaiian islands humpback whale national marine sanctuary program and the Papahānaumokuākea marine national monument program within DLNR; establishes the co-managed marine area special fund; appropriates general funds and special funds.	Establishes Sanctuary & Monument Programs w/in DLNR – Appropriations SD1 clarifies language. Defines “sanctuary program” to mean the state program that manages the sanctuary	DEAD 2/13 passed 2 nd reading as amended, ref to WAM 2/6 Hearing 2:50PM	WTL/ENE, WAM
SB1231/ HB1298	Relating to Department of Land and Natural Resources	Makes an appropriation to establish three permanent full-time equivalent (3.00 FTE) positions in the Department of Land and Natural Resources to include a community-based subsistence fishing area planner, marine regulation and policy specialist, and makai watch coordinator to support community-based co-management of near shore marine resources, implement effective rule-making, and help ensure compliance with resource use and protection standards and regulations.	2 positions directly mentioned in ORMP (CBSFA Planner & Makai Watch Coordinator) - Appropriations	DEAD	WTL, WAM (Senate) OMH/WAL, FIN (House)
SB1238	Relating to Land Use	Abolishes LUC, Shifts responsibility to counties, removes public participation process, amends OMPO, amends HRS205A		DEAD	WTL/PSM/A GL/TRA, WAM
SB1310 SD1/ HB1325		Authorizes counties to establish and charge user fees for storm water management	SD1 inserts effective date of July 1, 2050, and makes technical, nonsubstantive amendments.	3/3 HB1325 Hearing (FIN) passed w/amendments 3/2 SB1310 SD1 Hearing (WAM) passed unamended 2/20 recommend passage as amended and ref to WAM (Senate) 2/13 passed 2 nd reading, ref to FIN (House)	PSM, WAM (Senate) WAL, FIN (House)