

## **Marine And Coastal Zone Advocacy Council**

Wednesday, April 24, 2002  
11:00 a.m. - 1:30 p.m.  
Room 204, State Office Tower  
235 South Beretania Street  
Honolulu, Hawaii

### **MINUTES**

**Members Present:** Lawrence Aki, Donna Brown, Mary Cabuslay, Arnold Lum, John Ray, Roland Sagum III, Susan Sakai, Kevin Seiter, Scott Sullivan, Ron Terry, Ph.D., Donald Thornburg

**Member Absent:** James Coon

**CZM Staff:** Christopher Chung, Susan Feeney, Teri Hee, Lea Kaiaokamalie, Mary Lou Kobayashi, Christina Meller, Ann Ogata-Deal, Becky Pollock, Debra Tom, Deputy Attorney General John Chang

**Others Present:** Rebecca Alakai, Department of Hawaiian Home Lands; Cheryl Anderson, University of Hawaii, Social Science Research Institute; Tom Eisen, Ocean Resources Branch; M. Emiliano, Department of Land and Natural Resources (DLNR)/Division of Boating and Ocean Recreation (DOBOR); Jennifer Garf, SSRI; Norman Hayashi, Hawaii County Planning Department; Sam Lemmo, DLNR; Jerry Norris, OHA; Dave Parsons, DLNR/DOBOR, Grace Simmons, Department of Health (DOH); Josh Stanbro, Trust for Public Land; Bill Thompson, DLNR/DOBOR

### **DISTRIBUTED MATERIALS**

- Meeting Agenda
- February 13, 2002 Meeting Minutes
- Native Hawaiian Access Rights Project
- An Invitation to Participate: The Hawaii Ocean Resource Management Plan
- Issue Paper - Defining Advocacy Role - Citizen Input
- Photographs of Kailua-Kona, Hawaii, circa 1880 and of the Kailua-Kona shoreline fronting Alii Drive.

### **SUMMARY OF DISCUSSION**

Chair Sakai called the meeting to order at 11:02 a.m. and introductions were made by each of the Advocacy Council members and members of the audience.

### **Approval Of February 13, 2002 Meeting Minutes**

Arnold Lum moved to approve the minutes for the meeting date of February 13, 2002. The motion was seconded by Lawrence Aki and unanimously approved.

### **Native Hawaiian Access Rights Project**

- Presentation - Luciano Minerbi and Jon Matsuoka provided a presentation on the development of the process for the Hawaii Coastal Zone Management Program to comply with the Supreme Court's ruling in the Public Access Shoreline Hawaii (PASH) decision. They provided a handout which summarized Phase I (1998-1999), Phase II (1999-2000) and Phase III (2001-2002) and included a survey on Feedback Regarding Proposed Changes to Shoreline Management Area Rules and Application Procedure, Explanation of Changes Proposed to Special Management Area Rules and Regulations, and Explanation of Changes Proposed to SMA Application Process. They would like to have any comments and input within two weeks.

### **CZM Hawaii Program Report**

- Christopher Chung reported on the efforts in Congress to reauthorize the Coastal Zone Management Act. Funding supported on a nation-wide scale are as follows: \$80 million for grants, \$18 million for non-point source pollution, \$30 million for coral reef conservation, \$60 million for fisheries research, \$47 million for national marine sanctuaries and a \$2 million appropriation for the Pacific Services Center in Honolulu.
- Mr. Chung announced that the U.S. Commission on Ocean Policy, which was established by the Ocean Act 2000; will be holding its Hawaii and Pacific Islands Regional meeting on May 13-14, 2002. The purpose of this 16-member commission is to develop a comprehensive national ocean policy to effectively preserve and utilize the world's ocean resources. The meeting is intended to examine ocean and coastal policy as directed by the Oceans Act of 2000. Panels for discussion will include management of international living resources, tourism and coastal zone management, coral reefs, oceans and climate, northwest Hawaiian Islands, and cultural and indigenous practices.
- Mr. Chung also announced that a Pacific all island CZM program Regional meeting will be held in Guam on June 17-21, 2002.

### **Legislative Report**

- CZM-related measures monitored by staff did not pass this session.

### **Working Group Reports**

- Coastal Erosion - Sam Lemmo of the Department of Natural Resources provided an update on the restoration of Waikiki Beach and the recreation benefits. He reported that with respect to the status of Federal Shoreline Protection Projects, DLNR has formed a technical committee to work with community groups and federal, state and local agencies to determine what needs to be done and how to do it. He also reported on the South Kihei Shoreline Protection Project. County of Maui hired Chip Fletcher

on a Shoreline Mapping Project. The erosion rates information from the Shoreline Mapping Project will be used as a basis for shoreline setback determination. The City Council of Honolulu executive budget meeting on April 25, 2002 includes a line item on Shoreline Mapping. DLNR is developing an Erosion Hazard Manual that can be used by the public. There is an accretion bill pending in the Governor's office. DLNR is also working on a brown bag speaker series.

- Ocean Resources Management Plan (ORMP) Implementation - Donna Brown clarified that the ORMP Working Group is an informal working group organized by the CZM Program which is autonomous from the Marine and Coastal Zone Management Citizen's Advocacy Council (MACZAC). The ORMP Working Group has organized and has asked Jim Coon to be a member of the group, and that she (Donna Brown) be the alternate to Jim Coon. Ms. Brown also reported that CZM has hired the UH Social Science Research Institute to assist with developing, planning, and holding an Ocean Summit (scheduled for May 21-23, 2003) and with drafting the revised ORMP. Ms. Brown introduced Cheryl Anderson who explained the outreach role of MACZAC and passed out flyers for distribution by MACZAC members. MACZAC members were encouraged to support the ORMP process by involving citizens and interested groups within their own realm as the process develops and unfolds.
- Water Quality - Chair Sakai reported on behalf of June Harrigan that the previous Water Quality Standards Technical Advisory Committee (WQSTAG) will meet once more to review a list of questions and answers related to the proposed revisions to the State's Water Quality Standards Rule. The meeting is scheduled on Thursday, April 25, 2002 from 10:00 a.m. to 12 noon at the Board Room in Kinau Hale. Both the final draft Ramseyer version of the draft rule and the Frequently Asked questions (FAQ) sheet are posted on the following web site:  
[www.state.hi.us/health/eh/epo/wqrev/htm](http://www.state.hi.us/health/eh/epo/wqrev/htm).

#### **How the Council Operates: Refinements, Clarifications**

- Group Name - Arnold Lum moved that the Advocacy Council adopt the name, "Ke Kahu O Na Kumu Wai" which means "the keepers of the sources of water". The motion was moved by Lawrence Aki and approved by voice votes.
- Clarification of the Sunshine Law - Deputy Attorney General John Chang provided background information on the Sunshine Law and how it applies to this group. Christopher Chung reported on two available options:
  - Option 1 - If only the designated council member attends a working group meeting; then the meeting does not have to follow the Sunshine Law requirements. However, if other non-designated council member(s) attend that

same meeting, they cannot engage in any official council discussions since the meeting is not sunshined. Non-designated member(s) would also have to indicate that they are at the meeting as a member of the public.

- Option 2 - If you want to have more than one member at the meeting and be able to discuss official business, then the meeting will have to be sunshined.

To facilitate the transfer of information between members, another option is to email the information to staff so they can pass it on to the other members. For specific issues, an investigative committee can be designated to look into a particular issue.

- Addressing Public Concerns/Issue Paper – Defining Advocacy Role

Discussion was held regarding what the Advocacy Council's role is and the procedures for members to get agenda items calendared as well as how the members will address issues.

Kevin Seiter moved that members who are interested in discussing a certain topic write a paragraph on why it is an appropriate subject to bring before the group. The item will be put on the agenda and then the members can decide whether or not to take action. The motion was seconded by Arnold Lum and unanimously approved.

### **New Business**

- Discussion of Sewer Lines Near Beach Parks

Ron Terry reported on an issue with respect to sewer lines discussed at a Keokaha Community Association meeting in Hilo. The community association is concerned that the water quality will decrease as a result of putting in septic tanks as opposed to hooking up to the sewer lines. Because of the cost to bring in the sewer lines, it may be a while before the sewer lines can be put in. Another problem may be the burden of cost to the future owners if they put in a septic tank and later have to hook up to the sewer line. Rebecca Alakai from the Department of Hawaiian Home Lands addressed department concerns over a project in this area.

Arnold Lum suggested that Ron follow up with the agencies involved with assistance from Chris Meller of the CZM staff and report back to the council.

- Hazardous Waste Disposal from Small Businesses and Households

Don Thornburg addressed concerns regarding the disposal of hazardous waste from small businesses and households in Kauai. Grace Simmons of DOH provided brochures regarding alternatives in use of household chemicals as well as how small businesses should handle their hazardous waste. Materials for outreach education are available.

- Kailua Pier Improvements

Kevin Seiter presented his concerns regarding the Kailua Pier Improvements. He would like the State to consider long-term solutions instead of just repairing the existing pier. Ideas can be sent to Chris Meller of the CZM staff. Dave Parsons from DOBOR provided information on the existing pier improvement plans. The discussion was tabled until our next meeting.

**June Meeting Agenda**

The next meeting will be held in Maui, on Wednesday, June 12, 2002.

**Adjournment**

With no further business, the meeting was adjourned at 2:15 p.m.